

Development Report

in accordance with the

Environmental Planning & Assessment Act 1979

**Development Report and Statement of Environmental Effects
for**

Proposed Long Term Manufactured Home Estate

Country Club Residential Estate

Lot 3 in DP242332 #303 Blackhead Road at Tallwoods

Joint Venture Pty Limited

July 2020

Job Ref: 037-2017

Version 06-037/2017 (L&E Set)





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Job Reference:	#037-2017				
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Client Details					
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	Masterplan (Issue J) prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers)	
	Community Precinct Plans (Issue D) prepared by AArqm Building Designers	
	Landscape Masterplan (Issue H) prepared by Rob Frew Landscape Architect	
	Stormwater Plans and Water Sensitive Design Report prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers)	
	Sewer Strategy prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers)	
	Waste Management Plan prepared by Wales & Associates Pty Limited	
	Traffic Impact Assessment prepared by TTPA (Consulting Traffic Engineers)	
	Bushfire Threat & Protection Assessment prepared by Clarke Dowdle & Associates	
	AHIMS Search Result dated 12 th August 2018	
	Social Impact Assessment prepared by Aigis Group (Social Planners)	
	Biodiversity Development Assessment Report prepared by Conacher Environmental	
	Tree Survey Plan prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers)	
	Arboricultural Impact Assessment prepared by Advanced Treescape Consulting	
	Council Planning Report dated 2 nd November 2017 – DA#407/2017 for Manufactured Home Estate	
	Notice of Determination dated 8 th November 2017 for DA#407/2017	
	“Without Prejudice” list of matters provided during the s34 Conference held on the 21 st August 2019	

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LIST OF ABBREVIATIONS AND GLOSSARY	
Abbreviation	Meaning
AS	Australian Standard
ASS	Acid Sulphate Soil
CC	Construction Certificate
CCTV	Closed Circuit Television
GTDCP	Greater Taree Development Control Plan 2010
CPTED	Crime Prevention Through Environmental Design
Council	MidCoast Council
dB	Decibel, which is 10 times the logarithm (base 10) of the ratio of a given sound pressure to a reference pressure; used as a unit of sound
dB(A)	Frequency weighting filter used to measure “A-weighted” sound pressure levels, which conforms approximately to the human ear response, as our hearing is less sensitive at very low and very high frequencies
DCP	Development Control Plan
DDA	Discrimination and Disability Act
DECCW	Department of Environment, Climate Change and Water NSW
ECRTN	Environmental Criteria for Road Traffic Noise
AEP	Annual Exceedance Probability
EP&A Act	Environmental Planning & Assessment Act
EPI	Environmental Planning Instrument
ARI	Annual Rainfall Intensity
ESD	Ecologically Sustainable Development
EA	Environmental Assessment
Emission	The release of material into the surroundings (for example, gas, noise and water)
EP&A Act	Environmental Planning and Assessment Act 1979
GFA	Gross Floor Area
GTLEP	Greater Taree Local Environmental Plan 2010
INP	Industrial Noise Policy
LEP	Local Environmental Plan
LGA	Local Government Area
m ²	Square metre
m ³	Cubic metre
MHE	Manufactured Home Estate
NGLG	Noise Guide for Local Government
REF	Review of Environmental Factors
REP	Regional Environment Plan
RL	Reduced Level
ROW	Right-of-way
RMS	Roads and Maritime Services

LIST OF ABBREVIATIONS AND GLOSSARY (continued)	
Meaning	
SEE	Statement of Environmental Effects
SULE	Safe and Useful Life Expectancy (ie: SULE rating)
WA	Wales & Associates Pty Limited
WMP	Waste Management Plan
WWPS	Waste Water Pump Station
SEPP	State Environmental Planning Policy
VPA	Voluntary Planning Agreement
vtph	Vehicle trips per hour

EXECUTIVE SUMMARY

This amended Statement of Environmental Effects has been prepared by Wales & Associates Pty Limited (WA) on behalf of Joint Venture Pty Limited in relation to the proposed long term residential manufactured home estate located at Lot 3 in DP242332 #303 Blackhead Road at Tallwoods as shown in the attached amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

This document has been amended so as to address issues relating to matters arising from the subsequent Class 1 Appeal in the New South Wales Land & Environment Court (Case No. 2018/00391717).

The proposal includes:-

- (i) demolition of existing dwelling;
- (ii) clearing and stripping of property including tree retention and tree removal;
- (iii) construction of one hundred and eighty four (184) long term residential manufactured home sites;
- (iv) site landscaping;
- (v) internal access roads;
- (vi) car parking/caravan storage;
- (vii) community centre containing games room, library, theatre, dining area, office and lounge;
- (viii) outdoor swimming pool;
- (ix) bowling green;
- (x) managers residence; and
- (xi) men's shed

It describes the site, its environs, the development and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 – Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the provisions of SEPP 36 – *Manufactured Home Estates*.

It should be read in conjunction with the supporting information and documents including the following documents appended to this report:-

- (i) Masterplan (Issue J) prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers);
- (ii) Community Precinct Plans (Issue D) prepared by AArqm Building Designers;
- (iii) Landscape Masterplan (Issue H) prepared by Conzept (Landscape Architects);
- (iv) Stormwater Plans and Water Sensitive Design Report prepared by Lidbury Summers & Whiteman (Consulting Surveyors, Planners and Engineers)
- (v) Waste Management Plan prepared by Wales & Associates Pty Limited;

- (vi) Bushfire Risk Management Plan prepared by Clarke Dowdle & Associates (Bushfire Consultants);
- (vii) Social Impact Assessment prepared by Aigis Group (Social Planners);
- (viii) Flora & Fauna Report prepared by Conacher Environmental;
- (ix) Traffic Impact Assessment prepared by TTPA (Consulting Traffic Engineers);
- (x) AHIMS Search Result dated 12.08.18;
- (xi) Council Planning Report dated 2nd November 2017 – DA#407/2017 for Manufactured Home Estate;
- (xii) Notice of Determination dated 8th November 2017 for DA#407/2017;
- (xiii) “Without Prejudice” list of matters provided during the s34 Conference held on the 21st August 2019;
- (xiv) Arboricultural Impact Assessment prepared by Advanced Treescape Consulting

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DEVELOPMENT REPORT AND STATEMENT OF ENVIRONMENTAL EFFECTS

in accordance with the
**MIDCOAST COUNCIL
DEVELOPMENT APPLICATION REQUIREMENTS**

Date of Report: 20th July 2020

Applicant: Joint Venture Pty Limited
C/- Wales & Associates
P.O. Box 150 at Ettalong Beach 2257

Client: Glenn Hale
Joint Venture Pty Limited
C/- Wales & Associates
P.O. 150 at Ettalong Beach 2257

Location: Lot 3 in DP242332
#303 Blackhead Road at Tallwoods

Site Area: 10.12 hectares

Subject of Report: Demolition of existing dwelling, clearing of the land and construction of the proposed Manufactured Home Estate consisting of 184 MHE (long term) sites and community facilities

Current Zoning: Part R1 – *General Residential* and part RE1 – *Public Recreation*
(see zoning plan marked **Figure 1** on the following page)

Planning Instruments/Development Control Plans:

- (i) Greater Taree Local Environmental Plan 2010;
- (ii) NSW Environmental Planning & Assessment Act 1979;
- (iii) NSW Environmental Planning & Assessment Regulation 2000;
- (iv) New South Wales (Australia) Local Government Amendment (Ecologically Sustainable Development) Act 1997;
- (v) Biodiversity Conservation Act (2016);
- (vi) State Environmental Planning Policy 36 – *Manufactured Home Estates*;
- (vii) Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- (viii) Local Government Act 1993; and
- (ix) Greater Taree Development Control Plan 2010

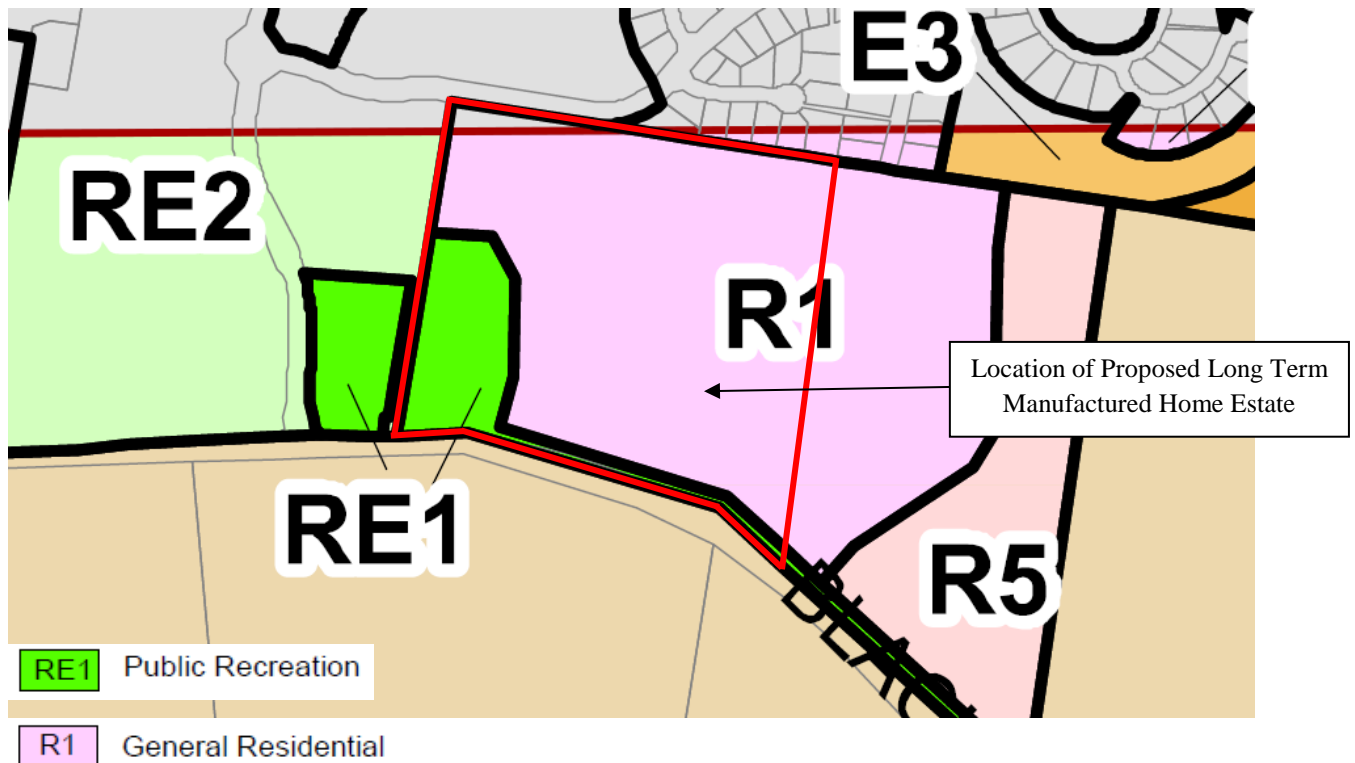


Figure 1
Extract from Greater Taree Local Environmental Plan 2010
Land Zoning Map – Sheet LZN_016A
(courtesy of MidCoast Council through the NSW Legislation website)

1.0 THE PROPOSAL

1.1 Site History

The subject property was the subject to an earlier development application known as 407/2017/DA lodged on the 13th April 2017 and subsequently refused by Council on the 8th November 2017 although recommended for approval subject to Conditions by Council planning assessment officers in the Planning & Natural Systems Report to the Extraordinary Meeting dated the 2nd November 2017. The Planning & Natural Systems Report is appended to this application for reference.

The reasons for refusal as communicated to the applicant in Council's correspondence dated 8th November 2017 as follows:-

- (i) the proposal will have a negative effect on water and sewer infrastructure including the orderly development potential in the Blackhead/Hallidays Point area;
- (ii) establishing the proposed Asset Protection Zone on land to be dedicated to Council for the benefit of a private interest is not satisfactory;
- (iii) there is an inequitable increased financial burden on existing ratepayers resulting from the additional impact of the proposed development on local infrastructure and services;
- (iv) there is insufficient local infrastructure;
- (v) there is inadequate provisions for koala movement;
- (vi) impacts on visual amenity;
- (vii) impact of lack of adequate fire prevention measures and emergency evacuation of the elderly; and
- (viii) the proposal is considered overall to not be in the public interest and due to the cumulative effect of the above matters, the application fails to satisfy requirements of Section 79C1 (b), (c) (d) and (e).

Each of the above matters are discussed in the body of this report under the relevant headings.

The lodgment of the previous application was preceded by a meeting with Council planners and engineers on the 14th October 2016 and again on the 10th February 2017 in relation to the proposed development. The following items were discussed at the meeting:-

- (i) permissibility of the proposal on the land was discussed and acknowledged under the provisions of Greater Taree LEP 2010;
- (ii) bushfire hazards were noted and confirmed that the development would be classified as "integrated" requiring concurrence from the NSW Rural Fire Service;
- (iii) the existing trees on the land are able to be cleared at any time without consent. However, an ecological assessment of the trees was requested to confirm there would be no significant impact from development of the land (as found in previous assessment for the rezoning in 2010);

- (iv) confirmation that a traffic assessment for the proposal would be required with the development application;
- (v) confirmed that stormwater treatment on site will need to meet Council requirements and targets;
- (vi) confirmation that the proposal would require approval from the NSW Rural Fire Service and that a bushfire assessment would be required with the application;
- (vii) it was noted that a Voluntary Planning Agreement exists over the land which relates to subdivision of the land for residential uses. It was further noted that the proposal does not involve subdivision, but the public outcomes of the planning agreement should otherwise be achieved.

It is noted that following the above meetings, the applicant also requested that the emergency access to Blackhead Road for use as a construction access for the estate construction and delivery of manufactured homes. It is understood that consultation was undertaken with Council in March 2017 in relation to this aspect and that Council advised that at the time there was no objection to the use of the road as a construction access subject to certain conditions including:-

- (i) residents and the general public are not to use the emergency access as they should be using the Coastal View Drive access;
- (ii) the driveway to be widened to suit the use of larger vehicles including semi-trailers and the new driveway installed to Council standards;
- (iii) heavy vehicle warning signs to be installed on Blackhead Road on both approaches to the emergency access;
- (iv) a Traffic Control Plan (TCP) is to be prepared for when vehicles enter and exit with subsequent disruption to traffic movements, manoeuvring to the wrong side of the road and/or stopping movement of vehicles on Blackhead Road; and
- (v) the preparation of a Dilapidation Report prior to the use the emergency access and a subsequent Dilapidation Report at the completion of works with all repairs required to the roadway due to these construction vehicles to be the responsibility of the applicant

The current application was lodged with MidCoast Council on the 21st September 2018 known as 99/2019/DA. During the assessment period, the applicant filed a Class 1 Appeal in the Land & Environment Court of New South Wales on the 20th December 2018 as Deemed Refusal. The matter is known as Case No. 2018/00391717.

Council subsequently refused the development application on the 26th June 2019. The following reasons for refusal were given:-

- (i) the development does not comply with the provisions of the *Biodiversity Conservation Act 2016*;
- (ii) the development does not comply with the provisions of *State Environmental Planning Policy No. 44 – Koala Habitat Protection*;
- (iii) The proposed development does not satisfy the requirements of clause 9 of SEPP 36;

- (iv) the proposed development fails to meet the objectives of the R1 – General Residential Zone in that the proposal hasn’t adequately identified a need for the type of housing proposed;
- (v) the proposed development fails to meet the requirements of clauses 18 and 24 of Local Government (Manufactured home estates, caravan parks, camping grounds and moveable dwellings) Regulation 2005;
- (vi) the overall cumulative impact of the development will be unacceptable having regard to the potential impacts in relation to threatened species, transport, social and economic impacts;
- (vii) the broader public interest is not considered to be served by the proposed development given the likely detrimental impact on threatened species and their habitats and the potential for the development to enhance social isolation largely as a result of the limited transport options available in the locality;
- (viii) that if approved the development would set an unacceptable negative precedent for use of Council owned community land as an asset protection zone;
- (ix) that if approved the development would create rate inequity burden for other rate payers; and
- (x) if approved the development would provide inconsistency of application of home building regulations compared with all other approved dwellings in the area

The matter was subsequently listed for mediation through a s34 Conference on the 21st August 2019 at which time a “without prejudice” list of matters to be considered was provided to the applicant by Council’s external planning Consultant Kerry Nash and Council’s Ecologist, Matt Bell.

The “without prejudice” list of matters is appended to this report. Each of the matters listed, where appropriate, have been addressed in the body of this report.

1.2 Voluntary Planning Agreement

The land was rezoned to R1 – *General Residential* and RE1 – *Public Recreation* in 2010, at which time a Voluntary Planning Agreement (VPA) was made between Council and the owners of the land. The VPA provided for the carrying out of certain public recreation works and the dedication of land to Council for public recreation purposes. The VPA included a proposed plan of subdivision. However, the VPA did not restrict development of the land solely for this purpose, and alternative subdivision or alternative forms of residential development can be considered on the land including the proposed manufactured housing.

The VPA is activated only when the “applicant” has received a development consent to the first stage of the land development for the area nominated “B” on the Rezoning Plan attached to the VPA and Council has released a subdivision certificate in relation to that subdivision. That is, the VPA is void unless the property is subdivided.

The Voluntary Planning Agreement does not form part of this application and is not intended to be exercised as subdivision of the land is NOT proposed. That portion of the land zoned RE1 - Public Recreation will be utilised for recreation purposes as part of the communal facilities for the MHE development, uses which are permitted with consent.

1.3 General

This report, which contains the Statement of Environmental Effects, forms part of the development application for the proposed long term residential manufactured home estate through the development of one hundred and eighty four (184) long term sites on the existing residential property along Blackhead Road at Tallwoods. The proposed manufactured home estate is being undertaken in accordance with the provisions of State Environmental Planning Policy No. 36 – *Mobile Home Estates* (SEPP 36) and the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

The amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) shows the proposed site layout and facilities.

This application involves the:-

- (i) construction of one hundred and eighty four (184) long term mobile home allotments with associated community facilities including club house, swimming pool, bowling green and men's shed;
- (ii) construction of new internal access roads (see amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers);
- (iii) provision of site landscaping (see **Landscape Masterplan** prepared by **Conzept** (Landscape Architect);
- (iv) construction of internal roads and car parking areas together with stormwater drainage, footpaths and services (see **Stormwater Design** and **Sewer Strategy** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers)

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1.4 Site Details

The subject site is generally rectangular in shape and has primary frontage to Blackhead Road along the southern boundary and secondary frontage to Coastal View Drive along the northern boundary. Council's public reserve forms primarily the western boundary with undeveloped residential lands along the eastern boundary. It has an area of 10.12 hectares. The property is known as Lot 3 in DP242332 #303 Blackhead Road at Tallwoods and is currently occupied by a residential dwelling in the south eastern corner as shown on the amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

1.5 Locality

The subject site is located at the southern edge of the Tallwoods residential area. The southern boundary of the land fronts Blackhead Road, whilst part of the northern boundary is formed by the frontage to Coastal View Drive.

The site adjoins developed residential properties along Coastal View Drive and The Bridle Path. Surrounding land in the locality is comprised of:-

- (i) small residential properties with single dwellings and vacant residential lots;
- (ii) private recreation zoned land known as Tallwoods Championship Golf Course;
- (iii) land zoned RE1 – *Public Recreation* for future community use; and
- (iv) land zoned RE2 – *Private Recreation* containing a former sales office (now a gymnasium and medical centre) and parking area.

On the southern side of Blackhead Road are large rural and rural residential allotments. This includes an allotment currently being operated as a caravan park.

The land is zoned Part R1 – *General Residential* and part RE1 – *Public Recreation* and has been used previously for small scale rural/residential purposes.

Future development of the precinct is governed largely by the Greater Taree Local Environmental Plan 2010. Site context details are provided under Section 11 – Urban Design and Construction Details of this report.

1.6 Staging

The proposed manufactured housing estate consisting of the proposed one hundred and eighty four (184) long term sites will be undertaken in four (4) stages as shown in **Table 1**. The staging is shown on the amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) as shown in **Figure 2**.

