



LandDynamics
AUSTRALIA

STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION (DA)

Proposed Manufactured Housing Estate (MHE)

Lot 349 DP 753848 & Lot 39 DP 22919

383 Browns Lane & 778 Manilla Road, Oxley Vale

On behalf of

Browns Road Development Pty Ltd

November 2024

Prepared for:

Browns Road Development Pty Ltd

Prepared By:

Land Dynamics Australia

77 Lord Street Port Macquarie NSW 2444 – PO Box 2459 Port Macquarie NSW 2444

T: 02 6583 2677 E: pm@ldynamics.com.au

www.ldynamics.com.au

	Name	Date
Prepared By	Donna Clarke	25 November 2024

Disclaimer

This report was prepared in accordance with the scope of works set out in correspondence between the client and Land Dynamics Australia. To the best of Land Dynamics Australia's knowledge, the report presented herein accurately reflects the Client's intentions when the report was printed. However, it is recognised that conditions of approval at time of consent, post development application modification of the proposals design, and the influence of unanticipated future events may modify the outcomes described in this report.

Land Dynamics Australia used information and documentation provided by external persons, companies and authority. Whilst checks were completed by Land Dynamics Australia to ensure that this information and/or documentation was accurate, it has been taken on good faith and has not been independently verified. It is therefore advised that all information and conclusions presented in this report apply to the subject land at the time of assessment, and the subject proposal only.



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1. EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) is to accompany a Development Application (DA) lodged with Tamworth Regional Council for the approval of a Manufactured Housing Estate (MHE) on Lot 349 DP 753848 & Lot 39 DP 22919, No. 383 Browns Lane and 778 Manilla Road, Oxley Vale. The proposed development is a lifestyle estate which includes 218 dwelling sites under a private title arrangement, to be constructed in stages, and will include communal facilities and a caravan and boat storage area. The proposed large community clubhouse is centrally located at the entrance to the development includes reception area, consultation rooms, gymnasium, outdoor pool, games and entertainment room, kitchen and bar, dining and function area, pickle ball court, tennis court and bowling green. The proposed dwellings and community facilities will have contemporary finishes which support the residential area emerging whilst respect the rural theme of the area utilising light browns, ochres and earthy hues supported by high quality products, sited in a naturally vegetated and landscaped setting and supported by services and facilities.

The subject land is zoned R1 General Residential, RU4 Primary Production Small Lots and C3 Environmental Management under Tamworth Regional LEP 2010. The proposed Manufactured Housing Estate is a permissible land use in the R1 zone and aligns with the objectives of the zone. The portion of the site zoned RU4 permits the proposed Manufactured Housing Estate under State Environmental Planning Policy (Housing) 2021 in accordance with Clause 122 and Schedule 6 of the SEPP given the rural land is adjacent to and adjoining land zoned for urban use. The land zoned C3 is avoided by the development.

The site has frontage to two public roads being Browns Lane to the north and Manilla Road to the west. The main entrance to the estate will be from Browns Lane and a private network of internal roads within the development is proposed, with an emergency access provided to Manilla Road.

The proposal has been designed to avoid key constraints on the site, such as bushfire and areas of high environmental value, to minimise the risk posed by these constraints in the long-term. The site is not identified as important farmland.

The proposal considers the residential amenity of the existing and future residents including adjoining residential properties, the environmental constraints of the site, as well as the wider release area. There will be a positive social and community benefit resulting from the proposal, with a boost to the local economy and a development which supports the overall community of Tamworth and the wider area.

Pre-lodgement discussions were held with Council on 21 March 2024, with issues raised addressed in this report.

The development is considered “*Integrated Development*” and will require referrals to:

- Department of Planning and Environment—Water as works are identified within 40 metres of an identified watercourse on adjoining lands to the south; and
- NSW Rural Fire Service as the land is mapped as bushfire prone and is a Special Fire Protection Purpose Development.

Referral will also be necessary to Transport for NSW given the proposed emergency access connection to a classified road being Manilla Road.

Investigations undertaken for this assessment and design considerations illustrates the proposal is suitable for the site. Ecological, bushfire, traffic, stormwater and contamination assessments were undertaken. No unmanageable issues were identified in relation to transport, visual and acoustic privacy, heritage, acid sulfate soils, flooding, bushfire, flora and fauna or the provision of utilities. A suite of specialist reports have been prepared to investigate the opportunities and relative constraints of the site. No unmanageable issues were

identified. The subject land is capable of accommodating the development, with existing services and infrastructure available to the site.

The development is proposed on the residential zoned component of a largely cleared site and can accommodate the MHE and existing services and infrastructure are capable of being extended. The existing and proposed road network can appropriately manage the increased traffic generation. Further, approval of this development does not preclude nearby development on the adjoining land.

The design response for the development has been mindful of the environmental corridor on the southern portion of the site and its screening and buffer ability, as well as respecting the existing rural character and future residential character. The proposed MHE has its main entrance off an existing public road and has limited the number of sites which are visible from the public road. The main entrance and community facilities will be the main components of the development visible from the public road, with the sites screened by proposed fencing and landscaping. The design approach adopted responds to the scale and forms of built elements in nearby residential developments. The visual impact assessment illustrates that there is limited exposure and interaction with from the public domain due to screening of the built form combined with length of time and focus of the viewer passing by.

From a social impact perspective, this proposal will provide a boost to Oxley Vale and Tamworth and provides a mix of housing choices and diversity for the area and assist with the housing crisis within the area and further afield. The residents will have access to the community bus to provide access to local services, as well as the on-site facilities being provided including rooms for visiting medical practitioners or other professionals.

After development consent is issued for the estate, the two lots which are the subject of this application will be consolidated to ensure that the overall village remains in the same ownership. No subdivision is proposed.

The areas of the proposed dwelling sites range between 259m² – 559m² with an average of 302m², and have been designed to be substantially larger than the minimum permitted manufactured housing estate site size of 130m². The size and shape of the proposed sites will accommodate range of dwelling types.

This Statement of Environmental Effects (SEE) is in the “approved form” as defined by the Planning Secretary and published on the NSW Planning Portal. This report provides a description of the site and surrounding area; a description of the proposal; an outline of the relevant statutory and strategic planning policy framework; and an environmental assessment of the proposal against the relevant provisions of the Environmental Planning and Assessment Act 1979 and a conclusion. This SEE concludes that there is no material planning or statutory impediment to the approval of the proposed use. This report should be read in conjunction with the Appendices and documents accompanying this application.

2. DESCRIPTION OF THE SITE AND SURROUNDS

2.1 The Site

The subject land is described Lot 349 DP 753848 & Lot 39 DP 22919, No. 383 Browns Lane and 778 Manilla Road, Oxley Vale and has a total area of 13.67ha, comprising two irregular rectangular shaped allotments which have an area of approx. 8.30 hectares for Lot 349 and approx. 5.37ha for Lot 39. The site is undulating and has frontages to sealed roads. A larger grassed verge is currently provided to Manilla Road.

The subject development site has been cleared in the past and has maintained large areas of pasture grassland, is predominately cleared of vegetation, with remnant vegetation located within part of the eastern part of the site, extending from the adjoining land to the south. A telecommunications tower is located on the eastern boundary and a dwelling house and outbuildings are located on the western lot.

Figures 1 to 5 below identifies the subject land and its relationship to the surrounding area. The overall site is located on the northern edge of the township of Tamworth, approximately 6km from the CBD, within an area which is transforming into a new release area.