Table 1
Staging

Stage	Site Numbers	Number of Sites
Stage 1	(i) site numbers 1 to 48 including Community Centre, bowling green, pool, men's shed and office/mangers residence; and (ii) partially complete earthworks and construct water quality ponds	40
Stage 2	(i) site numbers 50 to 103; and (ii) complete water quality ponds	51
Stage 3	(i) site numbers 104 to 161; and (ii) complete open space and perimeter landscaping prior to approval to operate Stage 3	57
Stage 4	(i) site numbers 162 to 197	36
Total		184

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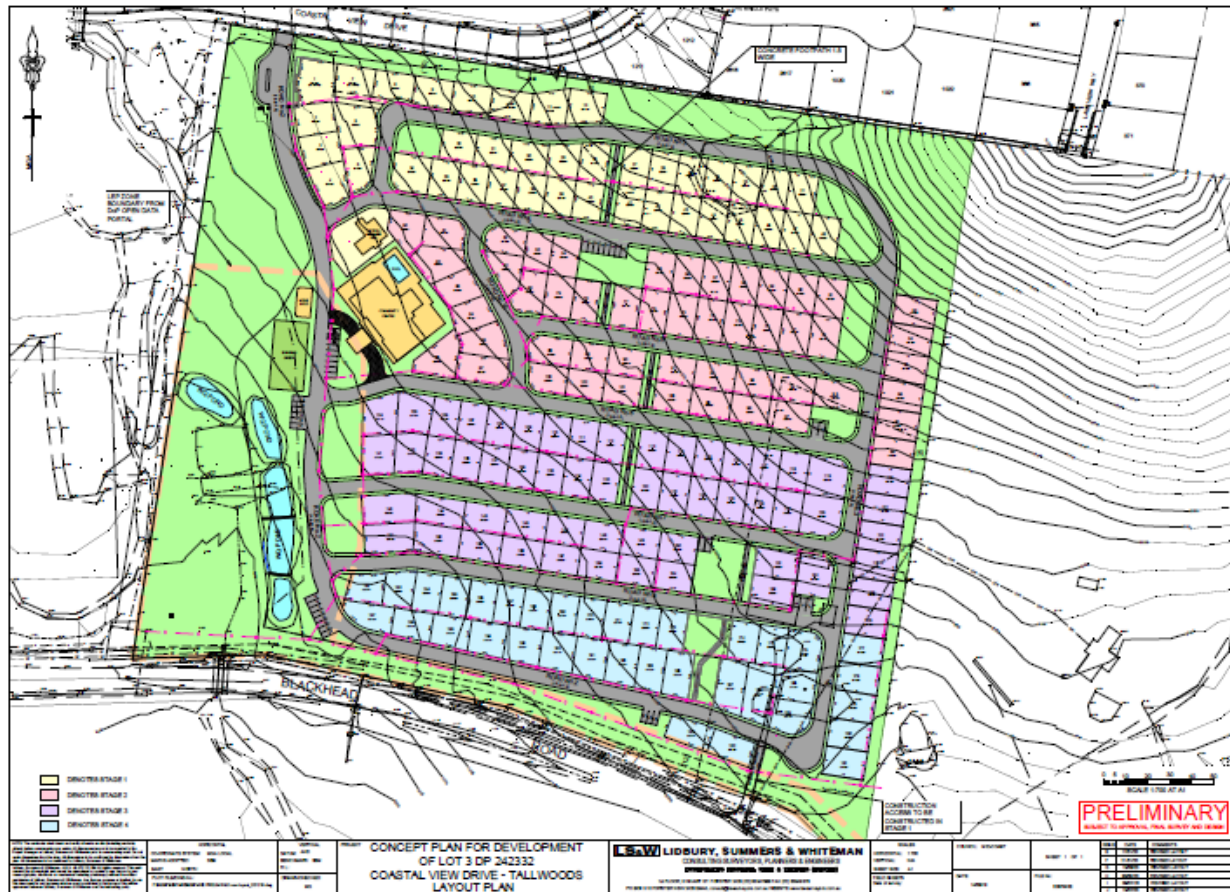


Figure 2
Staging Plan
(image courtesy of Lidbury Summers & Whiteman)

1.7 Hours of Operation

The proposed manufactured home estate will be accessible 24 hours each day for the benefit of residents with the management office opened:-

- (i) Monday to Friday between 9:00am and 5:00pm;
- (ii) Saturday between 9:00am and 12:00; and
- (iii) Sunday – emergency only

2.0 PLANNING AND SITE BACKGROUND

2.1 General

The subject site is located within the established Tallwoods residential precinct on the northern side of Blackhead Road and adjoins land zoned for residential purposes to the north and east and lands zoned public recreation to the west.

The development is governed by the following planning controls:-

- (i) Greater Taree Local Environmental Plan 2010;
- (ii) State Environmental Planning Policy 36 – *Manufactured Home Estates*
- (iii) Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- (iv) Local Government Act 1993; and
- (v) Greater Taree Development Control Plan 2010

2.2 Consistency with Planning Controls

The following compliance table (see **Table 2**, **Table 3** and **Table 4**) summarizes the key planning and development controls and the level of compliance the development achieves.

Table 2
Compliance Table
(Greater Taree Local Environmental Plan 2010 and SEPP 36 – Manufactured Home Estates)

Planning Control	Standard	Compliance
Greater Taree Environmental Plan 2010	Permissibility - MHE (R1 – <i>General Residential</i>)	YES (Innominate Use)
Greater Taree Environmental Plan 2010	Permissibility - Community Facilities, Roads and Environmental Facilities (RE1 – <i>Public Recreation</i>)	YES
Greater Taree Environmental Plan 2010	Preservation of Trees or Vegetation	YES
Greater Taree Environmental Plan 2010	Demolition (Clause 2.7)	YES
Greater Taree Environmental Plan 2010	Flood Planning (Clause 7.2)	YES
Greater Taree Environmental Plan 2010	Earthworks (Clause 7.3)	YES
SEPP 36 – Manufactured Home Estates	Suitable Lands (Clause 6)	YES
SEPP 36 – Manufactured Home Estates	Schedule 2	YES
SEPP 36 – Manufactured Home Estates	Matters to be Considered by Council (Clause 9)	YES

Table 3
Compliance Table
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Planning Control	Standard	Compliance
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Factors for Consideration Before Approval is Granted (Clause 6)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Minimum Size of Estate (Clause 12)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Community Amenities (Clause 13)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Size of Dwellings Sites (Clause 14)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Entrance and Exit Roads (Clause 20)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Width of Roads (Clause 21)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Visitor Parking (Clause 23)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Visitor Parking for People with Disabilities (Clause 24)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Road Surfaces (Clause 25)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Utility Services (Clause 27 to 32)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Garbage Removal (Clause 33)	YES
Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005	Fire Hydrants (Clause 34)	YES

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Table 4
Compliance Table
(Greater Taree Development Control Plan 2010)

Planning Control	Standard	Compliance
Greater Taree Development Control Plan 2010	Part A – A3 Notification and public participation	YES
Greater Taree Development Control Plan 2010	Part B – Character Statements	YES
Greater Taree Development Control Plan 2010	Part D – Environmental Requirements	YES
Greater Taree Development Control Plan 2010	Part E – Flooding Requirements	YES
Greater Taree Development Control Plan 2010	Part F – Heritage Requirements	YES
Greater Taree Development Control Plan 2010	PART G – Car Parking and Access	YES
Greater Taree Development Control Plan 2010	Part M – Site Waste Minimisation and Management	YES
Greater Taree Development Control Plan 2010	Part N – Landscaping	YES
Greater Taree Development Control Plan 2010	Part O – Signage and Advertising Requirements	YES

2.2.1 Greater Taree Local Environmental Plan 2010

2.2.1.1 Zoning

The subject lands are currently zoned part R1 – *General Residential* and part RE1 – *Public Recreation* under the Greater Taree Local Environmental Plan 2010 as shown in **Figure 1**.

The **objectives** of the R1 – *General Residential* zone are:-

- (i) to provide for the housing needs of the community;
- (ii) to provide for a variety of housing types and densities; and
- (iii) to enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development **meets the objectives** of the zone by:-

- (i) providing housing that meets the needs of the local community;
- (ii) providing dwelling sites that will provide for a range of housing types and densities; and
- (iii) enabling the site to be used for long term manufactured housing supported by internal community facilities

Manufactured Home Estates are not defined within the Greater Taree Local Environmental Plan 2010 and are classified as an innominate use. Under the development control table for the R1 – *General Residential* zone, a list of uses is provided, which are prohibited, with all other uses being permissible with consent (unless otherwise permitted without consent).

None of the uses listed as prohibited in the zone is analogous to a manufactured home estate, and the use is therefore permissible in the zone with consent. Roads are likewise permissible with consent in the zone. As such, all the uses in the R1 – *General Residential* zone are permitted with consent.

The **objectives** of the RE1 – *Public Recreation* zone are:-

- (i) to enable land to be used for public open space or recreational purposes;
- (ii) to provide a range of recreational settings and activities and compatible land uses;
- (iii) to protect and enhance the natural environment for recreational purposes;
- (iv) to provide for a range of educational, environmental, community and cultural uses for the benefit of the community

The proposed development **meets the objectives** of the zone by:-

- (i) enabling the land to be used for recreational purposes as part of the communal open space requirements under Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 ;
- (ii) allowing for a range of recreational settings and activities and compatible land uses including communal open space, community facility, bowling green and men's shed;
- (iii) ensuring the protection and enhancement the natural environment for recreational purposes; and
- (iv) ensuring that a range of environmental, community and cultural uses for the benefit of the community can be achieved through the provision of the communal and community facilities as part of the MHE development

Under the development control table for the RE1 – *Public Recreation* zone, a list of uses is provided, which are prohibited, with all other uses being permissible with consent (unless otherwise permitted without consent). These uses include (but not limited to) community facilities, environmental facilities, recreation areas, recreation facilities (indoor) and roads.

Community facilities, environmental facilities, recreation areas, recreation facilities (indoor) and roads are therefore permitted in the RE1 – *Public Recreation* zone.

2.2.1.2 Permissibility

Greater Taree Local Environmental Plan 2010 does not define manufactured home estates. However, they are defined in SEPP 36 – *Manufactured Homes Estates* to mean “*land on which manufactured homes are, or are to be, erected*”.

A “manufactured home” is defined in the same SEPP to mean:-

“a self-contained dwelling (that is, a dwelling that includes at least 1 kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- a) that comprises 1 or more major sections that are each constructed, and assembled, away from the manufactured home estate and transported to the estate for installation on the estate, and*
- b) that is not capable of being registered under the Traffic Act 1909, and includes any associated structures that form part of the dwelling”*

A Manufactured Home Estate is not a land use defined in the Greater Taree Local Environmental Plan 2010 (ie: they are an innominate use) and is therefore permissible development with the consent of Council in accordance with the provisions of the relevant zoning table and in the R1 – *General Residential* zone. The proposed use therefore **COMPLIES** with the Greater Taree Local Environmental Plan 2010.

Community facilities, environmental facilities, recreation areas, recreation facilities (indoor) and roads are permitted in the RE1 – *Public Recreation* zone. These proposed uses shown on the Masterplan within the RE1 portion of the subject lands **COMPLY** with the Greater Taree Local Environmental Plan 2010.

2.2.1.3 Height of Buildings

Clause 4.3 – *Height of buildings* addresses issues relating to building height.

“building height (or height of building)” means:-

- (i) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (ii) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like”.

The **objectives** of this clause are as follows:-

- (i) to ensure that the height of a building is appropriate for the site;
- (ii) to ensure that the height of a building complements the streetscape or rural character of the area in which the building is constructed.

The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#). The subject property is denoted as I2 = 8.5 metres maximum building height as shown in **Figure 3**.

The maximum height of the community building is 6.5 metres. Manufactured homes to be installed on the proposed MHE sites are not buildings defined in the Environmental Planning & Assessment Act and are technically not subject to this planning control. It should be noted that future buildings on the dwelling sites would generally be less than five (5) metres. Therefore, the proposed development **COMPLIES** with the maximum height requirements under Clause 4.3 – Height of buildings.

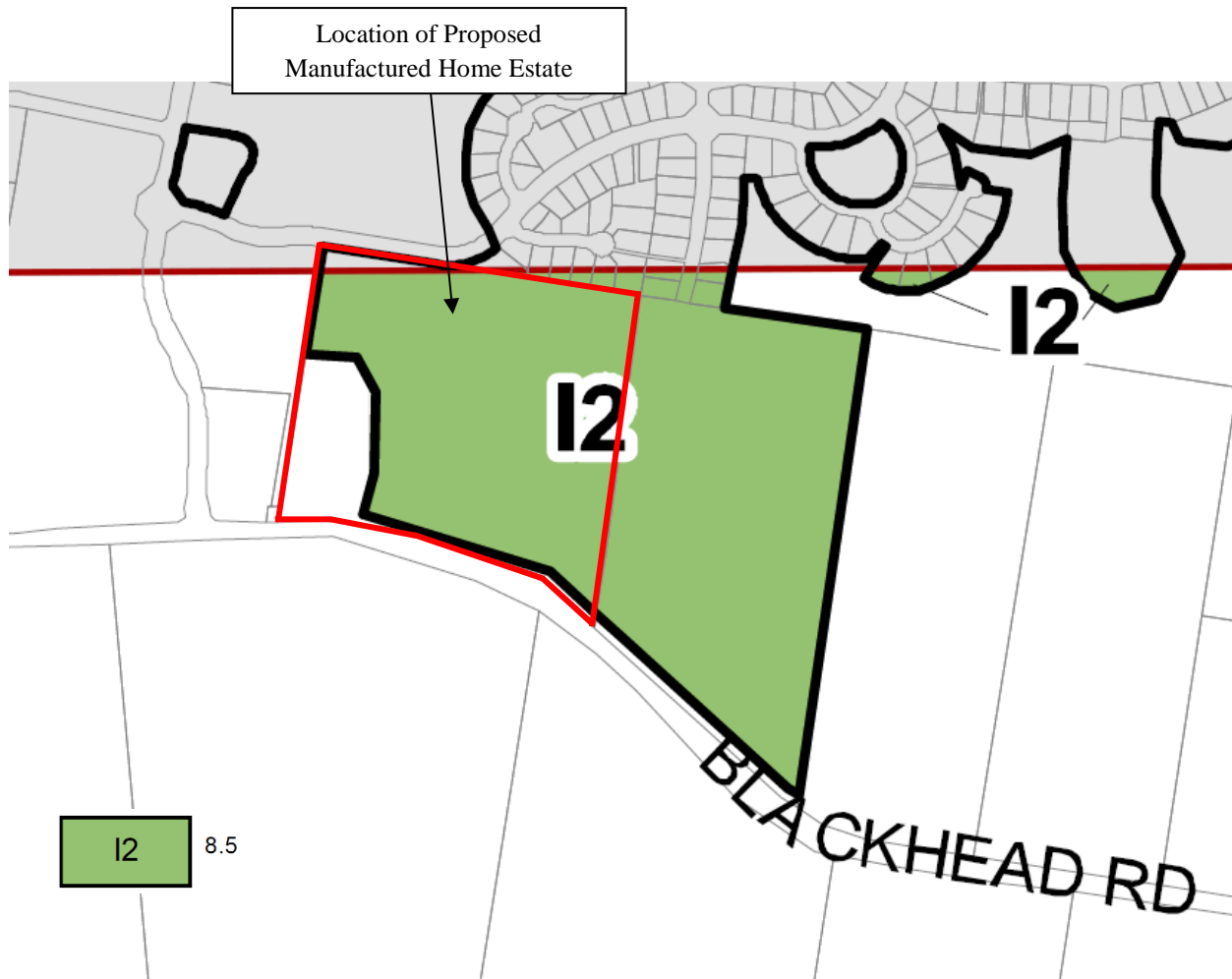


Figure 3
Extract from Greater Taree Local Environmental Plan 2010
Building Height Map – Sheet HOB_016A
(courtesy of MidCoast Council through the NSW Legislation website)

2.2.1.4 Floor Space Ratio

Clause 4.4 – Floor Space Ratio addresses issues relating to total floor area expressed as a ratio to total land area.

The **objectives** of this clause are as follows:-

- (i) to ensure that the density, bulk and scale of development is appropriate for a site;
- (ii) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located

The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#). The subject property is denoted as F = 0.6 to 1 maximum floor space ratio as shown in **Figure 4**.

The following floor space calculations apply to the proposed development as shown in **Table 5**:-

Table 5
Floor Space Ratio Calculation

Component	Floor Area
Community Building	704.0m ²
Managers Residence	136.0m ²
Men's Shed	77.66m ²
Total Floor Area	917.66m ²
Total Site Area	10.12 hectares
Proposed Floor Space Ratio	0.009:1
Maximum Permitted Floor Space Ratio	0.6 to 1
COMPLIANCE	YES

The maximum floor space ratio proposed is 0.009 to 1 and therefore **COMPLIES** with Clause 4.4 – Floor Space Ratio. The future manufactured homes to be installed on the proposed dwelling sites are not buildings defined in the Environmental Planning & Assessment Act and are technically not subject to this planning control. It should be noted that future buildings on the dwelling sites would generally be less than 120m² in floor area.

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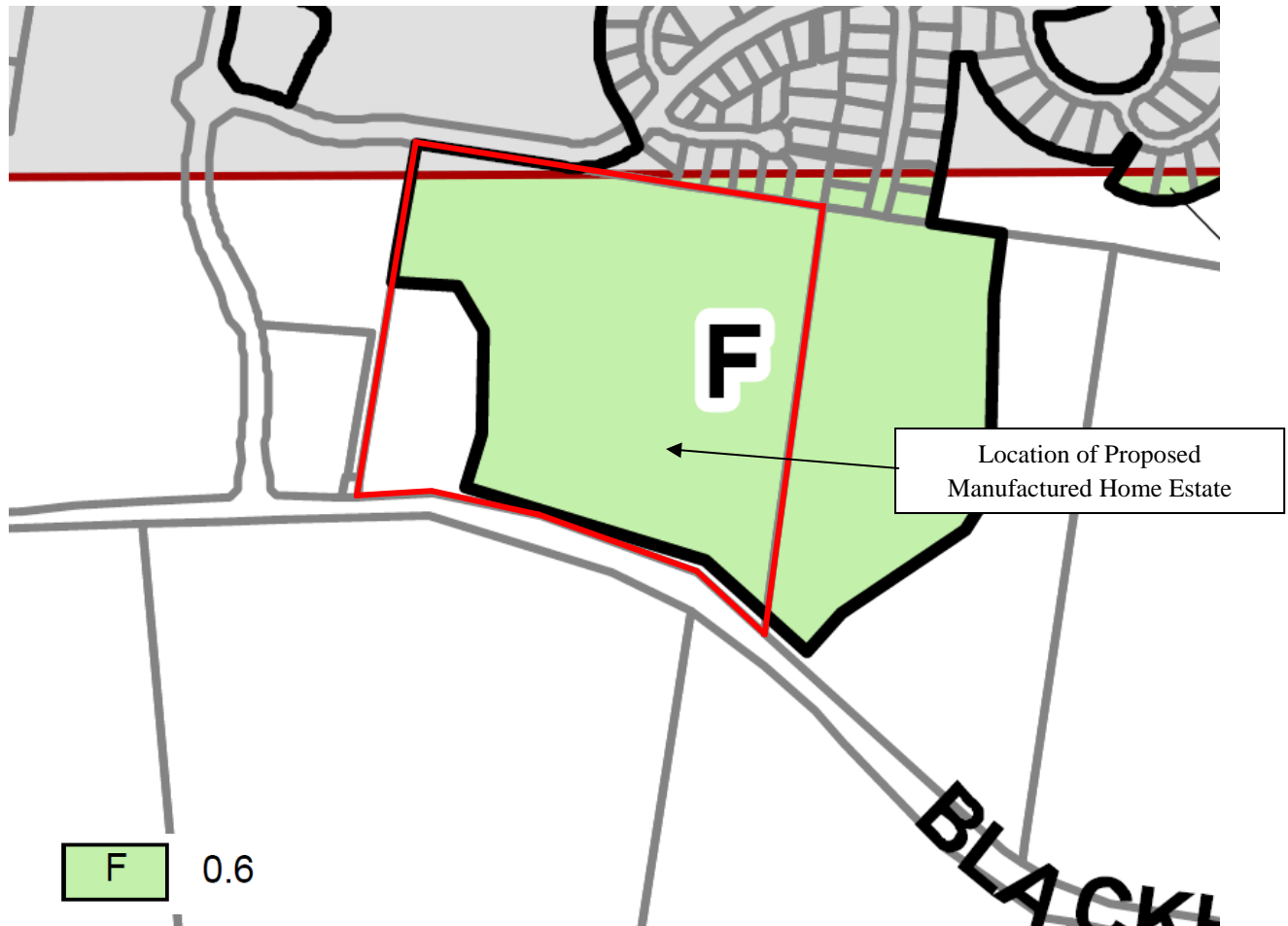


Figure 4
Extract from Greater Taree Local Environmental Plan 2010
Floor Space Ratio Map – Sheet FSR_016A
(courtesy of MidCoast Council through the NSW Legislation website)

2.2.1.5 Demolition

Clause 2.7 – Demolition requires development consent deals with demolition works where the demolition of a building or work may be carried out only with development consent.