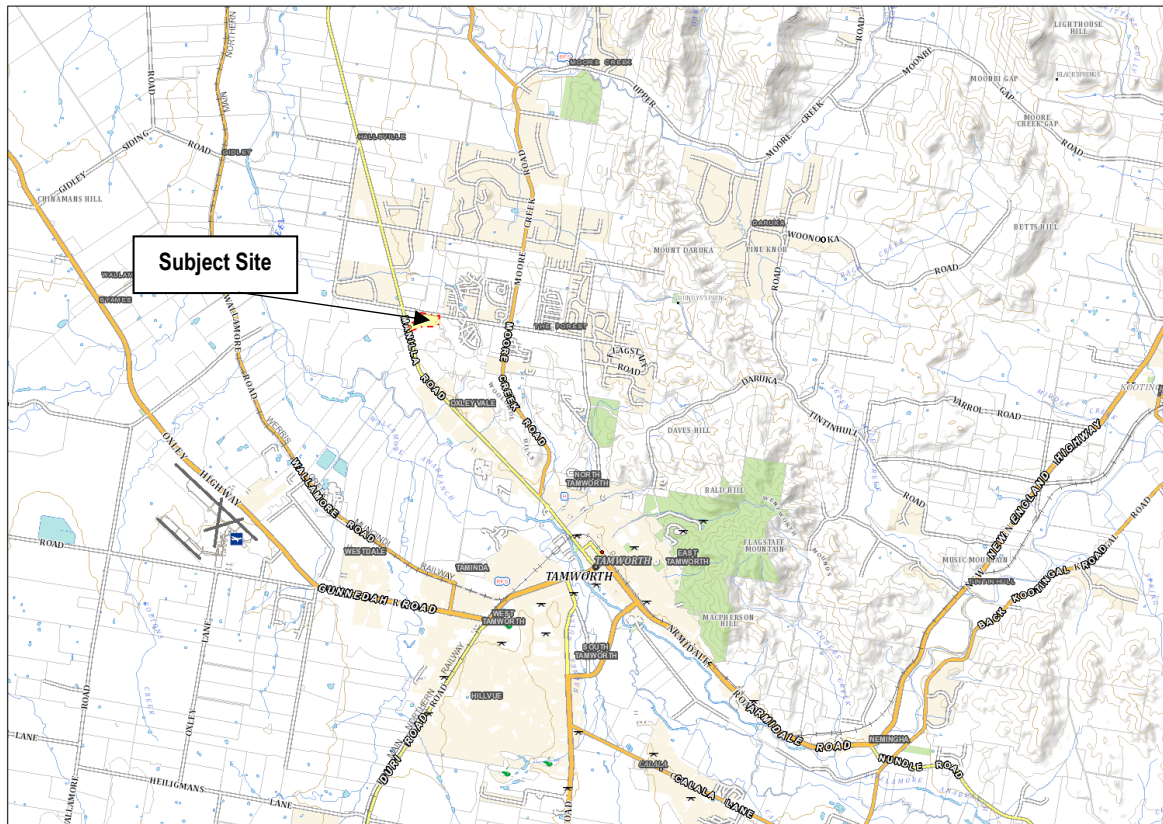


Figure 1: Locality Plan, Overall Site highlighted (source: www.sixmaps.nsw.gov.au)

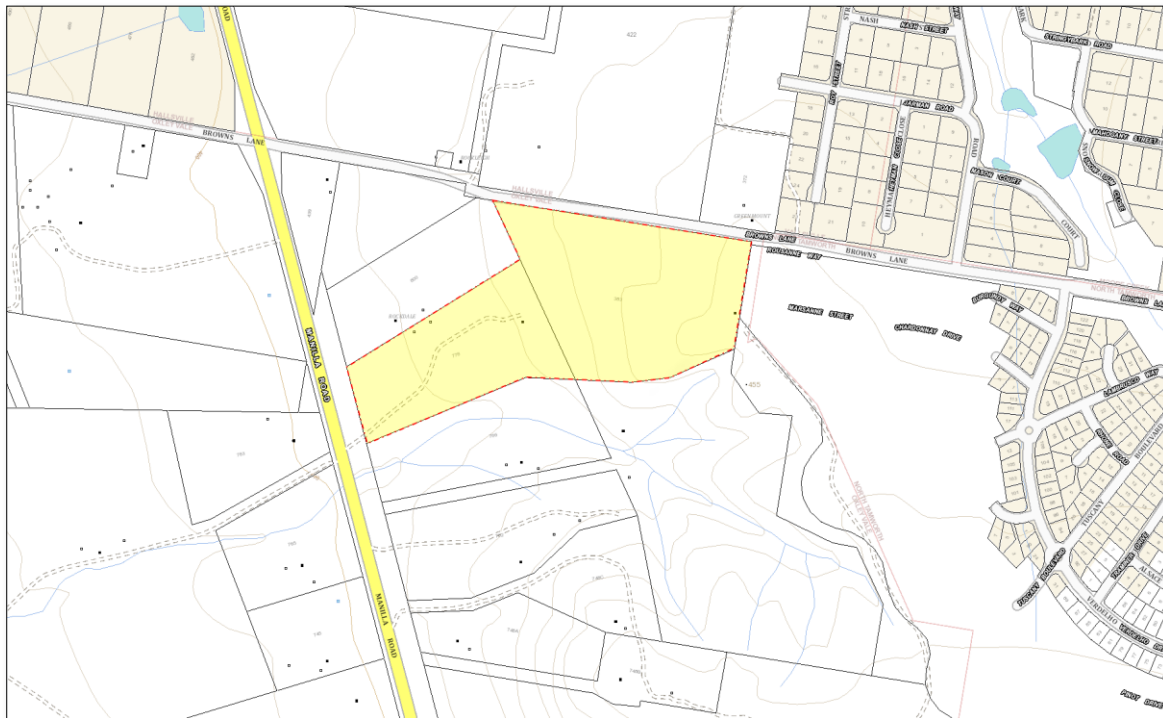


Figure 2: Overall Site highlighted (source: www.sixmaps.nsw.gov.au)

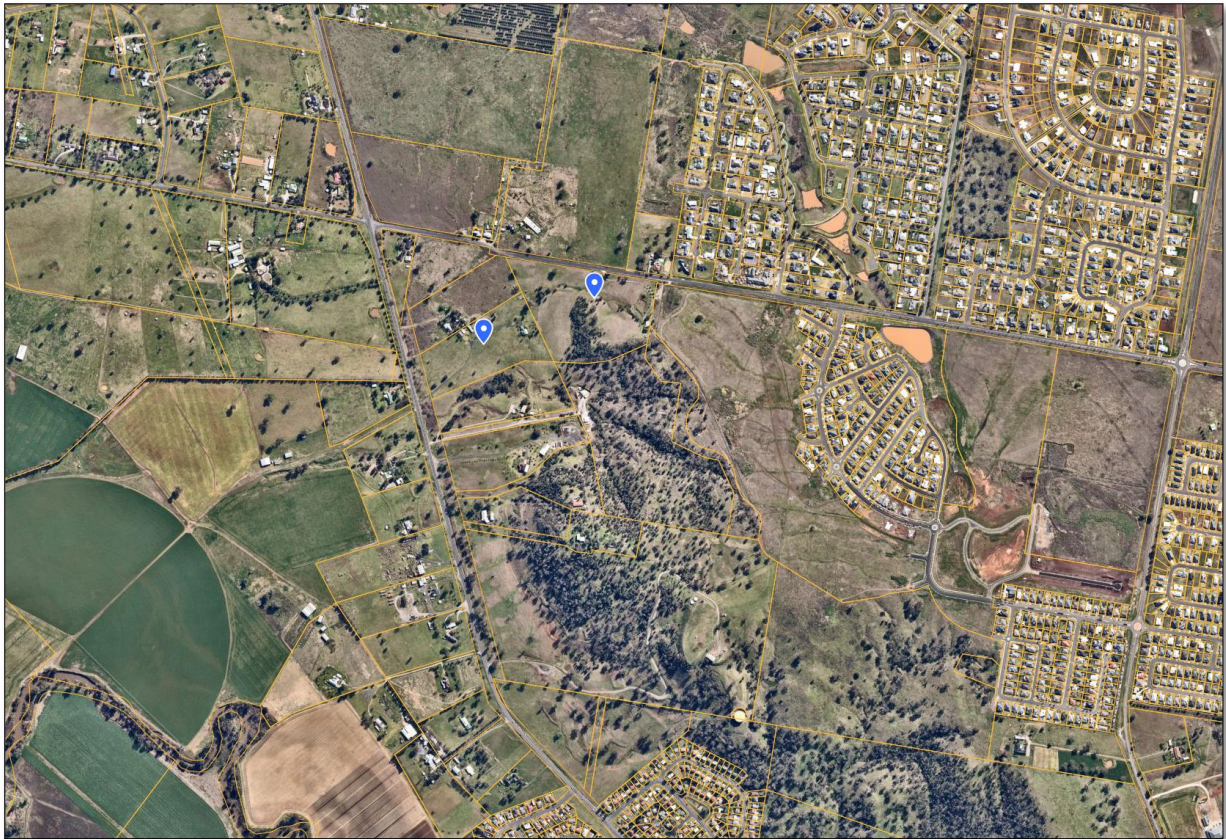


Figure 3: Aerial Photograph - Locality Plan, Overall Site highlighted by markers (source: www.nearmap.com)



Figure 4: Aerial Photograph - Overall Site outlined blue (source: www.nearmap.com)



Photo 3.1: Aerial view looking east across the site with approximate site boundary highlighted yellow

Bushfire Assessment (24183): Browns Lane, Oxley Vale
Proposed Manufactured Home Estate

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Figure 5: Aerial Photograph Viewed from Manilla Road - Overall Site highlighted yellow (source: Bushfire Assessment Report prepared by ABAC Australian Bushfire Assessment Consultants)

2.2 Surrounding Development

Oxley Vale is located on the northern fringes of Tamworth, a township in the New England Region of NSW. It is part of the Tamworth Regional Council local government area. Tamworth is a large township which provide for a range of services and facilities to the residents of Tamworth and the surrounding locality including commercial, retail and industrial services. Tamworth has schools, early learning centres, post office, supermarkets, hospital, medical centres, service stations, shops, open space, sporting facilities, cultural facilities and an airport.