It should be noted that if the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.

In this instance, consent is sought for the demolition of the existing dwelling in the south eastern corner of the site as part of the development of the land for the proposed manufactured home estate.

2.2.1.6 Flood Planning

Clause 7.2 – Flood Planning applies to land at or below the flood planning level.

The **objectives of this clause** are as follows:-

- (i) to minimise the flood risk to life and property associated with the use of land;
- (ii) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change; and
- (iii) to avoid significant adverse impacts on flood behaviour and the environment.

The subject land is not identified as being within the Council's flood planning area based on the Greater Taree Local Environmental Plan 2010 mapping. Nor is the land identified as being subject to localized flooding on Council's mapping.

Stormwater controls and Water Sensitive Design is dealt with in detail under Section 8.0 – Stormwater Drainage, Section 10.0 – Flooding and Section 19.10 – Flooding Effects. A **Water Sensitive Design Strategy** is appended to this application and has been prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

The **Water Sensitive Design Strategy** addressed the impacts of the 1% AEP flood event and shows that the proposal attenuates post-development peak discharges to maintain existing flows for all storm events up to and including the 100 year ARI rainfall event.

It is considered that the proposed development **COMPLIES** with the requirements under Clause 7.2 – Flood Planning.

2.2.1.7 Earthworks

Clause 7.3 – Earthworks deals with issues associated with site works requiring excavation or the removal and transport of materials. This clause applies as the proposed development involves the provision of civil works including cut and fill. The **objectives** of this clause are as follows:-

- (i) 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; and
- (ii) to allow earthworks of a minor nature without separate development consent.

This issue is dealt with under Section 14 – Extent of Cut and Fill. The **Engineering Design Plans** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) show the extent of the proposed civil works including cut and fill over the development site.

Preliminary bulk quantities would indicate a total cut of approximately 4,000m³ and fill for the communal areas of approximately 4,000m³ providing for balanced earthworks.

It is considered that the proposed manufactured home development **COMPLIES** with the requirements under Clause 7.3.

2.2.1.8 Heritage Conservation

Clause 5.10 – *Heritage conservation* deals with those matters related to the conservation of environmental heritage including archaeological sites, aboriginal objects and aboriginal places noting that heritage items (if any) are listed and described in Schedule 5 of the LEP. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5. The **objectives** of this clause are as follows:-

- (i) to conserve the environmental heritage of Greater Taree City;
- (ii) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views;
- (iii) to conserve archaeological sites; and
- (iv) to conserve Aboriginal objects and Aboriginal places of heritage significance.

There are no known heritage items on or adjacent to the subject lands as shown in **Figure 5**.

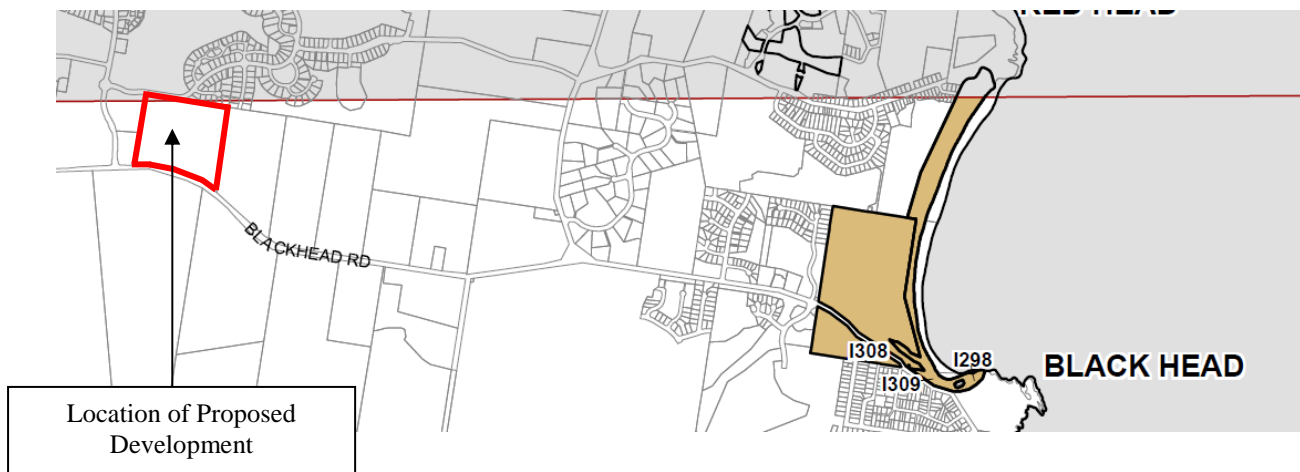


Figure 5
Extract from Greater Taree Local Environmental Plan 2010
Heritage Map – Sheet HER_016A
(courtesy of MidCoast Council through the NSW Legislation website)

In relation to Aboriginal Heritage, a Search of the Aboriginal Heritage Information Management System (AHIMS) database has been undertaken and did not reveal any “Aboriginal Sites” or “Places” on or near the subject site.

The subject land has been disturbed through past activities and would be identified as “disturbed land” under the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. In 2006, a walkover of the site was undertaken for the Local Aboriginal Land Council examining the land for any evidence of Cultural Heritage values. This investigation did not identify an Aboriginal Places or cultural heritage items on the site. The current site circumstances are not considered to have altered.

2.2.2 SEPP 36 – Manufactured Home Estates

Development for the purposes of manufactured home estates is regulated by State Environmental Planning Policy No 36 – *Manufactured Home Estates* (SEPP 36). The aim of SEPP 36 is to facilitate the development of well designed, appropriately located manufactured home estates to provide an alternative contemporary form of medium density residential development.

This State Environmental Planning Policy essentially enables Manufactured Home Estates to be established on land where they may not otherwise be permitted due to local planning controls. The proposed development is permitted under the provisions of Greater Taree Local Environmental Plan 2010 (see Section 2.2.1 – Greater Taree Local Environmental Plan 2010). *Clause 9* of SEPP 36 stipulates the matters that must be considered by Council when assessing development applications for manufactured home estates.

2.2.2.1 General

The policy applies to all land outside the Sydney Region except for land described in Schedule 1 and 2 of the SEPP noting that the site is located within a residential zone and that the land is NOT subject to the 1% AEP flooding event.

2.2.2.2 Aims and Strategies

The **aims** of this Policy are:-

- (i) 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;
- (ii) to provide immediate development opportunities for manufactured home estates on the commencement of this Policy;
- (iii) to encourage the provision of affordable housing in well-designed estates;
- (iv) 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;
- (v) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services;
- (vi) to protect the environment surrounding manufactured home estates; and

- (vii) to provide measures which will facilitate security of tenure for residents of manufactured home estates

The proposed development **COMPLIES** with the aims and strategies of the SEPP as follows:-

- (i) the proposal provides for the establishment of a fully compliant manufactured home estate as a contemporary form of low density residential development that provides an alternative to traditional housing arrangements;
- (ii) the proposal provides for an immediate development opportunities for a high quality manufactured home estate albeit that the Policy commenced in September 2005;
- (iii) the proposal provides for affordable housing in a high quality, well designed estate that is fully compliant with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- (iv) the proposal ensures that the manufactured home estate is situated in a suitable location that does not sterilise important resources nor has landscape, scenic or ecological qualities that should be preserved;
- (v) the proposal ensures that the manufactured home estate can adequately be serviced (ie: water, sewer, electricity and telecommunications) and has access to essential community facilities and services both on-site and within driving distance to Blackhead;
- (vi) the proposal ensures the protection of the environment surrounding the manufactured home estate through generous setbacks and a comprehensive landscape program; and
- (vii) the proposal will provide measures which will facilitate security of tenure for residents of manufactured home estates through suitable lease arrangements

2.2.2.3 Suitable Lands

Clause 6 details where development for the purposes of a manufactured home estate may be carried out. Development for the purposes of a manufactured home estate may be carried out pursuant to this Policy on any land on which development for the purposes of a caravan park may be carried out, except:-

- (i) land within one or more of the categories described in Schedule 2; or
- (ii) land dedicated or reserved under the National Parks and Wildlife Act 1974; or
- (iii) land within a Crown reserve.

The subject lands:-

- (i) do not fall within any of those categories described in Schedule 2;
- (ii) are not dedicated or reserved under the National Parks and Wildlife Act 1974; and
- (iii) are not within a Crown reserve

Under Schedule 2 – Categories of Excluded Land, the following must be considered when determining if lands are suitable for MHE development:-

- (i) land which the council, after taking into account the principles set out in the Coastline Management Manual published by the New South Wales Government in September 1990, considers is unsuitable for residential development because of coastal erosion, tidal inundation, slip, dunal movement or any other risk of a similar nature;
- (ii) land which the council, after taking into account the principles set out in the Floodplain Development Manual published by the New South Wales Government in December 1986, considers is unsuitable for residential development because of flooding;
- (iii) land which is within a water catchment area identified by a water supply authority;
- (iv) land which, in the opinion of the council, is affected to an unacceptable level by an offensive or hazardous industry or any form of pollution;
- (v) land which is identified in an environmental planning instrument, or in any planning strategy of the Department or the council approved for the time being by the Director, by words which are cognate with or a description consistent with any one or more of the following:-
 - extractive resources;
 - services corridors;
 - airport/industry buffer area;
 - habitat corridor;
 - containing significant remnant vegetation;
 - littoral rainforest;
 - water catchment; and/or
 - wetlands
- (vi) land which under any environmental planning instrument is within an area or zone identified in that instrument by the description:-
 - open space, other than open space (private recreation);
 - environmental protection;
 - scenic protection; and/or
 - rural (where the land is not adjacent to or adjoining land zoned for urban use)
- (vii) land that is within the following coastal local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under the Coastal Urban Planning Strategies or Residential Strategies approved for the time being by the Director:

Ballina	Lake Macquarie
Bega Valley	Maclean

Bellingen	Nambucca
Byron	Newcastle
Coffs Harbour	Port Stephens
Eurobodalla	Richmond River
Great Lakes	Shellharbour
Greater Taree	Shoalhaven
Hastings	Tweed
Kempsey	Ulmarra

- (viii) land that is within any of the following local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under any urban development strategy for the ACT and sub-region approved for the time being by the Director:-

Cooma-Monaro	Yarrowlumla
Gunning	Yass
Queanbeyan	

- (ix) flood liable land as defined in [*Murray Regional Environmental Plan No 2—Riverine Land*](#);
- (x) land comprising the Williams River catchment upstream of the Seaham Weir.

The land is **considered suitable** under the provisions of [Schedule 2](#) for the following reasons:-

- (i) the land is **NOT** affected by coastal erosion, tidal inundation, slip, dunal movement or any other risk of a similar nature;
- (ii) the land is **NOT** affected by flooding;
- (iii) the land which is **NOT** within a water catchment area identified by a water supply authority;
- (iv) the land is **NOT** affected to an unacceptable level by an offensive or hazardous industry or any form of pollution;
- (v) the land which is **NOT** identified in an environmental planning instrument, or in any planning strategy of the Department or the council approved for the time being by the Director, by words which are cognate with or a description consistent with any one or more of the following:-
- extractive resources;
 - services corridors;
 - airport/industry buffer area;
 - habitat corridor;
 - containing significant remnant vegetation;
 - littoral rainforest;
 - water catchment; and/or
 - wetlands

- (vi) the land on which the MHE development is to be situated is **NOT** identified by the description open space, other than open space (private recreation); environmental protection; and/or scenic protection. The land to be developed is zoned R1 – *General Residential* and lies adjacent to or adjoining land zoned for urban use immediately to the north. On that portion of the land zoned RE1 – *Public Recreation*, community facilities, environmental facilities, recreation areas, recreation facilities (indoor) and roads are permitted with consent under the *Greater Taree Local Environmental Plan 2010*;
- (vii) the land that is **NOT** within those coastal local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under the Coastal Urban Planning Strategies or Residential Strategies approved for the time being by the Director listed in Schedule 2(7);
- (viii) the land that is **NOT** within any of the listed local government areas, being land that is not zoned or reserved under an environmental planning instrument for urban use and is not identified as suitable for urban development under any urban development strategy for the ACT and sub-region approved for the time being by the Director in Schedule 2(8);
- (ix) the land is **NOT** flood liable land as defined in [*Murray Regional Environmental Plan No 2—Riverine Land*](#);
- (x) the land does **NOT** comprise land within the Williams River catchment upstream of the Seaham Weir.

The proposed development therefore **COMPLIES** with the provisions under Schedule 2.

2.2.2.4 Matters to be Considered by Councils

Clause 9 – *Matters to be Considered by Councils* deals with the key issues that need to be addressed as part of the development application submitted to the determining authority.

9 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.*

The proposed development **COMPLIES** with the requirements of Clause 9 as follows:-

- (i) Clause 9(1)(a) – each of the sites on which a manufactured home is or will be installed within the manufactured home estate will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity; and
- (ii) Clause 9(1)(b) – the manufactured home estate will be provided with a single access point off Coastal View Drive with an internal road network servicing each of the proposed dwelling sites. Adequate transport services (ie: public bus services) are available within 300 metres of the site (see **Figure 6**) together with local taxi services. A community bus will also be provided for the use of residents within the development (ie Toyota Coaster or similar - see **Figure 6A**). The local road network is capable of accommodating the additional traffic generated by the proposed development; and
- (iii) sufficient community facilities and services within the proposed development will be available and are reasonably accessible to the residents of the manufactured home estate. These facilities include the community building (with library, games room, and theatre and dining areas), swimming pool, bowling green, extensive passive recreation areas and community bus. A full range of public community facilities are available within the Tallwoods and Halliday's Point precinct; and
- (iv) the development will not have an adverse effect on any conservation area, heritage item or waterway or land having special landscape, scenic or ecological qualities, which is identified in an environmental planning instrument applicable to the land concerned.



Figure 6
Extract from Eggins Bus Services Route Maps
(courtesy of Eggins Bus Service web site)



Figure 6A
Toyota Coaster
(courtesy of Toyota)

2.2.3 *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005*

The object of this Regulation is to provide opportunities, in part, for affordable alternatives in long-term accommodation by promoting the standards for the design and construction of manufactured home estates together with ensuring the health, safety and amenity of the occupiers of manufactured homes.

2.2.3.1 *Factors for Consideration Before Approval is Granted*

Under Clause 6 – *Factors for Consideration Before Approval is Granted*, 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.

Division 3 deals with design parameters for manufactured home estates. Each of the relevant clauses within Division 3 are addressed in the body of this report.

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. The proposed development is located on land that is flood free and is NOT subject to Council flood planning requirements. Full details are provided under Section 10 – Flooding and Section 19.10 – Flooding Effects.

2.2.3.2 Minimum Size of Estate

Under Clause 12 – Minimum Size of Estate, a manufactured home estate must not have an area of less than one (1) hectare or, if a lesser area is permitted by a relevant environmental planning instrument, that lesser area. The proposed development has a total area of 10.12 hectares and therefore **COMPLIES** with the minimum size requirements under Clause 12.

2.2.3.3 Community Amenities

Under Clause 13 – Community Amenities, of the total land area of a manufactured home estate at least ten (10) per cent, or 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. In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.

The proposed development provides for a range of recreational and communal areas including perimeter landscaped buffers areas within which pedestrian pathways and passive open recreation areas are to be provided together with more structured areas located along the western boundary of the site which is to include a fully equipped community facility, bowling green, men's shed, swimming pool and recreation areas.

The overall site is 10.12 hectares. The area zoned RE1 – *Public Recreation* has an area of 1.633 hectares. The open space/community area is 3.10 hectares which is **30.6%** of the overall site area. The proposed development therefore **COMPLIES** with the requirements of Clause 13 in that more than 10% of the total site area is reserved for recreation or other communal activities.

2.2.3.4 Size of Dwelling Sites

Under Clause 14 – Size of Dwelling Sites, a dwelling site must have an area of at least 130m². The proposed development consists of one hundred and eighty four (184) sites ranging size from 220.1m² to 355.5m². The proposed development therefore **COMPLIES** with the requirements of Clause 14 as no sites are smaller than 130m².

2.2.3.5 Entrance and Exit Roads

Under Clause 20 – Entrance and Exit Roads, the following provisions apply:-

- (i) a road that forms an entrance to or exit from a manufactured home estate must be at least eight (8) metres wide;
- (ii) 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 five (5) metres;
- (iii) 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.

This issue is dealt with under Section 16.3 – Internal Roads in the body of this report.

The proposed road reserve widths and pavement widths have designed in accordance with Clause 20 and Clause 21 with the following:-

- (i) the MHE development is accessed off the proposed private Road No. 2 from Coastal View Road;
- (ii) the main access road (Road No. 2) pavement being 8.0 metres wide at the entry narrowing to 7.0m adjacent to the intersection with Road No.4 with the remainder being 6.0m wide with 1.5m verges; and
- (iii) the main internal loop road pavements and service roads being 6.0 metres wide with 1.5m verges (ie: Road Nos. 3, 4, 5, 6, 7, 8 and 9)

The proposed road layout is shown on the amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

The proposed road pavement widths and road reserve widths **COMPLY** with both Clause 20 – Entrance and Exit Roads and Clause 21 – Width of Roads of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

2.2.3.6 Width of Roads

Under Clause 21 – Width of Roads of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 the proposed internal road structure for the proposed development must comply with the following standards (see Section 16.3 – Internal Roads):-

- (1) *The width of the road reserve must be:-*
 - (a) *at least 8.5 metres for a major access road, and*
 - (b) *at least 6 metres for a minor access road.*

- (2) *The width of the sealed portion of an access road must be:-*
 - (a) *at least 6 metres for a major access road, and*
 - (b) *at least 4 metres for a minor access road.*
- (3) *If a minor access road exceeds 80 metres in length, a passing bay or bays must be provided within the road reserve.*
- (4) *Passing bays must be provided at intervals of not more than 100 metres.*
- (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:-*
 - (a) *at least 8.5 metres for a major access road, and*
 - (b) *at least 6 metres for a minor access road.*

The proposed road reserve widths and pavement widths have designed in accordance with the provisions of Clause 21 with the following:-

- (i) the MHE development is accessed off the proposed private Road No. 2 from Coastal View Road;
- (ii) the main access road (Road No. 2) pavement being 8.0 metres wide at the entry narrowing to 7.0m adjacent to the intersection with Road No.4 with the remainder being 6.0m wide with 1.5m verges; and
- (iii) the main internal loop road pavements and service roads being 6.0 metres wide with 1.5m verges (ie: Road Nos. 3, 4, 5, 6, 7, 8 and 9)

The proposed road layout is shown on the amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

The proposed road pavement widths and road reserve widths **COMPLY** with Clause 21 – *Width of Roads of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

2.2.3.7 Visitor Parking

Under Clause 23 – *Visitor Parking*, the following provisions apply:-

- (1) *A manufactured home estate must contain no fewer visitor parking spaces than the following:*
 - (a) *8 spaces for a manufactured home estate containing not more than 35 sites,*
 - (b) *12 spaces for a manufactured home estate containing more than 35 sites but not more than 70 sites,*
 - (c) *16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,*
 - (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.*

- (2) *Each parking space is to have, at minimum, dimensions of:*
 (a) *5.4 metres by 2.5 metres, in the case of angle parking, and*
 (b) *6.1 metres by 2.5 metres, in any other case.*
(3) *Visitor parking spaces must be clearly identified as such.*

These provisions are addressed in Section 12.2 – Parking Areas. A total of forty (40) visitor spaces are to be provided which is in excess of the twenty nine (29) required. Therefore, the proposed development **COMPLIES** with the provisions of Clause 23 – Visitor Parking.

2.2.3.8 Visitor Parking for People with Disabilities

Under Clause 24 – Visitor Parking for People with Disabilities, the following provisions apply:-

- (i) a manufactured home estate must contain at least one visitor parking space for people with disabilities;
- (ii) 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;
- (iii) such parking is to be provided in accordance with AS/NZS 2890.1:2004, Parking facilities—Off street parking;
- (iv) visitor parking spaces for people with disabilities must be clearly identified as such; and
- (v) visitor parking spaces provided under this clause may be counted for the purposes of Clause 23.

As the proposed development is to provide for one hundred and eighty four (184) sites, a total of two (2) spaces for people with disabilities are to be provided and are incorporated in the forty (40) visitor sites proposed with the development. The proposed development therefore **COMPLIES** with the provisions of Clause 24.

2.2.3.9 Road Surfaces

Under Clause 25 – Road Surfaces, 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.

The proposed road pavement widths and design are shown on the amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers). The proposed development **COMPLIES** with the provisions of Clause 25 in that all roads are to be bitumen sealed, provided with stormwater drainage and designed to minimise excessive grades.

2.2.3.10 Utility Services

Clauses 27 to 32 deal with the provision of utility services including water supply, sewerage, drainage, electricity supply, telephone services and common trenches. The proposed development **COMPLIES** with these provisions in that:-

- (i) sewer reticulation is available from the existing MidCoast Council infrastructure (see Section 18.1 – Sewer Reticulation);
- (ii) reticulated water supply is to be provided (see Section 18.2 – Water Reticulation);
- (iii) stormwater drainage is to be provided (see Section 8.0 – Stormwater Drainage);
- (iv) electricity supply is to be provided (see Section 18.3 – Power Supply);
- (v) telecommunications are to be provided (see Section 18.4 – Telecommunications); and
- (vi) common trenching is to be utilized wherever practicable

2.2.3.11 Garbage Removal

Under Clause 33 – Garbage Removal 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.

The proposed MHE development has been designed to accommodate the ingress and egress of a single unit waste services vehicle. All vehicles will enter and leave in a forward direction via the central access road off Coastal View Drive where they will service individual MGB's for each dwelling site and MGB's for the Community Centre. The attached **Waste Management Plan** prepared by **Wales & Associates Pty Limited** details the proposed waste management procedures. The proposed development therefore **COMPLIES** with the provisions under Clause 33.

2.2.3.12 Fire Hydrants

Under Clause 34 – Fire Hydrants, the following provisions apply:-

- (i) 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;
- (ii) any fire hydrant located within a manufactured home estate must:-
 - be a double-headed pillar-type fire hydrant; and
 - be maintained to the standard specified in the approval for the manufactured home estate.

The attached amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) details the proposed MHE sites. Engineering and hydraulic design details will be provided under separate cover as part of the subsequent Construction Certificate process with all services to be designed so as to **COMPLY** with the provisions under Clause 34.

2.2.4 Greater Taree Development Control Plan 2010

The Greater Taree Development Control Plan 2010 applies to the land with the following DCP controls of particular relevance to the proposal.

2.2.4.1 Public Notification

Part A – Preliminary Information Clause A3 – Notification and Public Participation requires that the application be notified for public comment. It is expected that the application will be exhibited in accordance with the statutory requirements.

2.2.4.2 Character Statement

A “Character Statement” provides a schematic snapshot of a locality. It identifies the qualities and values of the locality, the nature of the built form, the environmental qualities, role in the hierarchy of localities and access to services. A character statement identifies what is unique to an area, what is valued and to be retained and provides opportunities for change to occur and in what form.

The Mid North Coast Regional Strategy provides the framework and hierarchy for regional towns and villages. At the time this report was prepared, Council had not formulated or adopted a specific character assessment for Halliday’s Point or Tallwoods residential precinct. The issue of character and visual amenity is addressed in Section 19.5 – Visual Amenity.

2.2.4.3 Environmental Controls

Part D – Environmental Controls deals with matters associated with coastline management, environmental buffers, earthworks/erosion and sedimentation. Sections D1 and D2 of the Part D do not apply to this development.

Section D3 – *Earthworks, Erosion & Sedimentation* apply to the MHE proposal are addressed under Section 15 – Erosion and Sedimentation Controls.

2.2.4.4 Flooding Requirements

Part E – Flooding Requirements provides the detailed guidelines for development on flood prone land or potentially flood prone land. This part applies to all development within the former Greater Taree Local Government Area.

This issue is dealt with in detail under Section 10.0 – Flooding and Section 19.10 – Flooding Effects. The subject land is not identified within a flood planning area on Council's mapping and there are no local flooding issues known which would affect the proposal. Hydraulic analysis shows that there is some ponding over the land as a result of back up water from the drainage under Blackhead Road.

The area affected by such ponding is limited to the areas of the site zoned RE1 and proposed for communal facilities associated with the manufactured home estate.

It is considered that the proposed development **COMPLIES** with the requirements under Part E – Flooding Requirements of the Greater Taree Development Control Plan 2010 and Clause 7.2 – Flood Planning of the Greater Taree LEP 2010.

2.2.4.5 Heritage Requirements

Part F – Heritage Requirements provides the detailed guidelines for development of an archaeological site, heritage item or within a heritage conservation area. This part applies to all archaeological sites, heritage items and heritage conservation areas within the former Greater Taree Local Government Area.

Heritage issues are dealt with under Section 2.2.1.8 – Heritage Conservation earlier in this report. The site is not subject to any archaeological sites, heritage items and heritage conservation areas.

In relation to Aboriginal Heritage, a Search of the Aboriginal Heritage Information Management System (AHIMS) database has been undertaken and did not reveal any “Aboriginal Sites” or “Places” on or near the subject site. The subject land has been disturbed through past activities and would be identified as “disturbed land” under the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. In 2006, a walkover of the site was undertaken for the Local Aboriginal Land Council examining the land for any evidence of Cultural Heritage values. This investigation did not identify an Aboriginal Places or cultural heritage items on the site. The current site circumstances are not considered to have altered.

2.2.4.6 Car Parking and Access

Part G – Car Parking and Access provides the general guidelines for parking and access. This part applies to all development within the former Greater Taree City Council.

In this instance, the parking provisions under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005* apply.

These issues are dealt with in Section 12.0 – Traffic Management. It is considered that the application **COMPLIES** with the Greater Taree Development Control Plan 2010 requirements.

2.2.4.7 Landscaping Requirements

Part N – Landscaping Requirements provides the detailed guidelines for landscaping. This part applies to all new development including subdivision, commercial, industrial, residential (with the exception of single dwelling houses), tourist facilities and car parking areas, as well as the redevelopment of existing sites, including heritage items and sites located within a Heritage Conservation Area.

This matter is dealt with under Section 6.2 – Landscaping. As part of the development of the property for the new manufactured home sites, a comprehensive landscape program will be implemented. The attached **Landscape Masterplan** prepared by **Conzept** (Landscape Architects) details the proposed landscaping for the development. The landscape design has been undertaken in accordance with Part N – Landscaping Requirements and therefore **COMPLIES** with the Greater Taree Development Control Plan 2010.

Chapter F6 – Waste Management requires that a Site Waste Management Plan be prepared and submitted with the development application. The plan should include demolition, earthworks, drainage works, construction and operation of the proposed manufactured home estate. This issue is dealt with in Section 13.0 – Site Waste Management. It is considered that the application **COMPLIES** with the Coffs Harbour Development Control Plan 2015 requirements.

3.0 PROPERTY DETAILS

3.1 Deposited Plan

The attached amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) shows the property dimensions, north point, levels and other details in accordance with DP242332.

3.2 Easements and Restrictions

The site is unencumbered by any easement, covenants or rights-of-way.

4.0 RIGHTS OF WAY/ENCUMBRANCES

The site is not affected by any rights-of-way.

5.0 EXISTING BUILDINGS AND SITE IMPROVEMENTS

The subject site has been used for rural purposes and is currently occupied by an existing single storey rural/residential dwelling with entry to the property from the south eastern corner of the site off Blackhead Road. The land is fenced to accommodate the grazing of livestock and horse agistment. All existing site improvements will be removed as part of the redevelopment of the site.

6.0 LANDSCAPING

6.1 Existing Vegetation

The site is currently cleared of the majority of the original vegetation with an existing single storey rural/residential dwelling located in the south eastern corner of the subject site.

It has traditionally been grazed by cattle and horses and has boundary fences to control livestock. The vegetation on the site is virtually entirely comprised of paddock grasses and associated weeds except for some remnant trees scattered across the site (see **Figure 7** and **Figure 8**).

The identification of all trees located within the property greater than 150mm dia. was raised in the s34 Conference dated the 21st August 2019. The attached updated Tree Survey Plan and **Arboricultural Impact Assessment** prepared by **Advanced Treescape Consulting** details all trees within the property together with their SULE rating so as to address the issue raised during the s34 Conference.



Figure 7
Photograph looking downslope to the south east towards Blackhead Road
(photograph courtesy of Wales & Associates Pty Limited)



Figure 8

**Photograph looking upslope to the north east towards the existing residential dwellings off
Coast View Drive
(photograph courtesy of Wales & Associates Pty Limited)**

6.2 PROPOSED LANDSCAPING

6.2.1 General – Tree Retention

Careful consideration has been given to the issues raised in the s34 Conference on the 21st August 2019. These issues include the location and retention of existing trees where practical giving consideration to:-

- (i) identification of all trees with a diameter of more than 150mm;
- (ii) tree protection zone requirements;
- (iii) visually prominent and aesthetically significant trees;
- (iv) ecologically significant groupings of trees;

- (v) SULE rating of exiting trees;
- (vi) internal and external connectivity; and
- (vii) integration of proposed landscaping with tree retention and improvements to external connectivity

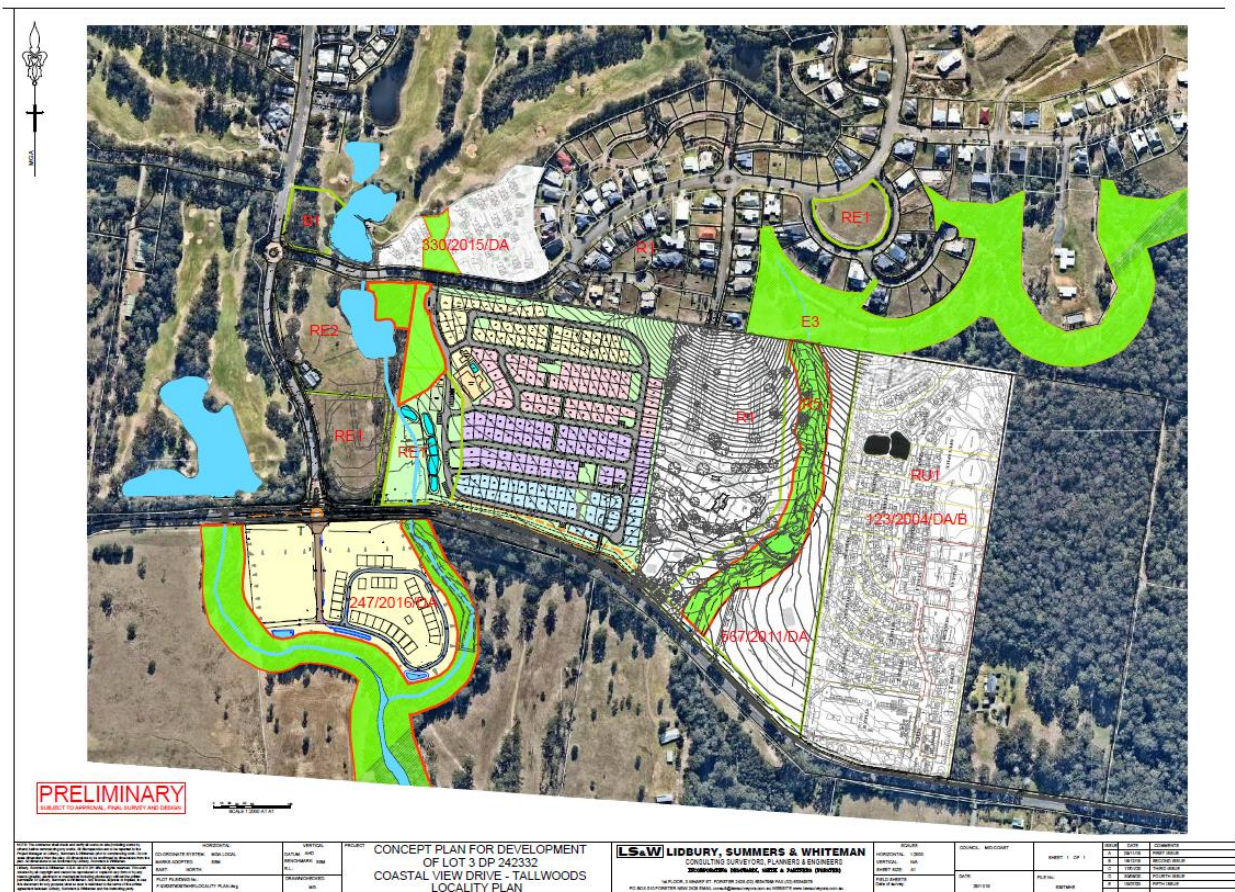


Figure 8A
Locality Plan
(courtesy of Lidbury Summers & Whiteman)

As shown on the Locality Plan, it is clear that there are two primary vegetation corridors that run on a north south axis to the east and west of the subject site. The western corridor links the vegetation to the south of Blackhead Road adjacent to the existing caravan park (247/2016/DA - zoned RU1 – *Primary Production*) with the private and public open space land along the western edge of the subject site including that portion of RE1 – *Public Recreation* land owned by Midcoast Council and RE2 - *Private Recreation* lands that form the southern side of Tallwoods Country Club. In turn, these lands connect with Tallwoods Country Club on the northern side of Coastal View Drive and the vegetation corridor within approved tourist development immediately to the north of the subject site (330/2015/DA) which proposes substantial vegetation clearing but retains a vegetation connection northerly to the existing golf course.

The proposed MHE development has been modified such that the westerly vegetation corridor is enhanced through tree retention and additional landscape plantings of indigenous trees and by utilising the RE1 - *Public Recreation* lands for landscaping and communal use. This is considered preferable to the previous intention to clear the lands zoned RE1 – *Public Recreation* and undertake significant earthworks for the construction of playing fields to be dedicated to Midcoast Council under the previous Voluntary Planning Agreement (VPA) made between Council and the previous owners of the land. The VPA provided for the carrying out of certain public recreation works and the dedication of land to Council for public recreation purposes. The VPA included a proposed plan of subdivision. However the VPA did not restrict development of the land solely for this purpose, and alternative subdivision or alternative forms of residential development can be considered on the land including the proposed manufactured housing.

The Voluntary Planning Agreement does not form part of this application and is not intended to be exercised as subdivision of the land is NOT proposed. Instead, that portion of the land zoned RE1 - *Public Recreation* is proposed to be utilised for recreation purposes as part of the communal facilities for the MHE development. This is in keeping with Council's desire to maintain and enhance vegetation corridors and promote the north south connections through the development.

The eastern corridor lies within the adjoining allotment immediately to the east of the subject lands. The adjoining property is zoned part R1 – *General Residential* and R5 – *Large Lot Residential*. It enjoys development consent from Midcoast Council (567/2011/DA) for residential subdivision which, as highlighted during the s34 Conference on the 21st August 2019, has been physically commenced and therefore has an active consent that is preserved. The vegetation corridor over that land runs in a north south direction over that portion of the land zoned R5 - *Large Lot Residential*. It links to the E3 – *Environmental Management* lands immediately to the north within the Tallwoods residential estate and links to the RU1 – *Primary Production* lands on the southern side of Blackhead Road.

During the s34 Conference, Council indicated that the line of trees through the centre of the site (many of which are stressed, dying and not suitable for retention - see appended **Arboricultural Impact Assessment** prepared by *Advanced Treescape Consulting*) formed a corridor of linking vegetation of some ecological value.

As can be seen from the Locality Plan, this line of trees does not have any linkage to other vegetation groupings to the north which have been fully developed for residential use immediately on the northern boundary of the subject site and to the north of Coastal View Drive. There is no “linking corridor” value attached to the retention of this line of trees. However, the Masterplan has been amended so as to retain some of those trees within internal communal open space areas including the grouping of trees on the north western side of the existing rural dwelling (as identified by Council in the notes arising from the s34 Conference). The trees in the north western corner of the subject site have also been retained by deleting MHE site (also identified by Council in the notes arising from the s34 Conference) as these are prominent trees that assist in maintaining visual amenity.

In addition, significant trees have been retained along Coastal View Drive by increasing the site setback to 10 metres as required under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005 to provide both screening along the public road frontage and visual amenity. This was also identified by Council in the notes arising from the s34 Conference. Further, the existing trees along the southern boundary of Blackhead Road will be retained in order to both provide screening along the public road frontage and visual amenity along Blackhead Road.

In order to support and enhance the retention of trees and as part of the development of the property for the new manufactured home sites, a comprehensive landscape program will be implemented. The attached **Landscape Masterplan** prepared by **Concept** (Landscape Architects) details the proposed landscaping for the development. Also attached is the **Tree Survey** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) which indicates those trees to be retained and those trees to be removed.

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7.0 CONTOUR LEVELS

The attached **Masterplan** prepared by *Lidbury Summers & Whiteman* (Consulting Surveyors, Planners and Engineers) shows the existing contours over the subject site including the existing physical improvements. All levels are tied to Australian Height Datum (AHD). The land is gently sloping draining to the south-western corner of the site. Slopes vary from 2.5° (4.5%) to 9.9° (17.5%). The site contains one drainage depression in the south-western corner of the site. In general, water shed from the site is collected either in this depression or by the drainage along the frontage (southern boundary) of the site on the northern side of Blackhead Road.

8.0 STORMWATER DRAINAGE

8.1 Existing Stormwater Drainage

As detailed above, the property has a gentle slope falling toward the south-western and southern boundary with the contours generating slopes varying from 2.5° (4.5%) to 9.9° (17.5%). The site contains a drainage depression which crosses the south-western corner of the site. In general, water shed from the site is collected either in this depression or by the stormwater drainage along the frontage (southern boundary) of the site with the northern side of Blackhead Road. The drain in the south western corner is identified as a blue line on the 1:25000 Topographic Map. There are no other blue lines identified over the subject on the land. This existing depression has no identified bed and is characterised as a broad grassed depression taking intermittent flows from Tallwoods Village and the subject land. In previous discussions with officers from the NSW Office of Water this depression was not identified as a watercourse and would not be defined as “waterfront land” under the Water Management Act 2000.

8.2 Proposed Stormwater Drainage

The proposed manufactured housing estate will be provided with an extensive series of stormwater collection pits and stormwater pipelines that will service the proposed development and future home installations. The stormwater management for the site has been detailed in the **Water Sensitive Urban Design Strategy** prepared by *Lidbury Summers and Whiteman* and submitted with the application.

Stormwater from roofed areas is collected in rainwater tanks and reused within the home on each site. Overflow and stormwater from hardstand areas is captured by a piped stormwater drainage system which conveys water to the outlet via bio- retention rain gardens to be provided in the south western corner of the site, adjacent to the communal open space area.

The water quality model shows that the system will result in a significant improvement of stormwater quality leaving the site. The stormwater strategy submitted includes modelling of stormwater flows and the proposed stormwater drainage system will not increase flows for critical events, and as such, no detention is required for the proposed development.

9.0 WATERWAYS AND WATERCOURSES

There are no watercourses over the subject on the land. This existing depression in the south-western corner of the site has no identified bed and is characterised as a broad grassed depression taking intermittent flows from Tallwoods Village and the subject land. In previous discussions with officers from the NSW Office of Water this depression was not identified as a watercourse and would not be defined as “waterfront land” under the Water Management Act 2000.

10.0 FLOODING

10.1 General

Clause 7.2 – Flood Planning of the Greater Taree Local Environmental Plans 2010 (see Section 2.2.1.6 – Flood Planning earlier in this report) applies to land at or below the flood planning level.

The **objectives of this clause** are as follows:-

- (iv) to minimise the flood risk to life and property associated with the use of land;
- (v) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change; and
- (vi) to avoid significant adverse impacts on flood behaviour and the environment.

The subject land is not identified as being within the Council’s flood planning area based on the Greater Taree Local Environmental Plan 2010 mapping. Nor is the land identified as being subject to localized flooding on Council’s mapping.

Stormwater controls and Water Sensitive Design is dealt with in detail under Section 8.0 – Stormwater Drainage and Section 19.10 – Flooding Effects. A **Water Sensitive Design Strategy** is appended to this application and has been prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers). The **Water Sensitive Design Strategy** addressed the impacts of the 1% AEP flood event and shows that the proposal attenuates post-development peak discharges to maintain existing flows for all storm events up to and including the 100 year ARI rainfall event.

It is considered that the proposed development **COMPLIES** with the requirements under Clause 7.2 – Flood Planning.

10.2 Proposed Mitigation Measures

No mitigation measures are required for the proposed development as all development works and site improvements are above the 1% AEP flood event.

11.0 URBAN DESIGN AND CONSTRUCTION DETAILS

11.1 Urban Design Approach

This application has been prepared as a result of a strategic and environmental analysis of the site, discussions with key stakeholders and the production of a commercial sensitivity analysis so as to achieve a residential environment that delivers social, environmental and economic benefit to the community. The design approach is broadly in line with the provisions of State Environmental Planning Policy 36 – *Manufactured Home Estates* and the Greater Taree Local Environmental Plan 2010. The intent of the application is to provide one hundred and eighty four (184) manufactured home sites with supporting community infrastructure through the utilization of the cleared residential land on the northern side of Blackhead Road. The design takes advantage of the natural attributes of the site utilizing the gentle site contours that rise north easterly from Blackhead Road to Coastal View Drive. The new sites are located within the cleared the site allowing for generous landscape buffers along the south western boundary adjacent to the Council’s public reserve and the northern and eastern boundaries that abut Coastal View Drive and the residential and rural lands to the north east and east.