The surrounding land uses includes a variety of rural land, large lot residential and low density housing. The site is located within an area under transition with a developing residential areas to the north and east, with several developments approved and in various stages of construction in the immediate vicinity and include residential and a new local centre at Hills Plain to the north of the site. The land to the west on the corner of Manilla Road and Browns Lane known as Stratheden is subject of a Planning Proposal to rezone for residential purposes.

Infrastructure and services are available in the locality, including water, sewer, road, and waste services.

2.3 Compatibility of the Proposal

The proposed Estate is compatible with the surrounding existing and proposed residential uses. The area of Oxley Vale and North Tamworth is undergoing expansion and transformation with the new residential estates. The intent behind the proposed MHE, relates primarily to the market desire for dwellings with smaller backyards and less maintenance which assists with the active retiree portion of the market. This form of living is compatible with the emerging residential release areas. The site also adjoins limited rural and conservation zoned land and has respected these areas by way of retention of vegetation and setback of sites from that land and provision of new plantings along the boundaries.

3. DESCRIPTION OF THE PROPOSED DEVELOPMENT

3.1 Overview of the Proposal

The proposed development involves the establishment of a Manufactured Housing Estate on Lot 349 DP 753848 and Lot 39 DP 22919, No. 383 Browns Lane and 778 Manilla Road, Oxley Vale. The proposal, as detailed in the plans accompanying this application and extracts specifically involves:

- Demolition of the existing dwelling and outbuildings.
- Staged construction of a Manufactured Home Estate (MHE) comprising 218 manufactured housing sites within an Estate under a private title arrangement with tenure secured under the Residential (Land Lease) Communities Act 2013.
- The estate connects into the existing public road to the north being Browns Lane, and an emergency exist to the west to Manilla Road.
- The roads within the Estate are in private ownership.
- Approximately 19 Caravan and Boat Storage parking spaces are located along the north-western corner of the estate, in the vicinity of the Men's Shed and Maintenance Shed.
- Extensive Clubhouse building including café and bar with indoor and alfresco dining areas, administration and meeting rooms. Recreation facilities for use by the future residents including indoor and outdoor swimming pools, bowling greens, tennis court, pickle ball courts and gym.
- Secure access at the main entrance with boom gate and perimeter fencing. An electronic keypad to provide access to the gated community. The landscaped and secure gated entry and open style fencing is to be provided set back from the road, near the Manager's Residence and provides access to 5 visitor parking spaces outside of the secure fencing for unknown visitors.
- Solid decorative fencing is proposed for the remainder of the Browns Lane frontage, set back 3m from the boundary to allow for dense landscaping.
- An additional 33 internal visitor car parking spaces are located at various intervals throughout the estate for visitor use (including disabled car parking spaces). Overall, there is a total of 38 car parking spaces proposed for the entire development.
- Services and infrastructure utilities will be extended to ensure provision throughout the site, and stormwater drainage and bioretention basin is located in the western portion of the site adjacent to Manilla Road. Access is provided for maintenance of the basins.
- The layout includes retention of provides a wide green corridor within the central and southern portions of the site, as well as landscaped screening to the development around the boundaries of the site and within the estate.
- Appropriate waste storage areas are provided within the Clubhouse and each dwelling will have individual waste bins and collection points. The development will be serviced by a private contractor.
- Provision and maintenance of Asset Protection Zones to meet the requirements of the NSW RFS Guideline titled Planning for Bushfire Protection 2019.
- Consolidation of the two allotments.

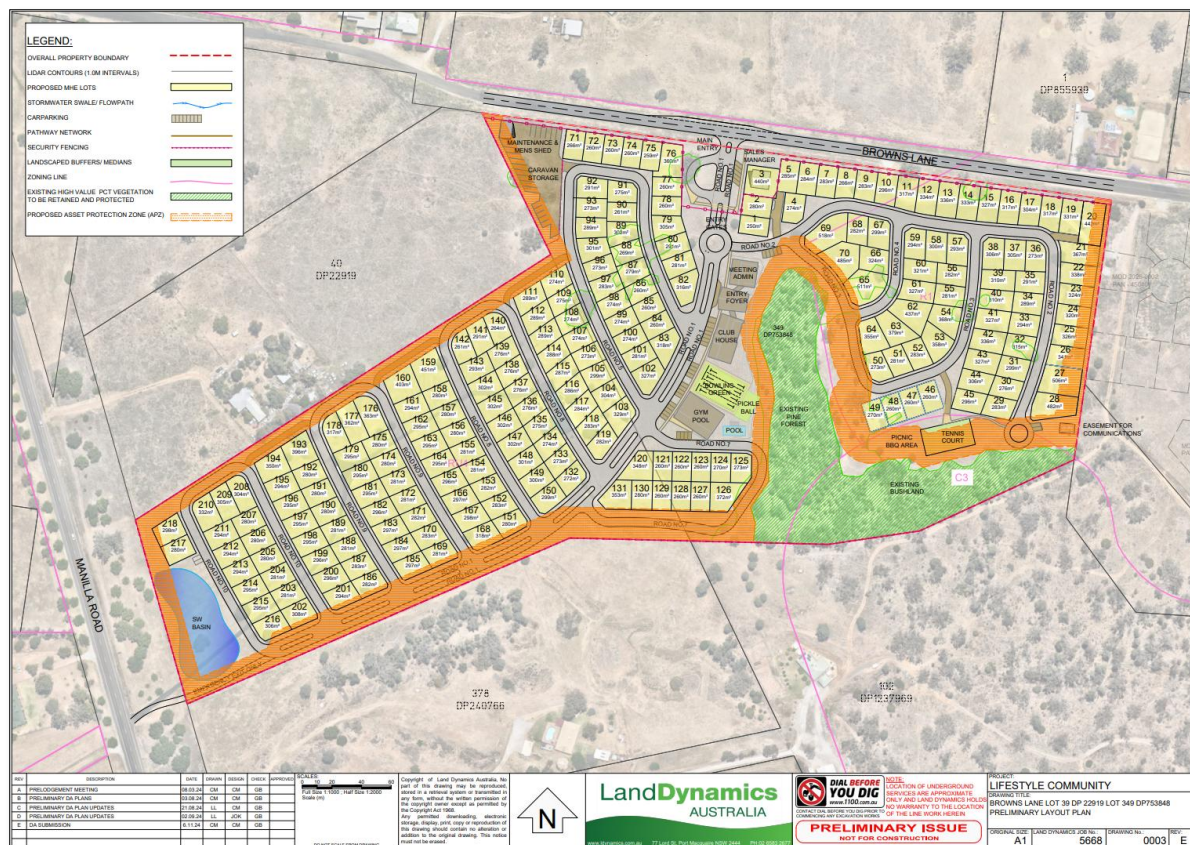


Figure 6: Extract - Site Plan

It is important to note that whilst indicative dwelling designs accompany the development application to demonstrate the proposed ultimate built form, development consent is not required for those structures. The dwellings will be “installed” on the sites in accordance with an Approval to Operate the MHE under the relevant conditional exemptions contained in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

3.2 Clubhouse and Community Facilities Precinct

The Clubhouse and Community Facilities Precinct provides a recreation area at the entry to the secured part of the estate and includes reception area, consultation rooms, gymnasium, indoor and outdoor pools, games and entertainment room, kitchen and bar, cinema, library, multipurpose area, pickle ball area and bowling green. The Clubhouse is to contain a rooms for meetings and appointments and use by medical professionals or other relevant service providers, as well as a Noticeboard to alert residents to local events and activities.

Additionally, other communal areas such as the caravan and boat car parking sites, maintenance shed, men's shed (workshop) and landscaped areas provides an additional communal area for resident needs. Landscaped areas also contribute to passive recreational opportunities.

The entry to the Clubhouse and reception areas will be clearly identifiable, and visitor car parking is provided adjacent to the entry, including disabled parking spaces. The proposed Clubhouse connects directly to the swimming pools, pickle ball court and bowling green and is easily accessible by residents. Landscaping treatments for the proposed Clubhouse includes planting, entry treatments and outdoor furniture. A high level of level of amenity and functionality is achieved for the proposed Clubhouse and Community Facilities Precinct, which will make the area a hub for social activities of residents.

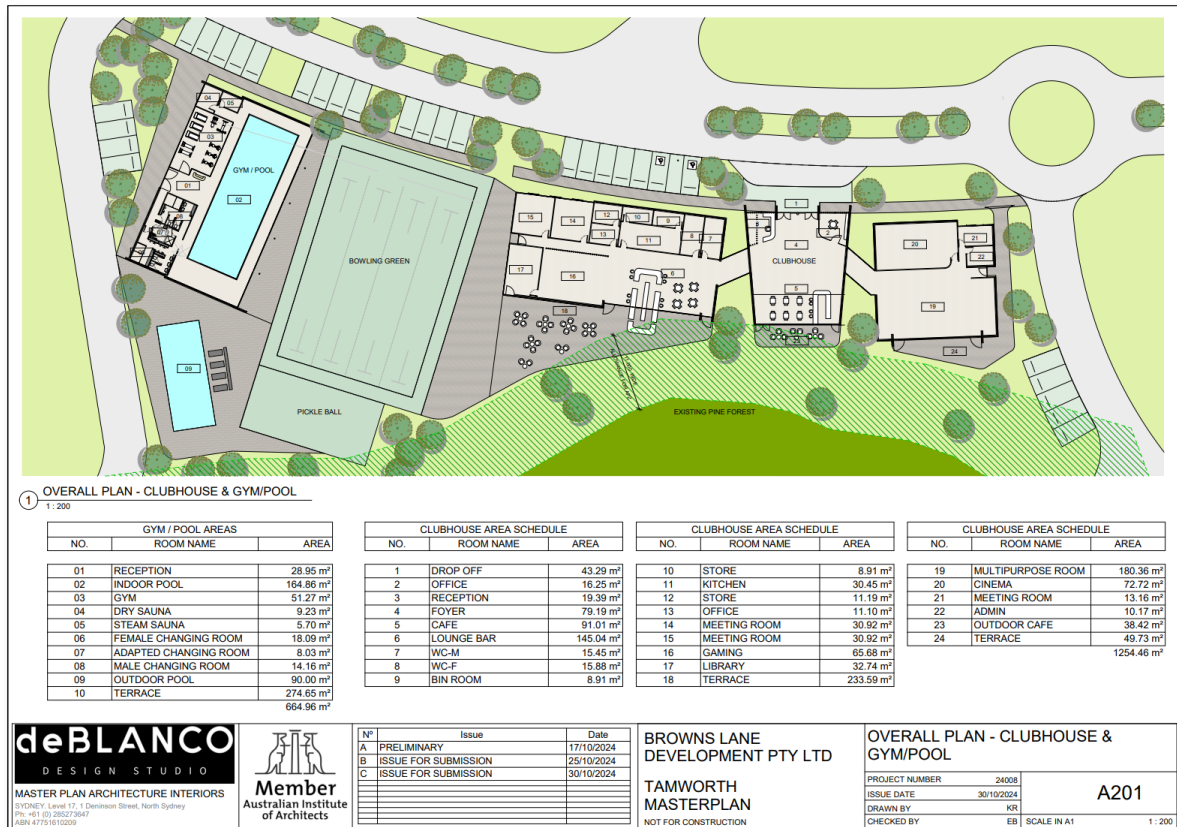


Figure 7: Extract - Clubhouse and Community Facilities Precinct



Figure 8: Extract – Perspective of Clubhouse and Community Facilities Precinct

3.3 Moveable Dwellings

Consent is being sought for the MHE land use including creating sites suitable for the installation of moveable dwellings (manufactured homes). Our Architect has prepared a plan which demonstrates which house typologies can be accommodated on each site in accordance with the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. This is shown in Figure 9.

The application is accompanied by a Section 82 Objection to the application of the relevant Clauses of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 to allow the moveable dwellings (manufactured homes) to be constructed on-site and to allow a reduced side setback. The reasons for the objection are set out in the accompanying Section 82 Objection.

A depiction of a range of dwelling types, elevations and site coverage that would fit the sites forms part of this application to enable Council and the community an appreciation of the aesthetic values and quality of dwellings to be integrated within the proposed development. A Certificate of Compliance being a separate approval under Section 68 of the *Local Government Act 1993* will be sought in the future for the dwellings. Therefore, indicative dwellings have been included in this application for information and illustrative purposes to demonstrate the high-quality product.

The following images in Figures 10 and 11 provide indicative perspectives and floor plans of some of the dwelling designs. The full package is contained within the Architectural Plan set accompanying this application.

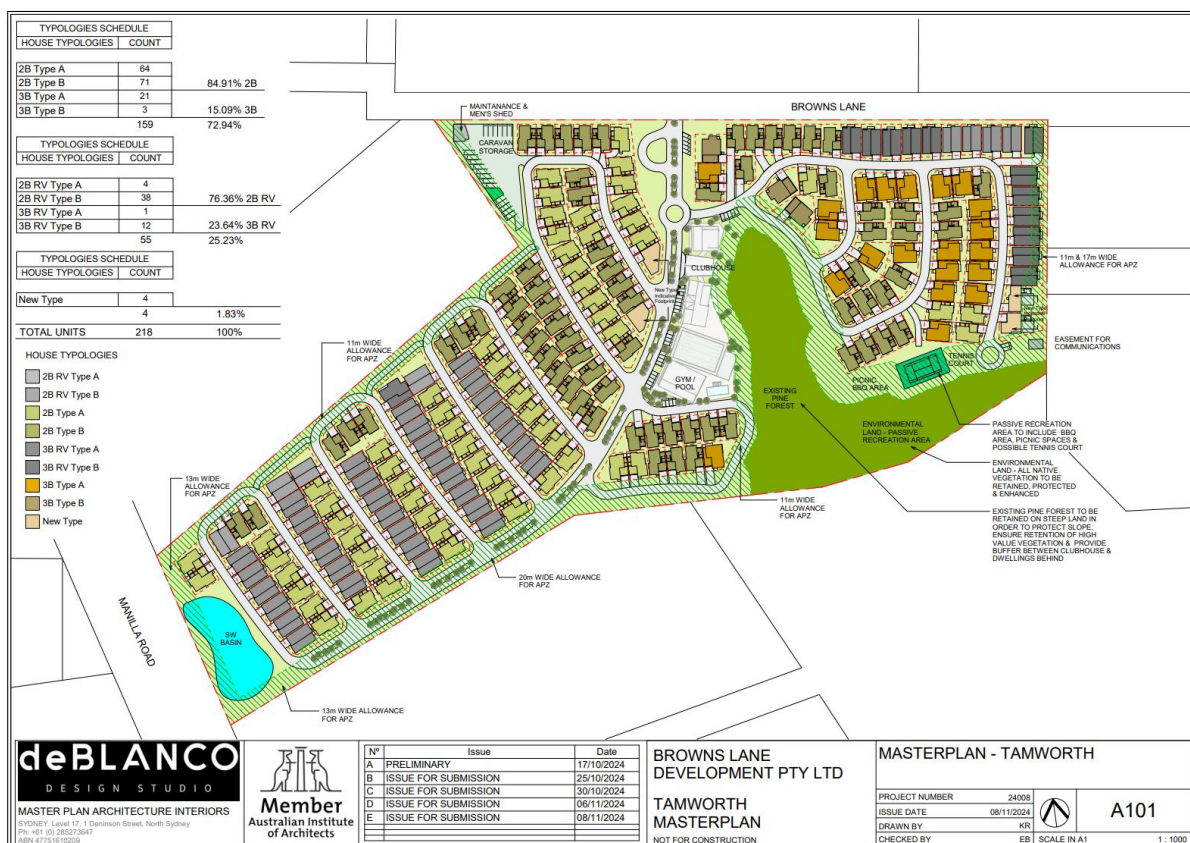


Figure 9: Extract – Masterplan of House Typologies on each site



Figure 10: Extract – Example of Dwellings (not for construction as part of this DA)



Figure 11: Extract – Example of Dwellings (not for construction as part of this DA)

Some limited sites require a special house design and have been shown as 'new type' which will be specific to those sites and respond to the constraints being APZ or shape. The proposed residential sites vary in size from 259m² – 559m² with an average of 302m², which is ample room to accommodate a high-quality manufactured dwelling, provision of garages, two or three-bedroom type designs, provision of private open space, landscaping, and dwelling setbacks to meet regulatory requirements and ensure quality indoor and outdoor living for residents. Dwellings include living, dining, kitchen, bathroom or ensuites, and outdoor alfresco areas. The dwellings will have contemporary finishes and demonstrate a high-quality urban form, sited in a landscaped setting and supported by services and facilities.