The central access road has been designed to draw occupants to the communal centre and central area along the western extremity of the site with residential sites “spilling” to the east and south through tree lined access roads. The size, shape and design of the allotments **COMPLY** with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The proposed development makes efficient use of the site.

11.1.1 *Site Context*

The site is strategically positioned within a local context on land within the Tallwoods Village residential/urban area. The land is of suitable size and topography to accommodate the proposed development within the locality and in accordance with the provision under SEPP36. The challenge for development such as that proposed is to find suitably zoned land of sufficient area that can be serviced with a full range of utilities and that can be accommodated within the local context. The subject site addresses the contextual issues as follows:-

- (i) the site has a suitable area to accommodate the proposed development (ie: 10.12 hectares);
- (ii) the land size and project yield ensure that the development is commercially viable;
- (iii) the land is located within the Tallwoods urban area positioning the development close to required utilities, road access, public transport and community services;
- (iv) the development has been designed so as to provided generous landscape buffers that serve to provide a visual screen from adjoining rural/residential development and mitigate the impacts on the residential landscape; and
- (v) the proposal can be fully serviced from existing utilities with appropriate augmentation of available infrastructure

11.1.2 Design Outcomes

The proposal is to provide one hundred and eighty four (184) manufactured home sites with supporting community infrastructure in accordance with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. The development is to cater for the growing demand and expectations of the local market whilst considering the unique geographic and environmental constraints of the site. Through a rigorous design process, the proposal takes advantage of the natural attributes of the site utilizing the gentle site contours which rise to the north east providing elevated views for many of the sites. This enables an efficient use of the site whilst ensuring the individual sites are generous in area (ranging size from 220.1m² to 355.5m²) and easily accessible from the communal precinct along the western extremity of the development adjacent to the Council' reserve and proposed communal recreation areas. The new sites are located on the rising slope with generous landscape buffers along the boundaries together with pocket parks for passive recreation and deep soil planting. This ensures that the development is suitably screened from adjoining properties and promotes a semi-rural atmosphere with large passive recreation areas and pedestrian paths.

The size, shape and design of the MHE allotments **COMPLY** with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The proposed development makes efficient use of the site.

11.2 New Site Location

The attached amended **Masterplan** prepared by *Lidbury Summers & Whiteman* (Consulting Surveyors, Planners and Engineers) shows the proposed manufactured home sites and site infrastructure in relation to the existing boundaries and the Coastal View Drive entry. The development will be constructed in four (4) stages as detailed under Section 1.4 – Staging.

11.3 Construction and Construction Materials

The proposed manufactured home sites do not involve the construction of new manufactured/residential buildings. However, the proposal does include the construction of the following:-

- (i) community building/clubhouse;
- (ii) outdoor pool;
- (iii) children's play area;
- (iv) bowling green;
- (v) access roads;
- (vi) maintenance building/men's shed
- (vii) stormwater drainage;
- (viii) services and utilities; and
- (ix) the provision of a community bus

Typical construction materials are shown in **Table 6** and are subject to full architectural and structural drawings being prepared for the Construction Certificate.

Table 6
Typical Construction Materials

Component	Materials
Foundations (club house and indoor pool)	Re-inforced concrete slab to engineers details
Outdoor pool	Caste in-site re-inforced concrete
Floors(club house and indoor pool)	Concrete
External walls	Select face brick and masonry
Internal walls	Select face brick and gyprock lining
Internal framework	Structural steel to engineers details
Roof frames	Structural steel to engineers details
Roofing	Anodized Colourbond steel
Windows	Aluminium
Waste enclosures	Rendered brickwork
Roads	Integral concrete kerb and gutter and concrete roll kerb
Stormwater drainage (internal)	Appropriately sized PVC
Stormwater drainage (roads)	Concrete RR stormwater pipes
Stormwater pits (internal)	Prefabricated PVC pits
Stormwater pits (roads)	Pre-cast concrete stormwater pits and lintels
Road subgrade	Subgrade and base course in accordance with geotechnical advice
Road pavement	25mm AC hotmix to geotechnical engineers details

The **Community Precinct Plans** prepared by *AArqm Building Designers* also includes typical dwelling footprints, street elevations and allotment plans (see **Figure 9** and **Figure 10**) although the subject application is for the proposed MHE sites only and associated infrastructure.

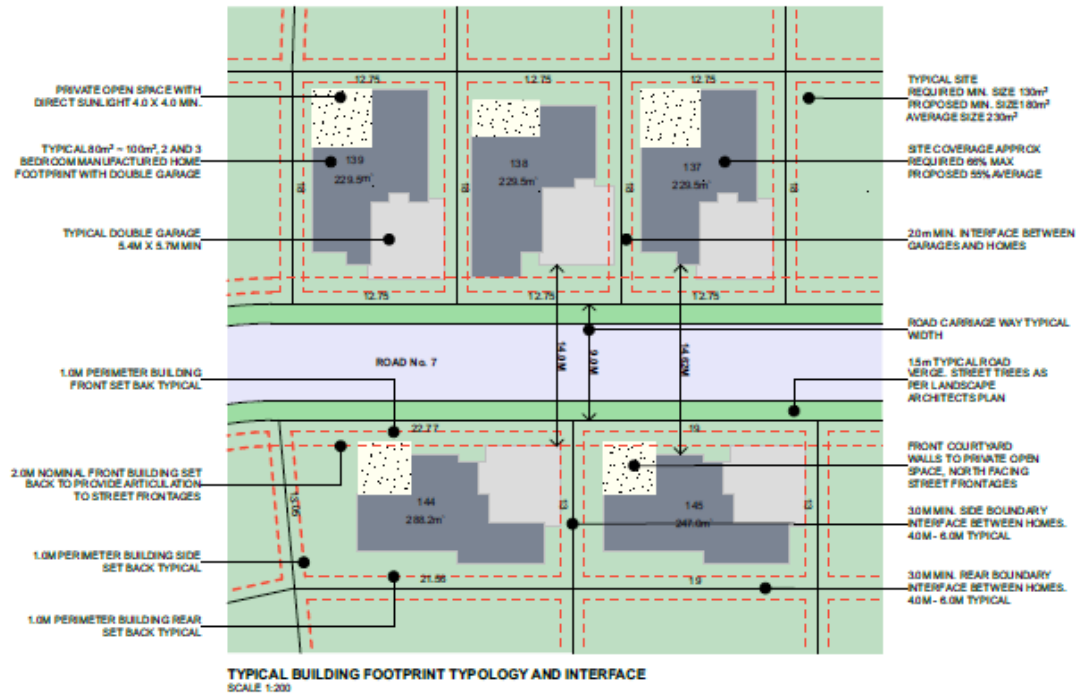


Figure 9
Typical allotment plan showing possible house types and orientation
(extract from Community Precinct Plans courtesy of AArqm)



Figure 10
Typical street elevations showing possible house types and building envelope
(extract from Community Precinct Plans courtesy of AArqm)

11.4 Layout and Dimensions

The attached amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) shows the location and dimensions for the proposed manufactured home site allotments. The design, dimensions and areas of the proposed allotments are in accordance with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005*.

11.5 Floor Areas and Floor Space Ratio

Section 2.2.1.4 – Floor Space Ratio deals with the floor area of the proposed development in relation to the total site area.

Clause 4.4 – Floor Space Ratio of the Greater Taree Local Environmental Plan 2010 addresses issues relating to total floor area expressed as a ratio to total land area.

The **objectives** of this clause are as follows:-

- (iii) to ensure that the density, bulk and scale of development is appropriate for a site;
- (iv) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located

The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#). The subject property is denoted as F = 0.6 to 1 maximum floor space ratio as shown in **Figure 4**.

The following floor space calculations apply to the proposed development as shown in **Table 7**:-

Table 7
Floor Space Ratio Calculation

Component	Floor Area
Community Building	704.0m ²
Managers Residence	136.0m ²
Men's Shed	77.66m ²
Total Floor Area	917.66m ²
Total Site Area	10.12 hectares
Proposed Floor Space Ratio	0.009:1
Maximum Permitted Floor Space Ratio	0.6 to 1
COMPLIANCE	YES

The maximum floor space ratio proposed is 0.009 to 1 and therefore **COMPLIES** with Clause 4.4 – Floor Space Ratio. The future manufactured homes to be installed on the proposed dwelling sites are not buildings defined in the Environmental Planning & Assessment Act and are technically not subject to this planning control. It should be noted that future buildings on the dwelling sites would generally be less than 120m² in floor area.

11.6 Signage

Part O - Signage and Advertising Requirements of the Greater Taree Development Control Plan 2010 deals with matters associated with signage and advertising for developments. All signage will be designed to comply with MidCoast Council's signage guidelines and policies under Part O of the DCP and in accordance with the provisions of SEPP 64 – Signage where applicable. A detailed signage schedule will be prepared and submitted to MidCoast Council under separate cover where necessary.

12.0 TRAFFIC MANAGEMENT

The appended **Traffic and Parking Impact Assessment** prepared *TTPA* (Consulting Traffic Engineers) deals with traffic and parking implications associated with the development of the proposed manufactured home estate.

12.1 General

The proposed MHE development and associated traffic generation are not expected to create any adverse impacts on the adjoining road network or the surrounding precinct. Ingress/egress will be restricted to the main entry off Coastal View Road with the site serviced by a series of loop roads leading to the main community centre/club house. All sites are accessed from the main access road by a secondary loop roads.

Coastal View Drive is a Local Road that provides a link to the wider Tallwoods residential precinct. It has a residential cross-section with kerb and gutter and formed footpaths along its length and traverses the northern boundary of the subject site.



Figure 11
View along Coastal View Road (looking east)
(courtesy of Google Earth Pro)

12.2 Parking Areas

The attached amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) shows the proposed parking areas including parking for people with disabilities. The plan shows the proposed parking areas which accommodate one space for each new manufactured home site (184 spaces) plus forty (40) spaces for visitors (including 2 spaces for people with disabilities).

The Greater Taree Development Control Plan 2010 Part G – *Car Parking and Access* does not include a category for “Camp or Caravan Site or Manufactured Home Estate”. It is appropriate that parking requirements comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Under Clause 23 – *Visitor Parking* of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, it refers specifically to manufactured home estate.

It states the following:-

Division 3 Subdivision 3 – Roads – Clause 23 Visitor Parking

- (1) *A manufactured home estate must contain no fewer visitor parking spaces than the following:-*
- (a) *8 spaces for a manufactured home estate containing not more than 35 sites,*
 - (b) *12 spaces for a manufactured home estate containing more than 35 sites but not more than 70 sites,*
 - (c) *16 spaces for a manufactured home estate containing more than 70 sites but not more than 105 sites,*
 - (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.*
- (2) *Each parking space is to have, at minimum, dimensions of:-*
- (a) *5.4 metres by 2.5 metres, in the case of angle parking, and*
 - (b) *6.1 metres by 2.5 metres, in any other case.*
- (3) *Visitor parking spaces must be clearly identified as such.*

It is proposed that all manufactured home sites will be provided with a car space, and visitor car spaces will be provided on-site in accordance with the above regulatory requirement. That is, at least twenty nine (29) visitor spaces should be provided. The proposed manufactured home estate will provide forty (40) visitor car spaces including two (2) disability spaces as shown in **Table 8**.

Table 8
Carparking

Parking Component	Regulation Requirement	Actual
Resident	one (1) space per site viz: 1 space x 184 sites = 184 spaces	184
Visitor	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 under Clause 23 viz: total sites = 184 $20 + 44/7 = 6.2$ (say 7) Therefore, 27 spaces are required	40 COMPLIES

Therefore, the proposed development **COMPLIES** with Clause 23 – *Visitor Parking* of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

12.3 Traffic Movements

The proposed Country Club Residential Estate will connect with Coastal View Drive and The Boulevard via the proposed Road No. 2 off the northern boundary of the subject site. All vehicular access to the site will be to and from Coastal View Drive with emergency access only off Blackhead Road in the south east corner of the property.

Vehicular access involves the creation of a new internal road off Coastal View Drive (ie: Road No.2), connecting with the main communal area and community building. The new access road will be constructed to the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

The proposal also includes upgrade of the existing access driveway from Blackhead Road (south east corner) for use during construction as well as an emergency access for the development when operational. The driveway will be designed for use by articulated vehicles used for delivery of equipment and moveable dwellings (where not “built on site” – see Section 1.4 – Build on Site Model) within the development.

12.4 Traffic Generation from Proposed Development

The RTA Guidelines for Traffic Generating Developments does not suggest traffic generation rates for manufactured home estates or caravan parks. However, the RTA Guide to Traffic Generating Developments does suggest specific traffic generation rates for residential unit development as follows:

Evening Peak Hour = 0.4 to 0.5 trips per dwelling for smaller flats and units.

The RTA Guide to Traffic Generating Developments also suggests that where surveys of similar establishments are available, that data should be utilized. Traffic generation from an existing manufactured home estate at Redhead called “The Sanctuary” provides a good indication of traffic generation from the proposed development at Tallwoods.

A comparison with the RTA Guide to Traffic Generating Developments traffic generation rates is available from a similar manufactured home estate “The Sanctuary” at Redhead, which had 181 sites. The traffic generation rates at that manufactured home estate was surveyed to be 0.34 trips per site in the morning peak hour and 0.33 trips per site in the evening peak hours. These generation rates are higher than data obtained in a 2005 survey at Pine Needles manufactured home estate at Erina that indicated a traffic generation rate of 0.19 trips per home site in the evening peak hour.

However, the traffic generation for the proposed 184 manufactured home sites on the Country Club Residential Estate is based on the more conservative rates 0.4 vtpd per dwelling (ref: RMS Technical Direction TDT 2013/04A).

This indicates a traffic generation outcome of 81 vtpd or distributed as follow:-

AM		PM	
Inbound	Outbound	Inbound	Outbound
20	60	60	20

12.5 Conclusions

Based on the appended **Traffic and Parking Impact Assessment** prepared *TTPA* (Consulting Traffic Engineers) and the **Masterplan** (Issue J) prepared by *Lidbury Summers & Whiteman* (Consulting Surveyors, Planners and Engineers), the following summary is made:-

- (i) access onto Coastal View Drive for the proposed manufactured home development will be via the new internal road access (ie; Road No. 2);
- (ii) the existing speed zone on Coastal View Drive is 50km/h;
- (iii) Coastal View Road is a local road linking with The Boulevard and Blackhead Road terminating at the western end at the proposed development with Blackhead Road;
- (iv) the site of the proposed manufactured home development is currently a large gently sloping cleared residential allotment;
- (v) the proposed manufactured home development is likely to generate traffic volumes of approximately 60 trips during the morning and approximately 60 trips in the afternoon peak periods based on surveys of traffic generation of a similar manufactured home developments;
- (vi) service vehicle movements would be negligible. Garbage vehicles will access the site via Coastal View Road and circulate via the proposed internal road system;
- (vii) the proposed manufactured home sites are likely to have little adverse effect on the level of service, capacity or traffic safety of the junction of Coastal View Road and The Boulevard and the intersection at The Boulevard and the Blackhead Road at Tallwoods;
- (viii) the performance of The Boulevard and Blackhead Road would not be adversely affected by the generation of 60 additional trips in the morning peak and 60 trips in the evening peak based on a survey of a similar development in Newcastle and Erina; and
- (ix) on-site parking provision would comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Each dwelling site will have a car space and there will be forty (40) visitor spaces provided, eleven (11) spaces more than the minimum required by the 2005 Regulation.

It is concluded that from a traffic perspective, the proposed development is considered suitable for the site as it will not adversely impact on the level of service, level of safety or the capacity of Coastal View Road, The Boulevard or the Blackhead Road at Tallwoods.

13.0 SITE WASTE MANAGEMENT

13.1 General

Waste management is controlled by Part M – Waste Minimisation and Management. The controls aim to facilitate sustainable waste minimisation and management within the MidCoast Local Government Area in a manner consistent with the principles of Environmentally Sustainable Development (ESD).

13.2 Garbage Collection Points

Part M – Waste Minimisation and Management under the Greater Taree Development Control Plan 2010 provides controls and guidelines for waste generation and disposal. The proposed MHE development has been designed to accommodate the ingress and egress of a single unit waste services vehicle. All vehicles will enter and leave in a forward direction via the central access road off Coastal View Drive where they will service individual MGB's for each dwelling site and MGB's for the Community Centre. When home installations occur on each site, an area is to be provided for the storage of MGB's in a convenient location which allows residents to be take MGB's directly to the kerb via a hardstand access. Garbage collection within the estate will therefore be provided by a kerb side collection contractor (most likely utilising the Council's contracted service). Green waste from operations will be collected by the estate maintenance staff and will be re-used on site (compost/mulch for vegetable gardens and other gardens) or transported to a waste transfer station for disposal/mulching of green waste.

13.3 Controls for Site Waste Management

A *Site Waste Management Plan* has been prepared by **Wales & Associates Pty Limited**. The Plan has been prepared in accordance with the Greater Taree Development Control Plan 2010 – Part M – Waste Minimisation and Management which specifically deals with the waste management processes.

14.0 EXTENT OF CUT AND FILL

Cut and fill will be limited to the construction of roads, drainage, utilities and services together with the construction of the community facilities. Full details will be provided as part of the Engineering Construction Certificate process and subject to appropriate conditions of consent.

Preliminary bulk quantities would indicate total cut of approximately 4,000m³ and fill of approximately 4,000m³ giving a balance of earthworks and thus reduce unnecessary hauling of material to external locations.

During the course of the s34 Conference on the 21st August 2019, the issue of site profiling was raised (as detailed in the appended “Without Prejudice” list of matters provided during the s34 Conference).

In response, the revised **Masterplan** prepared by *Lidbury Summers & Whiteman* (Consulting Surveyors, Planners and Engineers) shows the extent of cut and fill together with various longitudinal sections at critical points through the proposed development that demonstrates the general pattern of benching and retaining across the site in relation to the proposed roads and MHE sites. The sections demonstrate that site profiling can be reasonably achieved with similar outcomes expected should the property be developed for standard residential subdivision development.

15.0 EROSION AND SEDIMENTATION CONTROLS

Part D – Environmental Controls deals with matters associated with coastline management, environmental buffers, earthworks/erosion and sedimentation. Sections D1 and D2 of the Part D do not apply to this development. Section D3 – *Earthworks, Erosion & Sedimentation* applies to the MHE proposal

Full engineering details will be provided in accordance with appropriate conditions of consent as required by MidCoast Council. Works will include the installation of sediment fences around the perimeter of the site area, stormwater inlet protection and diversion drains where necessary.

16.0 ROAD FORMATIONS

16.1 Existing Road Formation

Coastal View Drive is a Local Road that provides a link to the arterial Blackhead Road via The Boulevard. It has a residential cross-section with hotmix bitumen seal, kerb and gutter, formed footpaths and underground stormwater along its length. The existing road formation runs parallel to the northern boundary of the site (see *Figure 12*).