3.4 Plan of Management

A Draft Plan of Management has been prepared and will be formalised prior to commencement of operation of the MHE and occupation of the first dwelling. The operation of the dwellings and community facilities are not restricted by hours of operation, but rather by standard noise criteria under the *Protection of the Environment Operations Act 1997*, conditions of the Development Consent, and any approvals including the Section 68 Approval to Operate the MHE development complex. The operation of the village will comply with the Residential (Land Lease) Communities Act 2013. An on-site Manager will be appointed to run the Estate on a day-to-day basis and has an office/reception within the Clubhouse as well as a dwelling at the entry to the development. Compliance with the regulations, management and village operations will ensure availability for after-hours emergencies, and for anyone external to the site who has enquiries or requires maintenance.

3.5 Staging of Development

The proposed MHE will be constructed in stages as shown in the Staging Plan below. The clubhouse and associated facilities will be prioritised to be available for use by early residents.

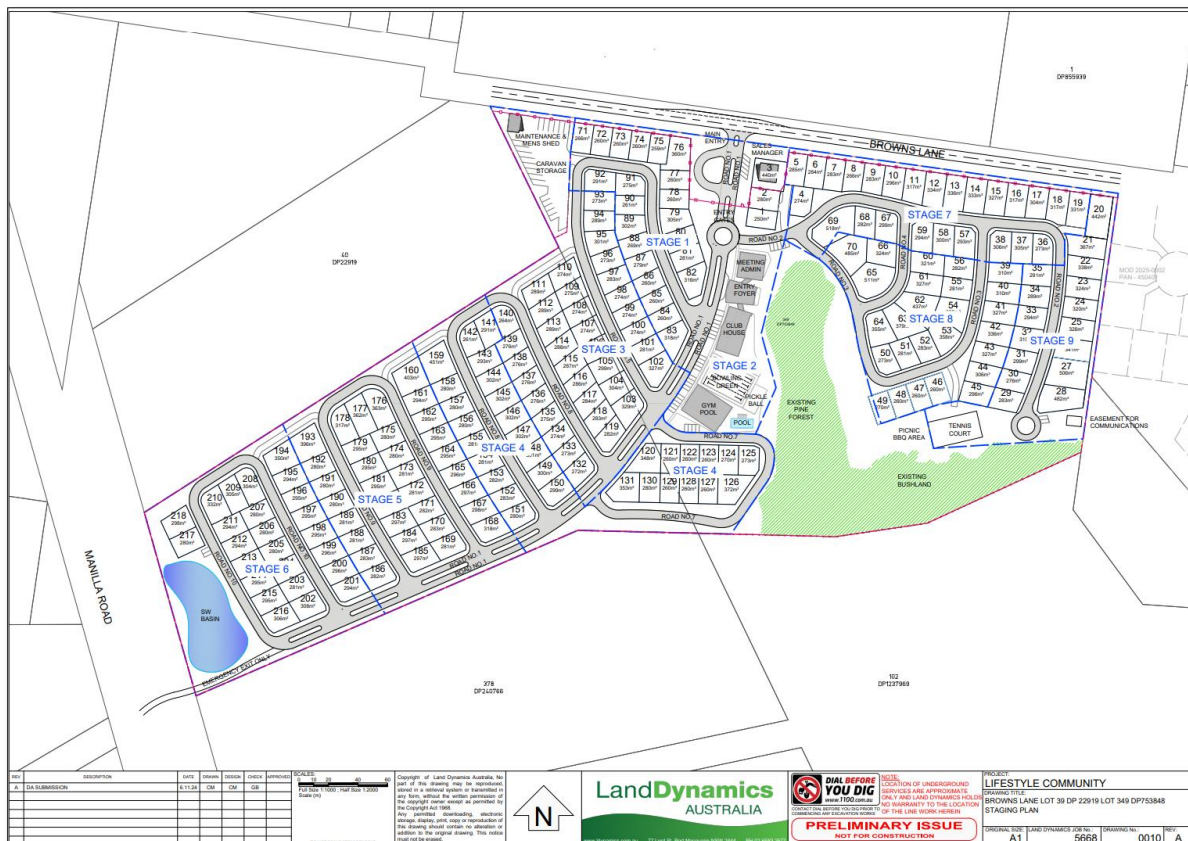


Figure 12: Proposed Staging Plan

3.6 Landscaping & Fencing

The landscape concept plan includes dense screen planting around the boundaries, avenue plantings and street trees along the private roads, which complement the natural vegetation being retained. Extracts are shown below in Figures 13 and 14.

Fencing, as shown on the plans for the development and in Figure 15 below includes:

- Secure access at the main entrance with boom gate and open style security fencing maximum 1.8m high is to be provided set back from the road.
- Solid decorative fencing maximum 1.8m high is proposed for the remainder of the Browns Lane frontage, set back 3m from the boundary to allow for dense landscaping. Examples have been shown on the plan which indicate render brick piers with solid inserts which would provide amenity and privacy for residents. Dense landscaping is proposed between the fence and boundary to Browns Lane.
- Solid boundary fencing to the east and north-west, maximum 1.8m high.
- Open style security fencing maximum 1.8m high to the Manilla Road frontage with gate for emergency access.
- Open style security fencing maximum 1.8m high to the southern boundary.
- Screen fencing to the caravan storage area, maximum 1.8m high.

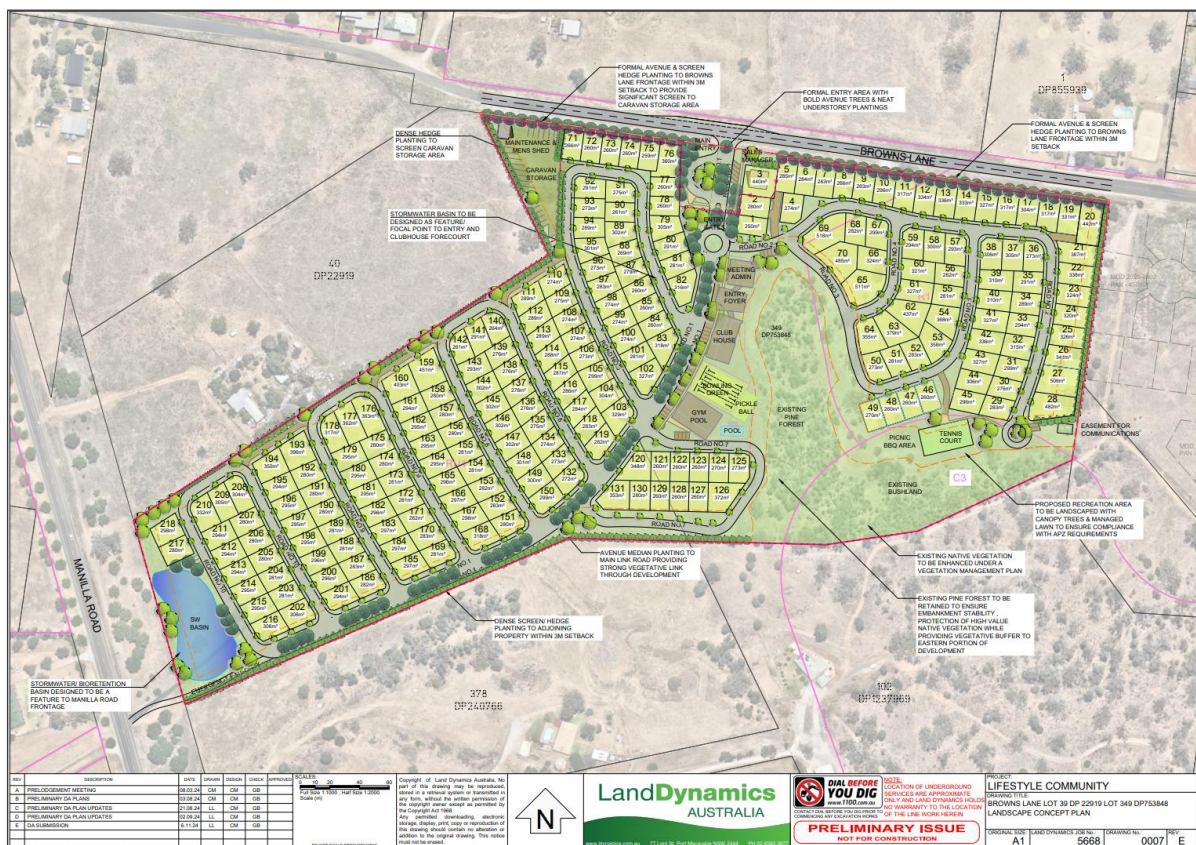


Figure 13: Proposed Landscape Plan



Figure 14: Proposed Landscaping Details

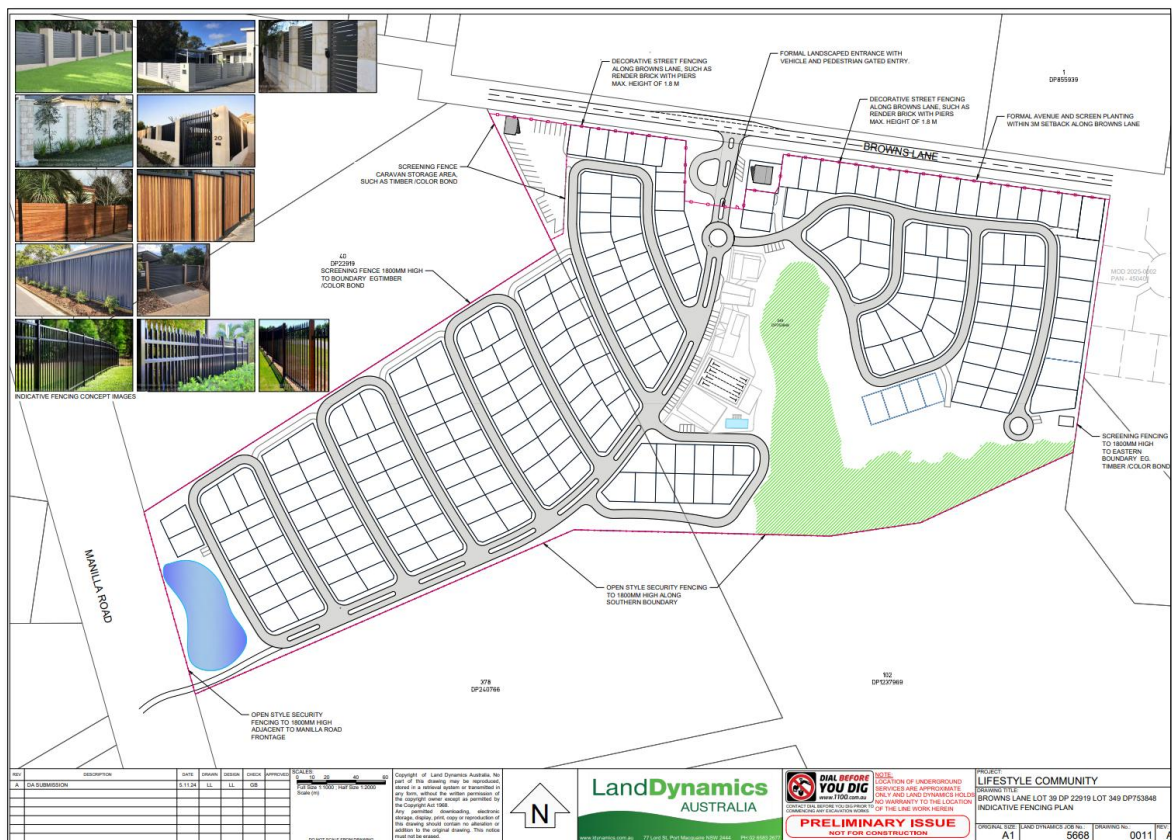


Figure 15: Proposed Fencing Plan

3.7 Infrastructure & Utilities

A development servicing plan is included in the application plan set provided as shown in the extract below. Water, sewer, electricity, and telecommunications will be extended throughout the development. The private road layout and Concept Servicing Plans are provided in the amended plans accompanying this SEE and in the extract in Figure 16 below. A Stormwater Management Report and associated plan has been prepared by Land Dynamics Australia to provide information on stormwater quality (water sensitive urban design) and stormwater quantity controls (hydrology and detention sizing). The Stormwater Management Report addresses the pre and post development scenarios for the development, which is based on the extensive investigations undertaken to date as part of the underlying subdivision and approved drainage network. The proposed development includes a basin and swale in the MHE and connects to the public drainage system.

The entry road leads into the site from Browns Lane towards the Clubhouse and links to other roads within the private development. The site entry will be designed to channel traffic appropriately and the entry way will be formalised to facilitate a gated community, with a landscaped entry and visitor parking provided before the gate, and also adjacent to Reception. The development will be secured, thus limiting traffic volumes within the Estate and the types of vehicles that will enter. Service vehicles have been given due consideration in the design of the proposed road network to allow waste collection and emergency vehicles to enter the site and manoeuvre sufficiently. The proposal also includes a temporary emergency exit for bushfire purposes to Manilla Road.

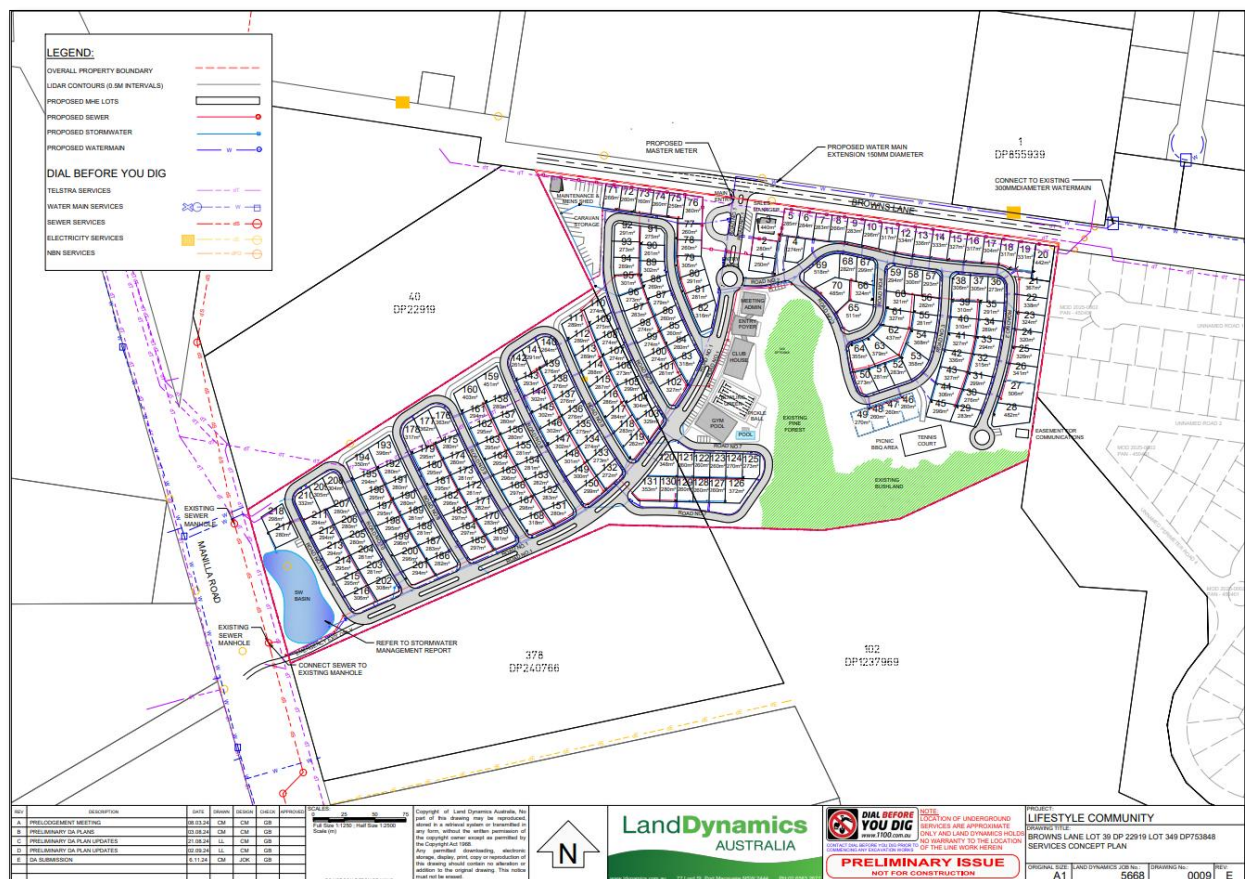


Figure 16: Proposed Services Plan

3.8 Pre-lodgement Discussions

Pre-lodgement discussions were held with Council on 21 March 2024 and the issues raised are addressed in the table below. The requested information forms part of this application submission.