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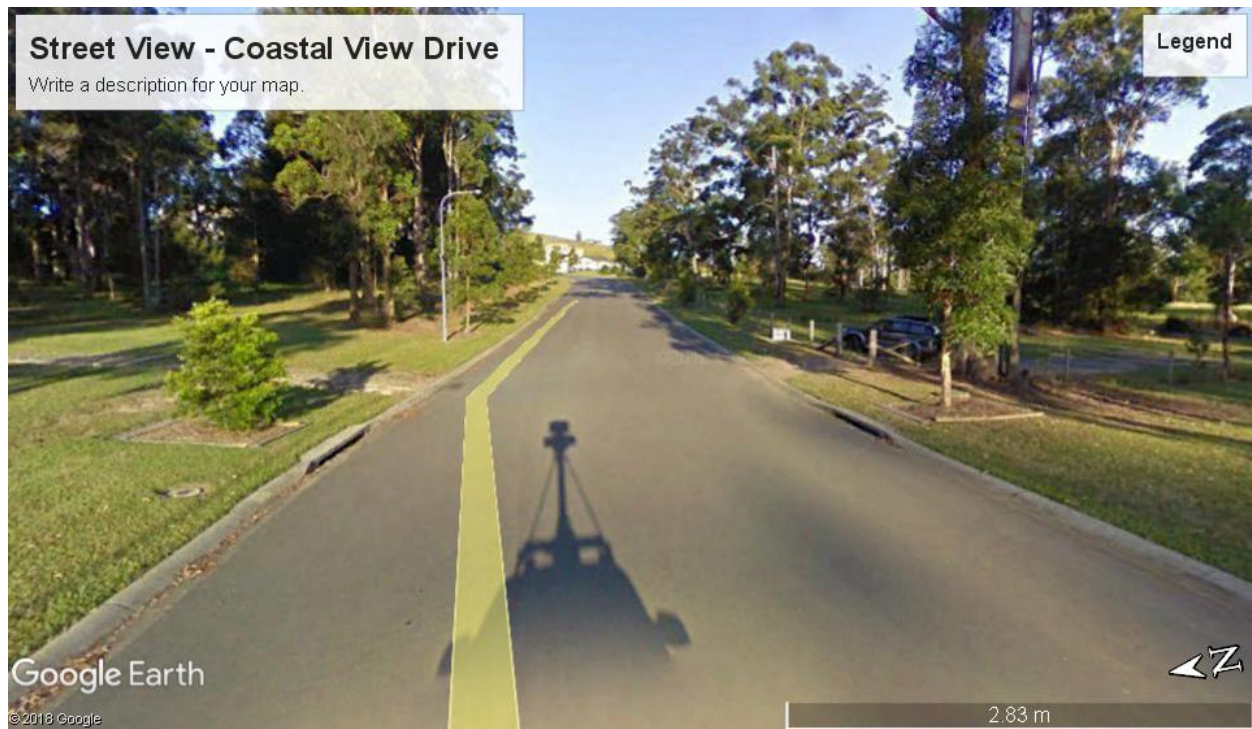


Figure 12
View looking east along Coastal View Road
(image courtesy of Google Earth Pro)

The roadway has a slight uphill gradient towards the eastern of the property boundary. There is street-lighting and underground power along Coastal View Drive which has an existing speed zone of 50km/h.

16.2 Road Upgrading

No road upgrading works will be required as part of this application the proposed manufactured home estate development other than the construction of the ingress/egress at the interface of the development (ie: Road No. 2) and the existing formation in Coastal View Drive and the emergency access off Blackhead Road in the south eastern corner of the site. The existing road pavement in Coastal View Drive is in excellent condition and has adequate pavement width and clear sight distances for safe ingress and egress from the development.

The approval to the proposed manufactured home sites is not considered to have any significant adverse effect on the level of service, capacity or traffic safety along Coastal View Road, The Boulevard or its intersection with the Blackhead Road.

16.3 Internal Roads

The proposed internal road structure for the proposed development will comply with Clause 21 – Width of Roads of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 which states that:-

- (1) *The width of the road reserve must be:-*
 - (a) *at least 8.5 metres for a major access road, and*
 - (b) *at least 6 metres for a minor access road.*
- (2) *The width of the sealed portion of an access road must be:-*
 - (a) *at least 6 metres for a major access road, and*
 - (b) *at least 4 metres for a minor access road.*
- (3) *If a minor access road exceeds 80 metres in length, a passing bay or bays must be provided within the road reserve.*
- (4) *Passing bays must be provided at intervals of not more than 100 metres.*
- (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:-*
 - (a) *at least 8.5 metres for a major access road, and*
 - (b) *at least 6 metres for a minor access road.*

The proposed road reserve widths and pavement widths have designed in accordance with Clause 20 and Clause 21 with the following:-

- (i) the MHE development is accessed off the proposed private Road No. 2 from Coastal View Road;
- (ii) the main access road (Road No. 2) pavement being 8.0 metres wide at the entry narrowing to 7.0m adjacent to the intersection with Road No.4 with the remainder being 6.0m wide with 1.5m verges; and
- (iii) the main internal loop road pavements and service roads being 6.0 metres wide with 1.5m verges (ie: Road Nos. 3, 4, 5, 6, 7, 8 and 9)

The proposed road pavement widths are shown on the amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

The proposed road pavement widths and road reserve widths **COMPLY** with Clause 21 – Width of Roads of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

17.0 **CLEARING**

The site is occupied by a single storey rural dwelling in the south east corner of the site fronting Blackhead Road. The balance of the property has traditionally been grazed by cattle and horses and has fencing along the perimeters of the property to control livestock. The vegetation on the site is virtually entirely comprised of paddock grasses and associated weeds except for some remnant scattered trees across the property as shown in **Figure 13**.



Figure 13

Photograph looking downslope to the west towards the Council's public recreation lands
(photograph courtesy of Wales & Associates Pty Limited)

As previously detailed under Section 6.2 – Proposed Landscaping, careful consideration has been given to the issues raised in the s34 Conference on the 21st August 2019. These issues include the location and retention of existing trees where practical giving consideration to:-

- (i) identification of all trees with a diameter of more than 150mm;
- (ii) tree protection zone requirements;
- (iii) visually prominent and aesthetically significant trees;
- (iv) ecologically significant groupings of trees;
- (v) SULE rating of exiting trees;
- (vi) internal and external connectivity; and
- (vii) integration of proposed landscaping with tree retention and improvements to external connectivity

As previously discussed, in order to fully understand the issues of site clearing tree retention, connectivity and visual impacts, the attached amended **Masterplan** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) includes a Locality Plan. The Locality Plan (see **Figure 8A**) sets the proposed MHE development within the context of the existing adjoining development and current development approvals. This assists in demonstrating the pattern of development already approved by Midcoast Council and clarifies the issue of north south connectivity and any subsequent clearing of trees.

As shown on the Locality Plan, it is clear that there are two primary vegetation corridors that run on a north south axis to the east and west of the subject site. The western corridor links the vegetation to the south of Blackhead Road adjacent to the existing caravan park (247/2016/DA - zoned RU1 - *Primary Production*) with the private and public open space land along the western edge of the subject site including that portion of RE1 – *Public Recreation* land owned by MidCoast Council and RE2 – *Private Recreation* lands that form the southern side of Tallwoods Country Club. In turn, these lands connect with Tallwoods Country Club on the northern side of Coastal View Drive and the vegetation corridor within approved tourist development immediately to the north of the subject site (330/2015/DA) which proposes substantial vegetation clearing but retains a vegetation connection northerly to the existing golf course.

The proposed MHE development has been modified such that the westerly vegetation corridor is enhanced through tree retention and additional landscape plantings of indigenous trees and by utilising the RE1 – *Public Recreation* lands for re-vegetation and communal use. This is considered preferable to the previous intention to clear the lands zoned RE1 – *Public Recreation* and undertake significant earthworks for the construction of playing fields to be dedicated to MidCoast Council under the previous Voluntary Planning Agreement (VPA) made between Council and the previous owners of the land. The VPA provided for the carrying out of certain public recreation works and the dedication of land to Council for public recreation purposes. The VPA included a proposed plan of subdivision. However the VPA did not restrict development of the land solely for this purpose, and alternative subdivision or alternative forms of residential development can be considered on the land including the proposed manufactured housing.

The Voluntary Planning Agreement does not form part of this application and is not intended to be exercised as subdivision of the land is NOT proposed. Instead, that portion of the land zoned RE1 – *Public Recreation* is proposed to be utilised for recreation purposes as part of the communal facilities for the MHE development. This is in keeping with Council's desire to maintain and enhance vegetation corridors and promote the north south connections through the development.

The eastern corridor lies within the adjoining allotment immediately to the east of the subject lands. The adjoining property is zoned part R1 – *General Residential* and R5 – *Large Lot Residential*. It enjoys development consent from Midcoast Council (567/2011/DA) for residential subdivision which, as highlighted during the s34 Conference on the 21st August 2019, has been physically commenced and therefore has an active consent that is preserved. The vegetation corridor over that land runs in a north south direction over that portion of the land zoned R5 - *Large Lot Residential*. It links to the E3 – *Environmental Management* lands immediately to the north within the Tallwoods residential estate and links to the RU1 – *Primary Production* lands on the southern side of Blackhead Road.

During the s34 Conference, Council indicated that the line of trees through the centre of the site (many of which are stressed, dying and not suitable for retention - see appended **Arboricultural Impact Assessment** prepared by *Advanced Treescape Consulting*) formed a corridor of linking vegetation of some ecological value.

As can be seen from the Locality Plan, this line of trees does not have any linkage to other vegetation groupings to the north which have been fully developed for residential use immediately on the northern boundary of the subject site and to the north of Coastal View Drive. There is no “linking corridor” value attached to the retention of this line of trees. However, the Masterplan has been amended so as to retain some of those trees within internal communal open space areas including the grouping of trees on the north western side of the existing rural dwelling (as identified by Council in the notes arising from the s34 Conference). The trees in the north western corner of the subject site have also been retained by deleting MHE site (also identified by Council in the notes arising from the s34 Conference) as these are prominent trees that assist in maintaining visual amenity.

In addition, significant trees have been retained along Coastal View Drive by increasing the site setback to ten (10) metres as required under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005 to provide both screening along the public road frontage and visual amenity. This was also identified by Council in the notes arising from the s34 Conference.

Further, the existing trees along the southern boundary of Blackhead Road will be retained in order to both provide screening along the public road frontage and visual amenity along Blackhead Road.

In order to support and enhance the retention of trees and as part of the development of the property for the new manufactured home sites, a comprehensive landscape program will be implemented. The attached **Landscape Masterplan** prepared by **Concept** (Landscape Architects) details the proposed landscaping for the development. Also attached is the **Tree Survey** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) which indicates those trees to be retained and those trees to be removed.

18.0 PUBLIC UTILITIES AND SERVICES

The following information in relation to existing services and utilities was provided by Dial Before You Dig Association of Australia. Dial Before You Dig Services Ltd. does not maintain information regarding the location of underground assets.



DBYD merely facilitates communication between the users of this service and Members/Participants. DBYD is not responsible for the accuracy of information received from users of this service, as to proposed excavation activity. There are also owners of underground assets which do not participate in the referral service operated by DBYD.

Therefore, DBYD cannot make any representation or warranty as to the accuracy, reliability or completeness of the information contained in this notice. DBYD and its employees, agents and consultants shall have no liability (except insofar as liability under any statute cannot be excluded) arising in respect thereof or in any other way for errors or omissions including responsibility to any person by reason of negligence.

All users of this service acknowledge that they have a duty of care to observe with regards to underground networks when digging or excavating. All services should be located by survey prior to the commencement of all works.

18.1 Sewer Services

The surrounding residential precinct is fully serviced by the existing MidCoast Water gravity sewer system and shown in **Figure 9**. An existing gravity sewer runs along the western boundary to the existing pump station on Blackhead Road.



MidCoast Water has advised that the development site is reliant on the construction and finalisation of MidCoast Water Service's (Council) sewer pumping station, HP-SPS-13. A condition to this effect should be included as part of any approval granted, as the total development will not be permitted to be released until such time as the pumping station has been finalised.

Noting the above, MidCoast Water have further advised (as of the date of this report) that there is sufficient capacity within the existing network to cater for the first two (2) stages of the MHE development. It should be noted that this advice from MidCoast Water is subject to significant change due to a range of factors. In particular, it should be noted that water and sewer systems are dynamic by nature and capacity availability and system performance also vary over time. In the event of significant lapses in the progression of the development (from the date of this report), it is advisable to obtain up-to-date advice from Council, to ensure relevance and accuracy. The proposed development can be connected as shown in **Figure 14** and on the appended **Sewer Strategy** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

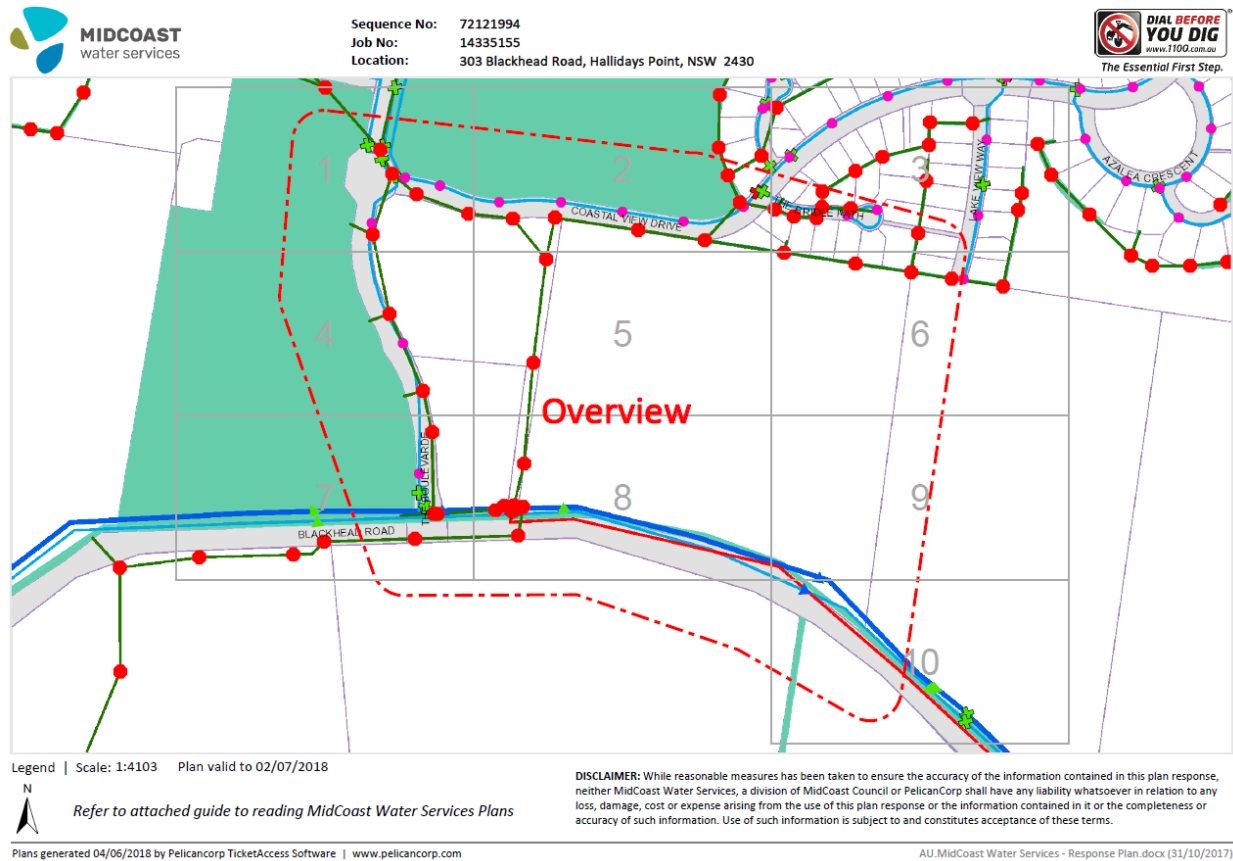


Figure 14
Extract from MidCoast Water's Infrastructure Records
(courtesy of MidCoast Water through Dial Before You Dig website)

18.2 Water Reticulation

Water reticulation services are available to the site via existing MidCoast Water mains which are located in Blackhead Road (southern boundary), The Boulevarde (to the west) and Coastal View Drive (northern boundary) as shown in **Figure 14**. The proposed manufactured home estate is capable of connecting to the existing water supply system consisting of a 150mm polyvinyl chloride unplasticised watermain in Coastal View Drive which is of adequate size to service the manufactured housing estate.



18.3 Power Supply

The site is serviced from existing low voltage underground Essential Energy power lines located in Coastal View Drive as shown in **Figure 15**. Supply is available to the site subject to application to the supply authority. An existing overhead power supply line also services the existing rural dwelling in the south east corner of the site.

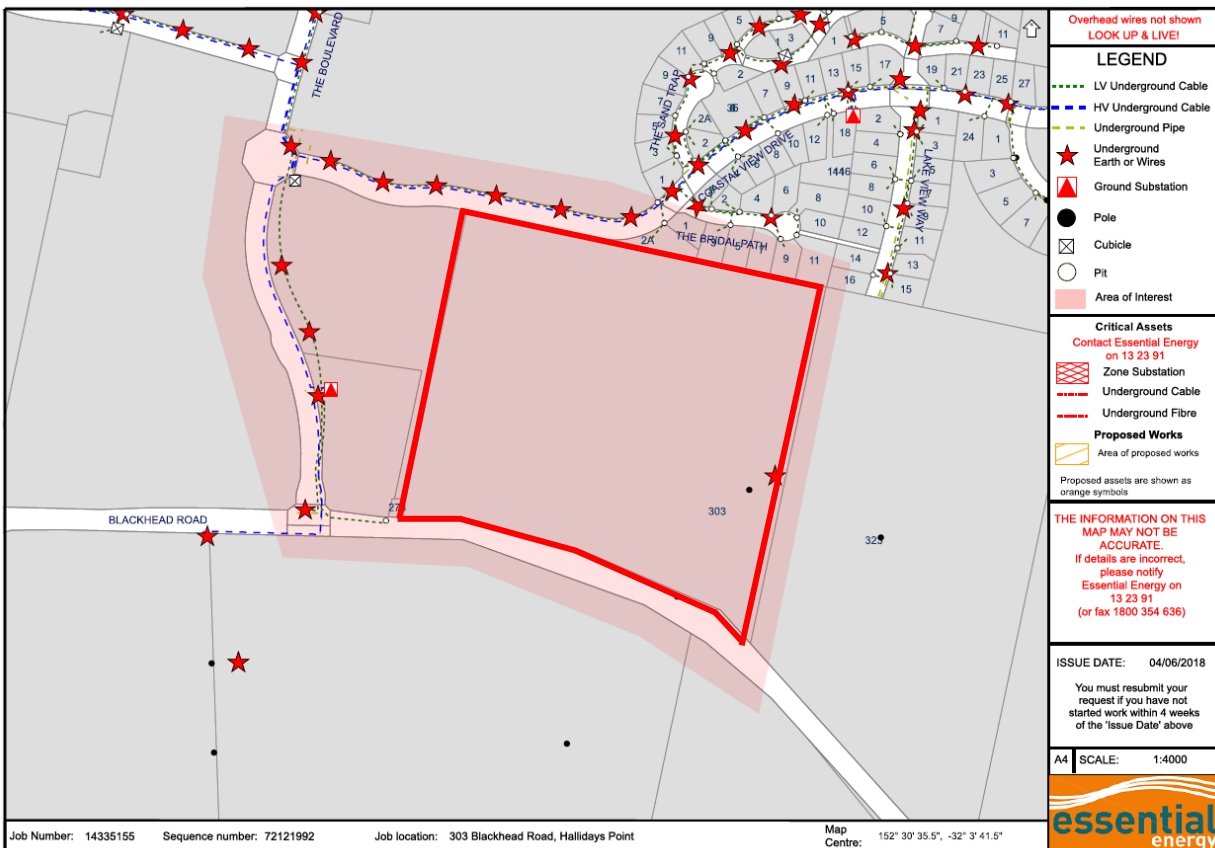


Figure 15
Extract from Essential Energy's Infrastructure Plans
(courtesy of Essential Energy through the Dial Before You Dig portal)

The proposed development will place additional burden on the existing power infrastructure. It is expected that Essential Energy will require the installation of a sub-station to augment existing supply.

18.4 Telecommunications

NBN Co. has existing underground telecommunications cables available on the northern side of Coastal View Drive and in Blackhead Road as shown in **Figure 16** and **Figure 17**. Services can be extended to service the proposed MHE development.

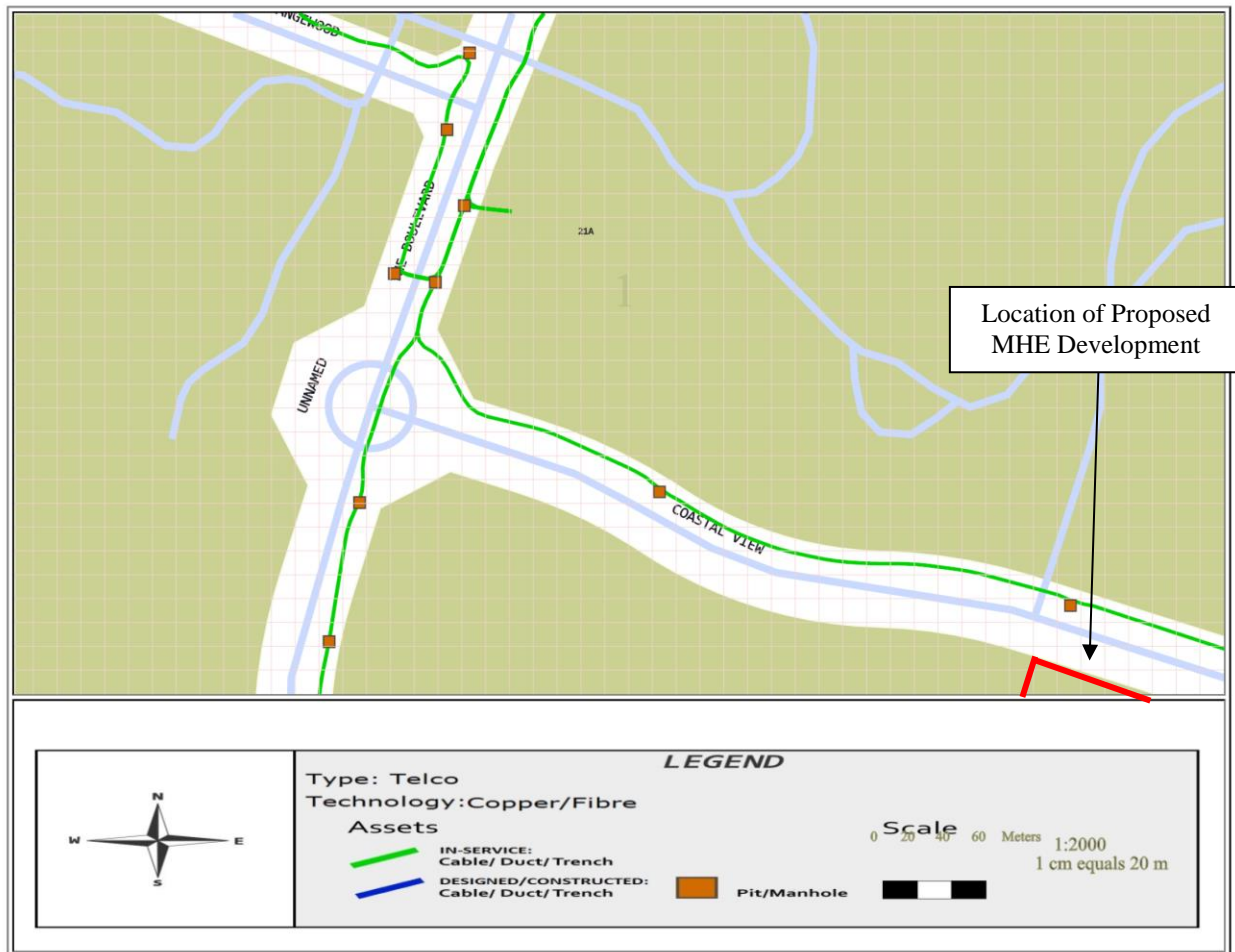


Figure 16
Extract from NBN Co.'s Infrastructure Records
(image courtesy of NBN Co. through the Dial Before You Dig Portal)

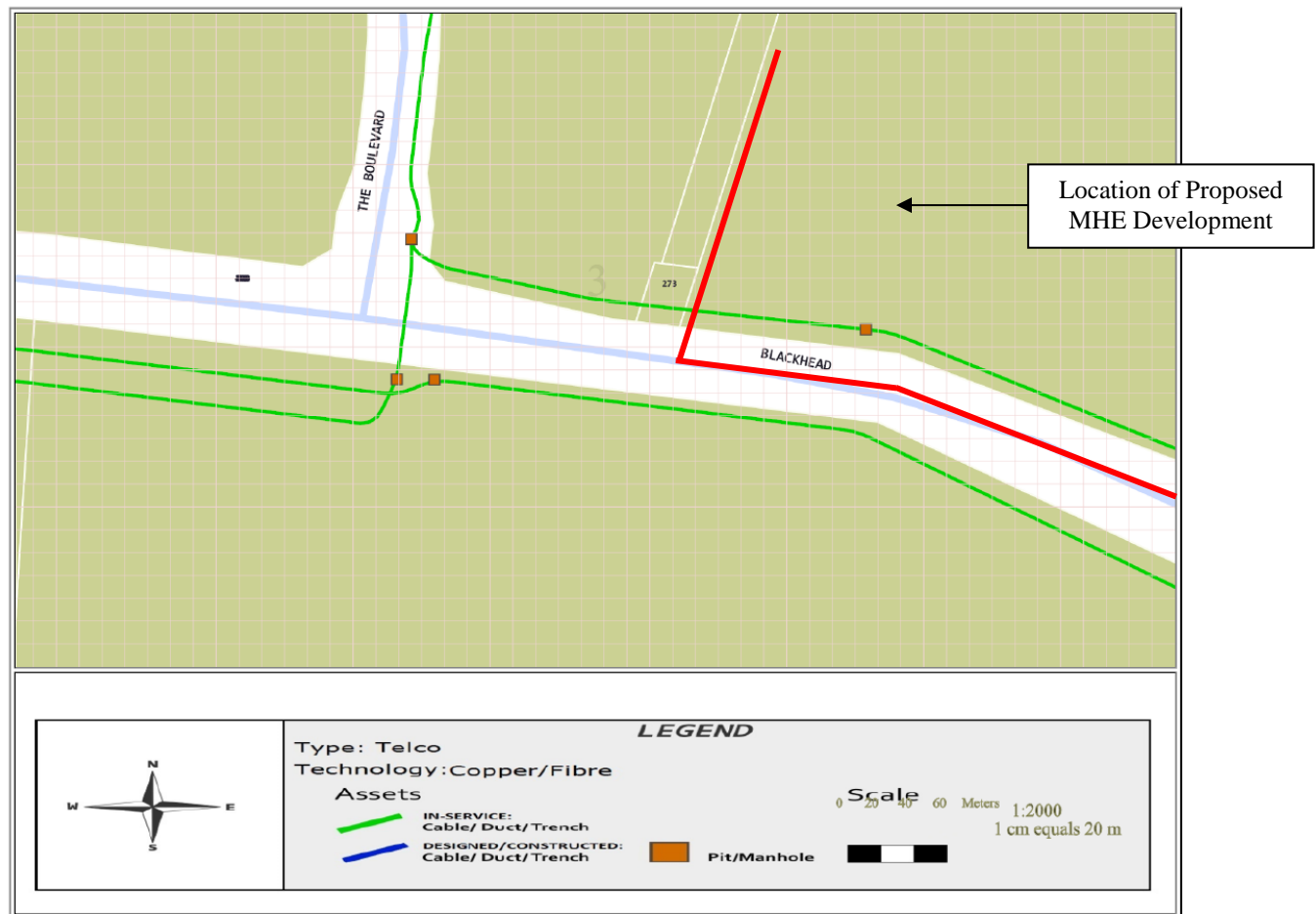


Figure 17
Extract from NBN Co.'s Infrastructure Records
(image courtesy of NBN Co. through the Dial Before You Dig Portal)

19.0 STATEMENT OF ENVIRONMENTAL EFFECTS:

The proposed manufactured home park will have a number of effects on the local environment. However, any potential adverse effects will be mitigated and offset by the provision of:-

- (i) high quality manufactured home sites that have been designed to be sympathetic to the residential landscape and property contours; and
- (ii) improved landscaping and community amenity

The following details highlight the measures proposed to reduce the potential effects of the development. All measures will be incorporated into the development so as to create an environmentally acceptable development proposal consistent with the Greater Taree Local Environmental Plan 2010 and SEPP36 – Manufactured Home Estates.

19.1 Flora Effects

Conacher Consulting had previously been engaged to prepare the attached **Flora and Fauna Assessment Report** dated August 2018 for a proposed development which was appended to the original development application submissions. Earlier Flora and Fauna Assessment Reports have been prepared for the subject site by Conacher Travers (2003, 2006) and Travers Bushfire and Ecology (2017). The August 2018 report incorporated the details and results of the previous flora and fauna surveys undertaken and provides details of updated surveys and assessments undertaken.

The August 2018 Flora & Fauna Assessment Report had been prepared to identify the flora and fauna characteristics of the subject site and to determine whether or not a Species Impact Statement should be prepared for the proposal according to the provisions of Section 5(A) of the Environmental Planning & Assessment Act 1979 (EP&A Act), pursuant to the provisions of the Biodiversity Conservation (Savings and Transitional) Regulation 2017. This report also provided an assessment of whether a referral is required pursuant to Environment Protection & Biodiversity Conservation Act 1999 (EP&BC Act) for impacts to nationally listed threatened and migratory biodiversity. Based on the detailed field surveys and information provided in the attached report it was concluded that:-

- (i) no threatened flora species listed within the *BC Act* or the *EPBC Act* were observed within the subject site;
- (ii) the following threatened fauna species were observed within the subject site during surveys:
 - Little Bentwing-bat (*Miniopterus australis*);
 - Large-footed Myotis (*Myotis macropus*)
- (iii) no threatened populations listed within the *BC Act* (2016) or the *EP&BC Act* (1999) were observed within the subject site;
- (iv) no threatened ecological communities listed within the *BC Act* (2016) or the *EP&BC Act* (1999) were observed within the subject site during surveys;
- (v) no migratory species listed within the *EPBC Act* (1999), were observed within the subject site;
- (vi) a referral to the Australian Government Department of the Environment and Energy is considered unnecessary;
- (vii) the proposed development is not likely to have a significant effect on threatened species, populations or ecological communities or their habitats; and
- (viii) a Species Impact Statement is not required for the proposed MHE development.

This report has since been superseded by the appended **Biodiversity Development Assessment Report** (BDAR) dated January 2020 prepared by **Conacher Environmental** and has been prepared under the provisions of the Biodiversity Conservation Act (2016).

19.2 Fauna Effects

As detailed above, the site will not require unreasonable clearing of vegetation in order to accommodate the proposed development. Based on site observations and available information, it is concluded that:-

- (i) the proposed development will primarily occur on lands that have been extensively cleared and disturbed from past and present land usages;
- (ii) the site contains cleared pastoral type lands which does not contained suitable habitat for threatened fauna and flora species;
- (iii) in respect of matters required to be considered in the *Environment Protection and Biodiversity Conservation Act 1999*, the development was not deemed to significantly impact any of the Matters of National Significance. The proposed development therefore does not constitute a controlled action;
- (iv) in context of the ecology of potentially occurring threatened species, and the site's habitat limitations: the proposal is not considered likely to have an impact of sufficient order of magnitude to place a local population at risk of extinction. Hence no referral to DoE or a Species Impact Statement is considered required;
- (v) in respect of matters required to be considered under the *Fisheries Management Act*, there are no matters requiring further consideration.

This report has since been superseded by the appended **Biodiversity Development Assessment Report** (BDAR) dated January 2020 prepared by *Conacher Environmental* and has been prepared under the provisions of the Biodiversity Conservation Act (2016).

The proposed development will not have any significant adverse effects on biodiversity.

19.3 Traffic Effects

The proposed parking and traffic arrangements associated with the proposed development are discussed earlier in this report under Section 12 – Traffic Management. The proposed development and associated traffic generation are not expected to create any adverse impacts on the adjoining road network or the surrounding precinct. Ingress/egress will be restricted to the main entry off Coastal View Road via Road No.2 with the site serviced by a central access road leading to the main community centre/club house. All sites are accessed from the main access road by a secondary loop roads.

Based on the appended **Traffic and Parking Impact Assessment** prepared *TTPA* (Consulting Traffic Engineers) and the amended **Masterplan** (Issue J) prepared by *Lidbury Summers & Whiteman* (Consulting Surveyors, Planners and Engineers), the following summary is made:-

- (i) access onto Coastal View Drive for the proposed manufactured home development will be via the new internal road access (ie; Road No. 2);
- (ii) the existing speed zone on Coastal View Drive is 50km/h;

- (iii) Coastal View Road is a local road linking with The Boulevard and Blackhead Road terminating at the western end at the proposed development with Blackhead Road;
- (iv) the site of the proposed manufactured home development is currently a large gently sloping cleared residential allotment;
- (v) the proposed manufactured home development is likely to generate traffic volumes of 61 trips during the morning and approximately 61 trips in the afternoon peak periods based on surveys of traffic generation of a similar manufactured home developments;
- (vi) service vehicle movements would be negligible. Garbage vehicles will access the site via Coastal View Road and circulate via the proposed internal road system;
- (vii) the proposed manufactured home sites are likely to have little adverse effect on the level of service, capacity or traffic safety of the junction of Coastal View Road and The Boulevard and the intersection at The Boulevard and the Blackhead Road at Tallwoods;
- (viii) the performance of The Boulevard and Blackhead Road would not be adversely affected by the generation of 60 additional trips in the morning peak and 60 trips in the evening peak based on a survey of a similar development in Newcastle and Erina; and
- (ix) on-site parking provision would comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

It is concluded that from a traffic impact perspective, the proposed development is considered suitable for the site as it will not adversely impact on the level of service, level of safety or the capacity of Coastal View Road, The Boulevard or the Blackhead Road at Tallwoods.

19.4 Noise Effects

The proposed manufactured home village lies adjacent to residential areas along its north eastern boundary, Coastal View Road along the northern boundary and rural lands along its eastern boundary. Council owned public reserve lands form western boundary with Blackhead Road forming the southern boundary. It is anticipated that some small increase in long term noise levels will result as a consequence of the new manufactured home sites. Some increases in noise levels should be expected as the land is zoned for residential use and where the provisions of SEPP36 apply. These effects will be mitigated through a comprehensive landscaping program and appropriate boundary fencing and shown on the **Landscape Masterplan** prepared by **Conzept** (Landscape Architects).

19.4.1 *Site Noise*

Based on previous caravan parks, relocatable home parks and manufactured home estate developments reviewed by this office and the current on site conditions, it is expected that the operation of all mechanical plant associated with such proposals will comply with the requirements of the EPA's Industrial Noise Policy (INP), measured at the boundary of the most effected residential boundary.

The INP sets out two separate noise criteria designed to ensure impacts from developments meet environmental noise objectives. The first limits intrusive noise to 5dB(A) above the background noise level and the other applies to protection of amenity of particular land uses.

The existing park would have been assessed by applying both criteria to the situation and adopting the more stringent of the two. In high traffic areas where the existing traffic noise levels are at least 10dB above the Acceptable Noise Level, the high traffic amenity criterion applies.

The EPA recognises the difficulty in achieving Project Specific Noise levels for existing plant designed for higher noise emission levels than the criteria and generally allows the progressive reduction of noise levels to a predetermined and agreed noise goal. Of course, the long term goal is to obtain compliance with the EPA's specified limits, through a continued and diligent noise reduction program. It should be noted that the Project Specific Noise Levels should not be applied as mandatory noise limits, but rather provide the initial target levels and drive the process of assessing all feasible and reasonable noise control measures.

19.4.2 Construction Noise

The EPA and MidCoast Council share responsibility for the approval and control of noise emission from developments within the Council boundaries. Based on previous manufactured home developments reviewed by this office, construction noise criteria applied to this assessment will be sourced in accordance with the *Noise Guide for Local Government* which aims to provide practical advice to council officers to assist them in the day-to-day management of local noise problems and the interpretation of existing policy and legislation. Construction noise criteria will also be applied from Section 171 of the EPA's Environmental Noise Control Manual (ENCM) which recommends noise limits at the worst affected receivers as shown in **Table 9** below. Entries in the middle and bottom row represent expected construction noise criteria for this project, based on a total duration of construction greater than 4 weeks.

Table 9
Construction Noise Criteria

Construction Period	Level Restrictions
Less than 4 weeks	Existing Background + 20 dB
Less than 26 weeks	Existing Background + 10 dB
More than 26 weeks	Existing Background + 5 dB

Construction criteria are only applicable for the hours 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. Construction activities outside these times are required to meet normal planning levels applied to operation of an industrial development, which are likely to be significantly lower at night (10.00pm to 7.00am) and marginally lower during the day on weekends and public holidays.

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19.5 Visual Amenity Effects

The intent of this application is to construct a new manufactured home estate consisting of one hundred and ninety eight (198) long term sites and community facilities within the existing cleared property located on the lower slopes of Tallwoods residential estate adjacent to Council's public reserve area and the Tallwoods Golf Course.

The proposed development seeks approval for the MHE home sites with individual single storey dwellings subject to separate approval under Section 68 of the Local Government Act.

The proposal includes new community facilities, roads, drainage, utilities, fencing and landscaping. A comprehensive landscape program will be implemented to provide screening, shade and amenity to the proposed MHE housing sites and also to provide buffer screening from existing properties to the north east. The landscaping treatments are discussed in detail under Section 6.2 – Proposed Landscaping.

In order to fully understand the issues of tree retention, connectivity and visual impacts, the attached amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) includes a Locality Plan. The Locality Plan (see **Figure 17A**) sets the proposed MHE development within the context of the existing adjoining development and current development approvals.

This assists in demonstrating the pattern of development already approved by MidCoast Council and clarifies the issue of north south connectivity. It also provides clarity to the pattern of development anticipated by MidCoast Council during the previous rezoning process that created the existing R1 - *General Residential* zones. This also informs the expected visual impacts that would have been anticipated at the time with residential development upslope to the north overlooking residential development downslope to the south. The subject lands are largely cleared of the majority of its native vegetation as the land had been previously used for livestock grazing. Clearly, this was a significant factor in Council's decision to rezone the land as the environmental and visual impacts had been heavily impacted by previous land clearing.

Consequently, the expectation that residential properties to the north (overlooking the subject lands) would be screened from development downslope is rather unrealistic. However, the Masterplan has been amended based on discussions during the s34 Conference on the 21st August 2019 such that additional trees are retained as part of the overall landscaping of the site. This includes the existing vegetation in the north east corner of the site which will assist in the screening the proposed development from upslope properties. In addition, additional vegetation has been retained along the northern boundary adjoining Coastal View Drive by increasing the setback to ten (10) metres providing additional screening of the development from the public road.

The revised Masterplan also seeks to retain the existing vegetation along Blackhead Road within the RE1 – *Public Recreation* corridor.

Importantly, this contributes to the visual amenity of the proposed by providing screening along the public road (and retaining the “rural vista” along Blackhead Road as shown in **Figure 17B**). This also contributes to improving visual impacts for upslope properties (both within the proposed development and external to the development) from the north east.



Figure 17B
Image looking east showing existing vegetation to be retained along Blackhead Road
(image courtesy of Google Earth Pro)

The identification of all trees located within the property greater than 150mm dia. was raised in the s34 Conference dated the 21st August 2019. The attached updated Survey Plan and **Arboricultural Impact Assessment** prepared by **Advanced Treescape Consulting** details all trees within the property together with their SULE rating so as to address the issue raised during the s34 Conference. As highlighted in the report, it is commonly recognised to be a more sustainable long-term outcome to replant suitable species on a disturbed site as opposed to retention of large trees as these trees will grow into good quality trees with a long useful life expectancy having adapted to the new landform and site hydrology.

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As shown on the Locality Plan, it is clear that there are two primary vegetation corridors that run on a north south axis to the east and west of the subject site. The western corridor links the vegetation to the south of Blackhead Road adjacent to the existing caravan park (247/2016/DA - zoned RU1 – *Primary Production*) with the private and public open space land along the western edge of the subject site including that portion of RE1 – *Public Recreation* land owned by MidCoast Council and RE2 – *Private Recreation* lands that form the southern side of Tallwoods Country Club. In turn, these lands connect with Tallwoods Country Club on the northern side of Coastal View Drive and the vegetation corridor within approved tourist development immediately to the north of the subject site (330/2015/DA) which proposes substantial vegetation clearing but retains a vegetation connection northerly to the existing golf course.

The proposed MHE development has been modified such that the westerly vegetation corridor is enhanced through tree retention and additional landscape plantings of indigenous trees and by utilising the RE1 - *Public Recreation* lands for re-vegetation and communal use. This is considered preferable to the previous intention to clear the lands zoned RE1 – *Public Recreation* and undertake significant earthworks for the construction of playing fields to be dedicated to MidCoast Council under the previous Voluntary Planning Agreement (VPA) made between Council and the previous owners of the land. The VPA provided for the carrying out of certain public recreation works and the dedication of land to Council for public recreation purposes. The VPA included a proposed plan of subdivision. However the VPA did not restrict development of the land solely for this purpose, and alternative subdivision or alternative forms of residential development can be considered on the land including the proposed manufactured housing.

The Voluntary Planning Agreement does not form part of this application and is not intended to be exercised as subdivision of the land is NOT proposed. Instead, that portion of the land zoned RE1 - *Public Recreation* is proposed to be utilised for recreation purposes as part of the communal facilities for the MHE development. This is in keeping with Council's desire to maintain and enhance vegetation corridors and promote the north south connections through the development.

The eastern corridor lies within the adjoining allotment immediately to the east of the subject lands. The adjoining property is zoned part R1 – *General Residential* and R5 – *Large Lot Residential*. It enjoys development consent from MidCoast Council (567/2011/DA) for residential subdivision which, as highlighted during the s34 Conference on the 21st August 2019, has been physically commenced and therefore has an active consent that is preserved. The vegetation corridor over that land runs in a north south direction over that portion of the land zoned R5 - *Large Lot Residential*. It links to the E3 – *Environmental Management* lands immediately to the north within the Tallwoods residential estate and links to the RU1 – *Primary Production* lands on the southern side of Blackhead Road.