Pre-lodgement Minutes	Comment
Under SEPP (Housing) 2021, (Clause 122) development for the purposes of a MHE may be carried out on any land on which development for the purposes of a caravan park may be carried out, except — (a) land within one or more of the categories described in Schedule 6. Schedule 6 (Item 6) of the SEPP Housing excludes rural land which is not located adjacent to, or adjoining land zoned for urban use. Caravan Parks are permissible in RU4 zoned land. The properties are located adjoining and adjacent to R1 General Residential zone (an urban use).	It is noted that the proposal is permissible.
Planning	
The DA can be lodged as a MHE and there is no need to state that it will be an over 50s development.	Noted.
The site is bushfire prone and therefore the proposal will be integrated development in accordance with the Rural Fires Act 1997 (i.e. MHE is identified as being a special fire protection purpose). A bushfire assessment report will be required with the DA.	A Bushfire Assessment Report accompanies this application.
Sufficient Asset Protection Zone (APZ) distances will be required. There might be a need to redesign to ensure that APZs can be wholly contained within the boundaries of the subject land.	Design changes were made in response to the bushfire assessment.
The DA may also be integrated development with the Water Management Act 2000. This needs to be addressed with the DA submission.	Noted.
The DA will be notified and any public submissions that come back will be actioned as additional information request for the proponent to respond.	Noted.
Biodiversity impacts will need to be addressed. Council may refer the DA to the NSW Biodiversity Conservation Division for advice as part of the assessment process.	A Biodiversity Assessment Report accompanies this application.
A preliminary site investigation report will be required to address whether the site is contaminated and whether a further detailed site investigation is required.	A preliminary site investigation report accompanies this application.
If the cost of development is over \$3 000 000, a Quantity Surveyor's report will be required.	Noted.
The Statement of Environmental Effects (SEE) will need to address permissibility, LEP provisions, applicable SEPPs, including the Housing SEPP for manufactured homes and compliance assessments.	Refer to assessment within this SEE.
A Section 82 Objection under the Local Government Act 1993 (if sought) should be lodged with the DA and clearly referenced in the SEE so that both the DA and Section 82 objection can be processed concurrently. This is in relation to whether it is intended to build homes on site or offsite.	A Section 82 Objection accompanies this application and is discussed within this SEE.
Fencing on Browns Lane will need to be a decorative design. The proponent was advised to avoid Colorbond/ pressed metal fencing.	Refer to the Fencing Plan which accompanies this application.
Planting on the road reserve will be permitted.	Noted.
Aboriginal heritage needs to be addressed in the DA submission. It was suggested to reach out to the Tamworth Local Aboriginal Land Council beforehand as the DA will be referred to them for comment.	Refer to accompanying AHIMS which indicate no records on the subject site or in close proximity.
A landscape plan will be required for the DA and needs to demonstrate planting for native vegetation species relevant to the Tamworth regional area.	Refer to the Landscape Plan which accompanies this application.

Open spaces may be structured as open space and recreation. A second use may be introduced too.	Noted.
Council will issue an acknowledgment letter in lieu of a Certificate of Compliance if it is not involved in undertaking inspections.	Noted.
After installation and compliance documentation has been lodged with Council, Council will prepare a letter that confirms that all relevant documentation has been received.	Noted.
Development Engineering	
The proponent will need to demonstrate how they are proposing to service the site for waste collection; note that Council's contractors generally do not service these sites if access and manoeuvrability is limited.	Noted.
Traffic Impact Assessment will be required to address traffic movements entering and exiting the site, and assess trip distributions to determine turn treatments at the main entrance driveway. Additional peak vehicle trips loaded to the Browns Lane/Manilla Road intersection will determine whether turn treatment at this intersection is also required.	Refer to the Traffic Impact Assessment which accompanies this application.
Referral to and concurrence from TfNSW will be required for the proposed secondary / emergency access and any proposed intersection treatment(s) on Manilla Road.	Noted.
Swept path analysis demonstrating a B99 vehicle can safely manoeuvre into, throughout, and out of site without clashing with passing vehicles. A vehicle path for fire trucks entering and manoeuvring the site at the emergency access should also be supplied. (i.e. adopt design vehicle / check vehicle assessment process).	The proposed roads within the development have been designed to be in excess of the minimum width requirements, ensuring that vehicles can move within the development, in particular bushfire and waste trucks. In this regard, given the extra width in the roads proposed, there is no need for a swept path analysis.
Brown's Lane intersection will be of interest to TfNSW as there are discussions of upgrading it particularly in relation to the area across the road as it has recently been rezoned on the basis that any new DA has to do a DCP over the land.	<p>Noted. The size and extent of the recent rezoning is vastly different to the subject site. The TIA has considered the existing intersection of Browns Lane & Manilla Road which currently operates at a Level of Service of 'A'. The future (2034) traffic increases (including the development-generated movements) will not change the existing Level of Service, and not require any upgrade of the existing intersection.</p> <p>The TIA includes discussion of the proposed zoning change on the western side of Manilla Road, and the possible upgrade of the existing intersection to a roundabout. However, the MHE development will be a low way off triggering the roundabout.</p>

Connectivity through spaces 170-171 and 141 -142 should be redesigned so that there is adequate pedestrian access to community facilities.	The design has been amended.
Where possible, all areas of the site will need to drain sewer by gravity, there is a DN450 trunk main along Manilla Road which is a possible connection point.	Noted.
The site is not part of Council's DSP, if sewer issues trigger an upgrade to Council system, further consultation with Council will be required.	Noted.
A servicing strategy will be required and an approximate ET so that Council will model it to see what effects there are.	Refer to the Servicing Plans which accompanies this application.
Council will require detailed information on the proposed pool when making the assessment on the sewer strategy.	Refer to Architectural Plans which accompanies this application.
There are capacity issues at the moment and another pump station is being built to alleviate the pressures of the area, no approximate time frames can be provided at the moment.	Noted.
The site is currently within two different pressure zones of Council's water system.	Noted.
The pressure zones are Victoria Park Reservoir and Hills Plain intermediate zone. The latter would be the required zone to connect to for serviceability of the entire lot.	Noted.
Due to the lots being consolidated, the development will only get one connection point.	Noted.
The site is not part of Council's DSP, if water issues trigger an upgrade to Council system, there would be need to figure out what that would mean for Council.	Noted.
A servicing strategy will be required and an approximate ET so that Council will model it to see what effects there are.	Refer to the Servicing Plans which accompanies this application.
Proponent will be required to order a flow pressure test for a current system and undertake their own hydraulic modelling.	Refer to the Servicing Plans which accompanies this application.
Proponent to demonstrate Waste Management in the SEE, a condition will be set prior to cc that the proponent demonstrate that there is a waste management contract in place and how it will work.	Refer to discussion in this SEE.
A stormwater management strategy will be required and shall be prepared in accordance with the requirements of Council's current version of the Engineering Design Minimum Standards. The stormwater management strategy must also include calculations and associated commentary for detaining the critical storm durations and frequencies in the range from the 1 in 5-year ARI up to and including the 1 in 100-year ARI events to replicate the pre-developed flow rate. WSUD controls via proposed bioretention was discussed however Development Engineering suggested that WSUD treatments may be of limited value in the context of this development and locality, and may even be counterproductive due to ongoing maintenance responsibilities not being carried out effectively.	Refer to the SWMP which accompanies this application.
There may be potential to construct a footpath along the eastern portion of the developed frontage on Browns Lane all the way to the main entry.	Noted. This may be difficult to achieve given the topography.
Building Certification	
Hydraulic engineer to prepare Hydraulic Modelling Design confirming fire services design will meet the requirements of the Manufactured Dwellings Regulation requirements.	Noted.

Discussions were had in relation to the proposed sanitary drainage, water and stormwater management service designs for the site. It is expected that the designs have been designed by a suitably qualified Hydraulic Engineer and Council would condition the LG consent to require a hydraulic consultant be engaged to conduct inspections throughout the installation and provide certification along with Works-As-Executed documentation to Council for confirmation that installations have been installed in accordance with the approved designs.	Noted.
Confirm in the SEE how the dwellings will be constructed (i.e. built off site and transported to site or built on site through a Section 82 objection under the Local Government Act 1993)?	The dwellings will be built on site and a Section 82 Objection accompanies this application.

4. PLANNING AND DEVELOPMENT CONTEXT

4.1 Planning and Approvals Framework- Section 4.15 (1)(a)

The EP&A Act and EP&A Regulation establishes the framework for the assessment and approval of development in NSW. The proposal represents 'local development' under the EP&A Act which requires development consent. The EP&A Regulation sets out the processes and procedures for the assessment and approval of local development and specifies that a DA must be lodged with the consent authority in line with specific requirements.

This SEE accompanies a DA prepared to address the requirements of the EP&A Act and Regulation. Tamworth Council is the consent authority. Pursuant to the provisions of the EP&A Act and EP&A Regulation, the proposed development must be assessed against relevant State and Local planning instruments, as described below, as well as the overarching Federal legislation relating to ecology. The proposed development has been assessed against the planning controls and principles within the following applicable planning instruments:

- Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021;
- Residential (Land Lease) Communities Act 2013;
- Local Government Act 1993 and Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021;
- Rural Fires Act 1997 & Planning for Bush Fire Protection 2019;
- Biodiversity Conservation Act 2016;
- Water Management Act 2000;
- New England North West Regional Plan 2041;
- Blueprint 100 – Part 1 & Part 2;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Primary Production) 2021;

- State Environmental Planning Policy (Planning Systems) 2021;
- Tamworth Regional Local Environmental Plan 2010; and
- Tamworth Regional Development Control Plan 2010.