During the s34 Conference, Council indicated that the line of trees through the centre of the site (many of which are stressed, dying and not suitable for retention - see appended **Arboricultural Impact Assessment** prepared by *Advanced Treescape Consulting*) formed a corridor of linking vegetation of some ecological value.

As can be seen from the Locality Plan, this line of trees does not have any linkage to other vegetation groupings to the north which have been fully developed for residential use immediately on the northern boundary of the subject site and to the north of Coastal View Drive. There is no “linking corridor” value attached to the retention of this line of trees. However, the Masterplan has been amended so as to retain some of those trees within internal communal open space areas including the grouping of trees on the north western side of the existing rural dwelling (as identified by Council in the notes arising from the s34 Conference). The trees in the north western corner of the subject site have also been retained by deleting MHE site (also identified by Council in the notes arising from the s34 Conference) as these are prominent trees that assist in maintaining visual amenity.

In addition, significant trees have been retained along Coastal View Drive by increasing the site setback to ten (10) metres as required under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005 to provide both screening along the public road frontage and visual amenity. This was also identified by Council in the notes arising from the s34 Conference.

Further, the existing trees along the southern boundary of Blackhead Road will be retained in order to both provide screening along the public road frontage and visual amenity along Blackhead Road (see **Figure 17B**).

In order to support and enhance the retention of trees and as part of the development of the property for the new manufactured home sites, a comprehensive landscape program will be implemented. The attached **Landscape Masterplan** (Issue H) prepared by **Concept** (Landscape Architects) details the proposed landscaping for the development. Also attached is the **Tree Survey** prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers) which indicates those trees to be retained and those trees to be removed.

As shown on the attached amended **Masterplan** (Issue J) prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers), the proposed new manufactured home sites have been designed to comply with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*.

19.6 Air Quality Effects

In the short term, the potential effects on the air quality will be limited to those effects caused by the construction of the new sites, infrastructure and the provision of the new landscaping from emissions from construction machinery and motor vehicle exhausts. Atmospheric pollutants caused by such emissions are not expected to have a significant effect long term effect. Upon completion of the new site, infrastructure and landscaping works, all exposed areas will be restored, revegetated and landscaped.

When the development is completed, air pollution caused by the operation of the development is not expected to be significant nor create any long term impacts.

19.7 Erosion and Sedimentation Effects

As described in Section 15 – Erosion and Sedimentation Control, erosion and sedimentation controls will be installed and maintained (where required) in accordance with MidCoast Council's standard engineering practice. Final plans will be provided at Construction Certificate stage subject to appropriate conditions of consent determined by the Council.

19.8 Socio-Economic Effects

19.8.1 *General*

It is accepted that the proposed development will have both social and economic impacts. The proposed development will have a positive economic impact in that:-

- (i) the proposed development will see a site construction investment of some \$4.0M into the local economy with additional investment resulting from subsequent MHE dwelling installations;
- (ii) the development will employ up to 100 local trades and contactors during the construction phase;
- (iii) the development may employ up to six (6) full time/part time staff together with numerous supply and maintenance contractors during the operational phase; and
- (iv) new residents within the development will contribute to the local retail and services sector through local spending on goods and services

19.8.2 *Social Impact Effects*

Social issues embrace all aspects of human life as well as how we use places. It is sometimes the case that a development can positively and/or negatively contribute to social issues and this in turn, could result in a social impact.

A social impact refers to the social or community consequences of a proposed development. A social impact for instance, could be of concern or alternatively be of benefit to individuals, the community and/or community groups. There could also be for example increased demand for education, welfare, health, and other social services.

The proposed one hundred and ninety eight (198) site MHE will provide housing stock at an affordable pricing point for the older demographic market. Housing choice is an important consideration for this age group.

The proposed development will bring about some change to the amenity of the immediate area. The visual impact has mitigated to some degree via landscaping throughout the development and also along the perimeters particularly along the northern boundary at the interface with the existing residential precinct. Other potential amenity impacts (in particular noise and light spill) can be also be effectively mitigated by landscaping and distance buffers to neighbouring residences.

The attached **Social Impact Assessment** prepared by *Aigis Group* addresses the requirements of Section Section 4.15 – Evaluation of the Environmental Planning and Assessment Act 1979, in respect of the assessment of social and economic impacts. The report integrates a range of data to profile the communities of interest in respect of the application and assess the potential for both positive and negative impacts arising from the proposal in that context. Data sources include public agency information such as from the Australian Bureau of Statistics (ABS). The report also draws on material from the Social Impact Assessment prepared by RPS Pty Ltd for lodgement with previous development application 407/2017/DA in respect of the same project.

The attached **Social Impact Assessment** concludes that the MidCoast LGA has experienced demographic change and will continue to do so. The two key features of this change are expected to be population growth and the ageing of the population. The proposed MHE development has the potential to address both of these issues by providing 202 housing sites of a size and nature that is likely to be attractive to older potential residents. These outcomes are consistent with state and local government planning strategies.

The social impacts of the MHE are, on balance, likely to be positive for the immediate area and the MidCoast LGA more broadly. The range of services currently available, and others approved, such as an additional medical practice suggest that the local economy has the capacity to absorb the activity generated by new residents. Although there will be some impacts as identified in the Social Impact Report, these are likely to be marginal, as there is likely to be alternative development on the site at some stage if it is not used for the MHE. Therefore, the ultimate extent of impacts is likely to be a matter of degree, rather than overall preservation of the site and avoidance of any impacts.

Economic impacts are likely to be positive. Although an issue has been identified in respect of the relativities of the burden on existing ratepayers. When all aspects of this are considered, as with social impacts, there is likely to be some mitigation of effects, resulting in net effects being reduced. Local business and service providers are likely to benefit from the increase in the number of residents as they expand their offerings in response to population growth and increase the value of transactions.

19.9 Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It includes the built environment, open space (including passive recreation space), pedestrian and transport corridors, conflicts of land use etc.

CPTED aims to reduce opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ‘ingredients’ (ie: law, offender, victim or target, opportunity) from intersecting in time and space.

In practice this means that predatory offenders often make “cost benefit assessment” of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- (i) maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);
- (ii) maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);
- (iii) minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and
- (iv) minimise excuse making opportunities (removing conditions that encourage / facilitate rationalisation of inappropriate behaviour).

CPTED employs four key strategies. These are:-

- (i) territorial re-enforcement;
- (ii) surveillance;
- (iii) access control; and
- (iv) space/activity management.

The following strategies are to be included in the development:-

Territorial Re-enforcement

The use of vegetation will assist in creating territorial reinforcement along all of the property boundaries. The attached Landscape Masterplan ensures that:-

- (i) vegetation does not inhibit a ‘line of sight’ into the development when looking into the development from outside;
- (ii) heavy vegetation has been avoided at the entrance areas of the buildings so as not to provide concealment opportunities;
- (iii) undergrowth on trees will be cleared and maintained to a height of 1.2 metres to enhance site lines;
- (iv) signage at entry points into the site will be erected stating “private property”;
- (v) lighting will be used at key entry points so as to assist in identifying the transition between public and private land;
- (vi) fencing will be provided along the northern boundary of the property to reinforce formal entry points.

Surveillance

The proposed landscaping has been designed so as not inhibit natural surveillance (ie: block sight lines) nor provide concealment and entrapment opportunities.

In selecting and maintaining the proposed vegetation, consideration has been given to the possibility of areas becoming entrapment sites in the future. Shrubs are not greater than 1 metre in height and the canopy of tall trees are to be higher than 1.8 metres.

The community building design has been designed so as not inhibit natural surveillance (ie: block sight lines) nor provide concealment and entrapment opportunities. It has been designed taking into consideration:-

- (i) the Australian and New Zealand Lighting Standard 1158.1 – *Pedestrian* which requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels; and
- (ii) vision and surveillance in the car park areas

Access controls

- (i) all entry points (pedestrian and vehicle) are to be clearly signposted and identify the area as being private property; and
- (ii) pedestrian access markings on site where road crossings are located will be clearly indicated

Space / Activity Management

Directional signage is to be provided throughout the development. The signage is to be clear, legible and useful so as to aid way finding throughout the development (particularly around entry, car parking and the community administration areas).

Gardens, hard walls, fencing and perimeter landscaping is to be well maintained. Any evidence of anti-social behaviour (eg: graffiti, malicious damage, broken lights etc) is to be cleaned, fixed, made good and replaced within 24 hours. A Maintenance Plan is to be prepared for the site. The garbage bin area to be secured and kept out of general sight.

19.10 Bushfire Effects

The subject site has been mapped by MidCoast Council as being bushfire prone. The site has been mapped as being partially within the bushfire buffer (yellow) and partially containing Category 1 (red) vegetation as shown in **Figure 18**.

The attached amended **Bush Fire Assessment Report** prepared by **Clarke Dowdle & Associates** was undertaken in July 2020 and was conducted in accordance with the procedures and methods recommended in the NSW Rural Fire Service published document NSW Rural Fire Service published document “*Planning for Bushfire Protection*” (PBP) (NSW Rural Fire Service and Planning NSW, 2006).

This Bush Fire Assessment Report serves to identify issues relating to the condition of the site as part of the level of assurance required for consent by MidCoast Council to the Development Application (DA) pertaining to the proposed development on the site. A Bush Fire Assessment is required as the site falls within a Bushfire Prone Area as identified by MidCoast Council.

The proposed development involves the creation of a Manufactured Home Estate within a designated bushfire prone area. These types of developments are identified under Clause 46(d) - *Rural Fires Regulation 2008* are classed as a *Special Fire Protection Purpose* (SFPP) which are integrated under Section 91(1) of the *Environmental Planning and Assessment Act*.

The attached report forms the basis for providing an assessment of the bushfire protection requirements for the development and provides recommendations on the provision of Asset Protection Zones, accessibility, water supplies and construction standards of future developments within the site.

As the proposed development involves the creation and construction of a manufactured home estate, the proposal falls under State Environmental Planning Policy 36 – *Manufactured Home Estates*. These types of developments within designated bushfire prone areas are considered as integrated under Section 91(1) of the Environmental Planning & Assessment Act. Under Section 100B of the *Rural Fires Act*, the development application must be submitted to the Commissioner of the Rural Fires Services for approval and issue of a “Bushfire Safety Authority”



Figure 18
Bushfire Prone Mapping
(Source: Department of Planning 2018)

The **Bush Fire Assessment Report** concludes that the proposed development will comply with the minimum requirements provided that:-

- (i) APZs are provided which comply with and/or exceed the minimum requirements of Appendix 2 of *PBP*. The future MHE buildings will be constructed in accordance with *AS3959-2009*;

- (ii) APZs are provided which comply with or exceed the minimum requirements outlined within Appendix 2 of PBP;
- (iii) APZs are provided in accordance with PBP and future building construction will be in accordance with AS3959-2009. Fuel management is to occur in the APZ and is to be managed by the owners;
- (iv) access is to comply with the performance requirements outlined Table 4.1 in PBP (AS2890.2-2002) in Section 4.1.3 (1) of PBP;
- (v) fuel management within the development is to be undertaken by the land owners under the guide of Appendix B and as outlined within NSW RFS publications such as *Standards for Asset Protection Zones* available from the RFS website at www.rfs.nsw.gov.au; and
- (vi) water supply, gas services and electricity are to comply with Section 4.1.3 of PBP.

19.11 Flooding Effects

2.2.1.5 *Flood Planning*

Clause 7.2 – Flood Planning of the Greater Taree Local Environmental Plan 2010 applies to land at or below the flood planning level.

The **objectives of this clause** are as follows:-

- (vii) to minimise the flood risk to life and property associated with the use of land;
- (viii) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change; and
- (ix) to avoid significant adverse impacts on flood behaviour and the environment.

The subject land is not identified as being within the Council's flood planning area based on the Greater Taree Local Environmental Plan 2010 mapping. Nor is the land identified as being subject to localized flooding on Council's mapping.

Stormwater controls and Water Sensitive Design is dealt with in detail under Section 8.0 – Stormwater Drainage, Section 10.0 – Flooding and Section 19.10 – Flooding Effects. A **Water Sensitive Design Strategy** is appended to this application and has been prepared by **Lidbury Summers & Whiteman** (Consulting Surveyors, Planners and Engineers).

The **Water Sensitive Design Strategy** addressed the impacts of the 1% AEP flood event and shows that the proposal attenuates post-development peak discharges to maintain existing flows for all storm events up to and including the 100 year ARI rainfall event.

It is considered that the proposed development **COMPLIES** with the requirements under Clause 7.2 – Flood Planning.

19.12 Aboriginal Cultural Heritage Impacts

Clause 5.10 – *Heritage conservation* of the Greater Taree Local Environmental Plan 2010 deals with those matters related to the conservation of environmental heritage including archaeological sites, aboriginal objects and aboriginal places noting that heritage items (if any) are listed and described in Schedule 5 of the LEP. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5. This issue is dealt with under Section 2.2.1.7 – *Heritage Conservation* earlier in this report. The **objectives** of this clause are as follows:-

- (i) to conserve the environmental heritage of Greater Taree City;
- (ii) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views;
- (iii) to conserve archaeological sites; and
- (iv) to conserve Aboriginal objects and Aboriginal places of heritage significance.

There are no known heritage items on or adjacent to the subject lands as shown in **Figure 19**.

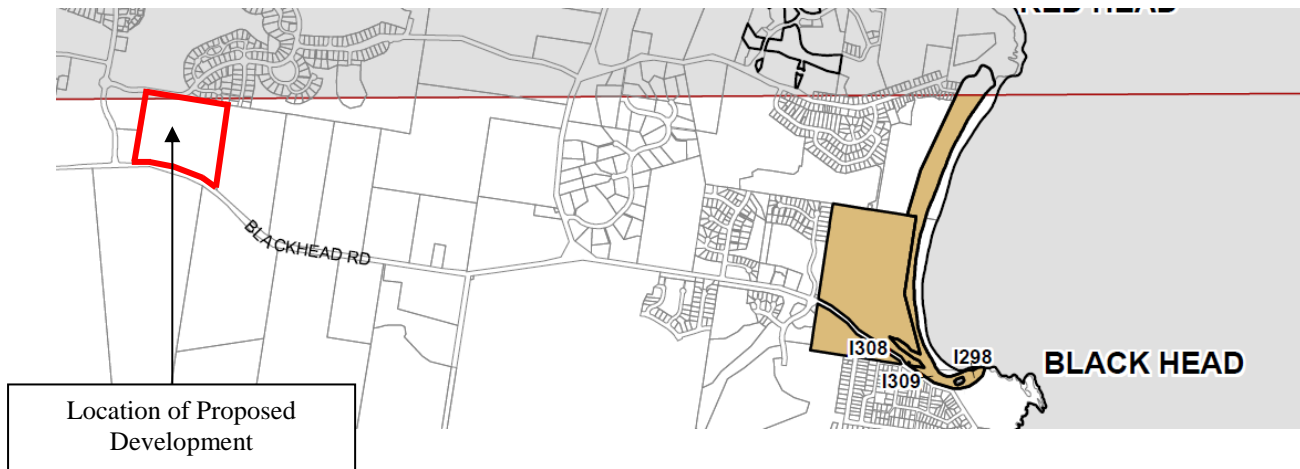


Figure 19
Extract from Greater Taree Local Environmental Plan 2010
Heritage Map – Sheet HER_016A
(courtesy of MidCoast Council through the NSW Legislation website)

In relation to Aboriginal Heritage, a Search of the Aboriginal Heritage Information Management System (AHIMS) database has been undertaken and did not reveal any “Aboriginal Sites” or “Places” on or near the subject site (see attached AHIMS Search Result dated 12.08.18 and **Figure 20**). The subject land has been disturbed through past activities and would be identified as “disturbed land” under the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

In 2006, a walkover of the site was undertaken for the Local Aboriginal Land Council examining the land for any evidence of Cultural Heritage values. This investigation did not identify an Aboriginal Places or cultural heritage items on the site. The current site circumstances are not considered to have altered.



Office of
Environment
& Heritage

AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : #037/2017

Client Service ID : 363525

Matthew Wales

Date: 12 August 2018

6 Greenhaven Drive
Umina Beach New South Wales 2257
Attention: Matthew Wales

Email: matthew@walesassociates.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 3, DP:DP242332 with a Buffer of 50 meters, conducted by Matthew Wales on 12 August 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 20
AHIM Search Result
(courtesy of NSW Office of Environment & Heritage)

20.0 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

It is prudent to take into consideration the principles of ecologically sustainable development in the management and development of the area. These comments are in accordance with the *New South Wales (Australia) Local Government Amendment (Ecologically Sustainable Development) Act 1997*.

Effective integration of economic and environmental considerations is recommended in decision making processes through the implementation of the following processes:-

- (i) *The Precautionary Principle – namely, if there are threats of serious or irreversible environmental damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

The site is currently developed for rural residential purposes including the grazing of cattle and other livestock. It is occupied by a rural residence located in the south east corner and is extensively cleared and fenced. It is proposed to clear and develop the land so as to facilitate the construction of the new long term manufactured home estate under the provisions of SEPP 36. There are no identified threats that would cause serious irreversible environmental damage nor any lack of scientific certainty in relation to the proposed residential development.

- (ii) *Inter-generational Equity – namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.*

The proposed manufactured home estate is to be constructed in accordance with all current engineering and environmental regulations and to a standard that the local environment is protected both during construction and as a result of its ongoing operation. The proposal will also create both short and long term employment opportunities and create a valuable residential development under the provisions of SEPP 36 that will service the local residential catchment and older demographic market.

Therefore, the health, diversity and productivity of the environment will not be affected by the proposed tourist related development of the land.

- (iii) *Conservation of Biological Diversity and Ecological Integrity – namely, that the conservation of biological diversity and ecological integrity should be a fundamental consideration.*

As the property has been previously used for rural residential purposes including stock grazing, the subject land has been significantly modified and degraded compared to its natural state.

Therefore, the clearing of the property and subsequent development of the land will not have any appreciable effect on the biodiversity or ecological integrity of the area. If fact, the redevelopment of the land will enhance biodiversity by improved landscaping, public domain and public open spaces.

21.0 CONCLUSION

The proposed mobile home park is recommended to MidCoast Council on the basis that it:-

- (i) is permissible under the Greater Taree Local Environmental Plan 2010 within the R1 – *General Residential* zone as an “innominate” use utilising the provisions of SEPP 36 – *Manufactured Home Estates*;
- (ii) is permissible under the Greater Taree Local Environmental Plan 2010 within the RE1 – *Public Recreation* zone where community facilities, environmental facilities, recreation areas, recreation facilities (indoor) and roads are permitted with consent;
- (iii) is consistent with the provisions of the Greater Taree Local Environmental Plan 2010;
- (iv) is fully compliant with the provisions of State Environmental Planning Policy 36 – *Manufactured Home Estates*;
- (v) will not have any significant adverse impacts on the local community that cannot be mitigated through good design and landscaping;
- (vi) will provide substantial landscaping and amenity and therefore contribute positively to the local environment;
- (vii) can be fully serviced with a range of utilities;
- (viii) will be provided with a community bus; and
- (ix) has easy access to the main road, shopping facilities, public transport and local community.

22.0 LIMITATIONS

Wales & Associates Pty Limited (WA) has prepared this report for a project at Lot 3 in DP242332 #303 Blackhead Road at Tallwoods in accordance with instructions from Joint Venture Pty Limited. The report is provided for the exclusive use of Joint Venture Pty Limited for this project only and for the purpose(s) described in the report. It should not be used for other projects or by a third party. In preparing this report WA has necessarily relied upon information provided by the client and/or their agents.

WA's advice is based upon the information supplied and encountered during this assessment. The accuracy of the advice provided by WA in this report may be limited by undisclosed information provided by other sub-consultants. The advice may also be limited by budget constraints imposed by others or by site accessibility. This report must be read in conjunction with all of the attached notes and reports and should be kept in its entirety without separation of individual pages or sections.

WA cannot be held responsible for interpretations or conclusions made by others unless they are supported by an express statement, interpretation, outcome or conclusion given in this report. Please contact the undersigned for clarification of the above as necessary.



20th July 2020

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Matthew Wales
Director – Wales & Associates Pty Limited

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Date

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REFERENCES

The following documents have been referenced:-

- (i) Greater Taree Local Environmental Plan 2010;
- (ii) NSW Environmental Planning & Assessment Act 1979;
- (iii) NSW Environmental Planning & Assessment Regulation 2000;
- (iv) New South Wales (Australia) Local Government Amendment (Ecologically Sustainable Development) Act 1997;
- (v) State Environmental Planning Policy 36 – *Manufactured Home Estates*;
- (vi) Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- (vii) Local Government Act 1993; and
- (viii) Greater Taree Development Control Plan 2010