In Section 4 of this report, an assessment of the proposal against each of these instruments is undertaken and demonstrates the proposal is generally consistent with the aims, objectives, and controls of each applicable planning instrument, in accordance with Section 4.15 (1)(a) of the EP&A Act. Section 5 of this report addresses Section 4.15 (1)(b), (c), (d) and (e) of the EP&A Act.

4.2 Residential (Land Lease) Communities Act 2013

The proposed MHE comprising 218 manufactured housing sites within an Estate is under a private title arrangement for the residents owning their own home with tenure secured under the Residential (Land Lease) Communities Act 2013. The operation of the village will comply with the Residential (Land Lease) Communities Act 2013. An on-site Manager will be appointed to run the Estate on a day-to-day basis and has an office within the Clubhouse. Compliance with the regulations, management and village operations will ensure availability for after-hours emergencies, and for anyone external to the site who has enquiries or requires maintenance.

4.3 Local Government Act 1993 & Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

The site is a Manufactured Housing Estate for the purposes of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 [Regulations]. The table attached to this report comprehensively addresses the relevant Regulations for MHE and moveable dwellings which are applicable to the proposed sites. The following features are incorporated into the proposal to ensure compliance with the Regulations:

- A range of retail facilities and commercial services are accessible to occupants locally in Tamworth and a planned new local centre at Hills Plain to the north of the site. Most occupants will have private car ownership to access services; however, a community bus is also provided.
- Community facilities and services are reasonably accessible to occupants locally in Tamworth, which is approximately 6km to the CBD to the south of the site.
- Communal facilities are proposed within the Lifestyle Estate which are reserved for recreation or other communal activities, including a Clubhouse, bowling green, pickle ball court, swimming pool, and connection to other local facilities.
- The community buildings and dwellings are to be setback 10m of a boundary to the MHE and public road under the Regulations, with an allowance for a reduction in setback when appropriately screened. The sites and community buildings are properly screened by dense landscaping and decorative fencing which allows for a reduction in setback to Browns Lane to 3m. Clause 19 of the MHE Regulations also permits community amenities, access roads, car parking spaces, footpaths, and landscaping within the setback buffers.
- Dwelling sites have access to internal road frontages, visitor parking is proposed throughout the Estate including disabled spaces and the design incorporates generous road carriageway and reserve widths.
- Future dwelling designs will comply with the MHE Regulations with respect to fire, wind design, structural adequacy, waterproofing, and the provision of light and ventilation. The proposed indicative dwelling

designs show compliance with site setback, site coverage, minimum open space and height requirements, and provision of garages for dwelling sites.

- Dwelling sites are all above the minimum area of 130m². In this instance, the sites are substantially larger than allowed under the Regulations, ranging between 259m² – 559m² with an average of 302m².
- The MHE will be connected to appropriate utility services including water supply, sewer, and stormwater drainage system, electricity, and telecommunication.
- Appropriate arrangements will be made for removal of garbage and placement of fire hydrants.
- A Plan of Management, Community Map and Compliance Certificates will be prepared as part of the Section 68 Approval to Operate a manufactured home estate, and Section 68 approval for installation of a manufactured home, moveable dwelling or associated structure on land.
- A Section 82 Objection under the Local Government Act 1993 has been submitted with the application. The attached Section 82 Objection Report seeks a variation to the MHE Regulations and requires concurrence to enable the manufacture, construction, and installation of the manufactured homes at the site, not off-site as identified in the MHE Regulations. It is requested that concurrence to the Section 82 Objection be sought from NSW Department of Planning, Industry & Environment, that the following clauses in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021, do not apply to the development;
 - Clause 36 (1) (b) - Use of Manufactured Home Estates
 - Clause 41 (1) - Manufactured homes to be constructed and assembled off site
 - Clause 47 (1) - Site boundary arrangements, subject to compliance with the following conditions
 - The external walls of any new manufactured home are to be setback a minimum of 900mm from the side and rear boundaries of the dwelling site.
 - Encroachments allowed within the 900mm setback, but not closer than 450mm from the dwelling site boundary, include combustible fascia's, gutters and downpipes, eaves with non - combustible roof cladding and non - combustible cladding lining, flues, chimneys, pipes and other services and otherwise are to be in conformity with Part 3.7.2.7 Volume 2, Building Code of Australian - 2019.
 - Also, that the term "installed" in the following Clauses of the LG Reg may be interpreted as the word "erected", to facilitate the application of those Clauses to the proposed on-site construction.
 - Clause 51 (2) (b) - Structural Soundness
 - Clause 65 (1) – Footings
 - Clause 66 - Installation to comply with specifications
 - Clause 67 (2) & (3) - Compliance plate
 - Clause 68 - Notice of completion of installation
 - Clause 69 - Certificates of completion.

The proposed development is in accordance with the relevant Regulations, except for the requested variations identified above. In summary, the requested variations allow for a superior housing product

to be constructed on the site, reducing off-site impacts associated with over size road transport and will support the local construction industry.

As shown in the accompanying MHE Assessment Report, the assessment identifies the development generally meets or exceeds the minimum requirements for a MHE, which increases the amenity for residents and responds to the location and setting. Accordingly, the proposed development is in accordance with the relevant Regulations, except for the variations identified in the accompanying Regulations Compliance Table.

4.4 Rural Fires Act 1997 & Planning for Bush Fire Protection 2019

The site is currently identified as bushfire prone land as per the Rural Fire Service's (RFS) online mapping, refer to Figures 17 and 18 below. The proposed development is a Special Fire Protection Purpose Development and as such is "Integrated Development" and has a requirement for a Bushfire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

A Bushfire Assessment Report was prepared by ABAC Australian Bushfire Assessment Consultants which identifies that the bushfire risk is manageable for the proposed manufactured housing estate and provides several bushfire protection management measures including construction standards and asset protection zones.



Figure 17: Bushfire Prone Land Map with Lot 39 highlighted & Lot 349 to the east - Site & Surrounds (source: NSW e-planning portal)



Figure 18: Bushfire Prone Land Map with Lot 349 highlighted & Lot 39 to the west - Site & Surrounds (source: NSW e-planning portal)

It is noted that the proposed MHE development is subject to the relevant requirements of Chapter 6 of the NSW Rural Fire Services', Planning for Bushfire Protection 2019 and the Bushfire Assessment Report indicates that *"MHEs are a specific residential-based SFPP for the purposes of Section 6.3.2 of PBP"*.

APZ's are shown within the Bushfire Assessment Report and on the Site Plan and a BAL Plan has also been included within the Bushfire Assessment Report.

It is to be noted that the land to the east has been approved for a residential subdivision and is subject to a current Modification Application which extends the lots up to the common boundary. As such, once the land to the east is developed, the temporary APZ on the eastern boundary can be removed. This area is contained within Stage 9 of the development and it is expected that the land to the east would be developed before Stage 9.

The Bushfire Assessment Report concludes that the with the implementation of the bushfire threat reduction measures and consideration of the recommendations in this report, the bushfire risk is manageable for the proposed development. Accordingly, the proposal is acceptable in terms of bushfire impacts and the requirements have been incorporated and considered as part of the layout and shown in the site plan and the bushfire assessment undertaken for this proposal is appropriate.

Refer to accompanying updated Bushfire Assessment Report and plans which indicate the required APZ.

The bushfire assessment undertaken for this proposal is to be referred to NSW RFS for their review and the issue of General Terms of Approval.

4.5 Biodiversity Conservation Act 2016

A Biodiversity Development Assessment Report (BDAR) has been prepared by Accuplan for the development and accompanies this application. The assessment has been undertaken in accordance with the NSW Biodiversity Assessment Method (BAM) under the NSW Biodiversity Conservation Act 2016 (BC Act), and the Biodiversity Conservation Regulation 2017 (BC Regulations) and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) - Matters of National Environmental Significance (MNES). Assessment of the relevant provisions under the provisions of relevant legislation was also provided within the BDAR.

The proposal has been assessed in accordance with the Biodiversity Assessment Method (BAM) 'streamlined assessment module' for small area development given the site has an area of approximately 13.7 hectares and the proposed development would potentially modify or remove vegetation present within the development footprint.

The NSW BC Act together with the NSW BC Regulations outlines the framework for addressing impacts on biodiversity from development and clearing. The framework details a pathway to avoid, minimise and offset impacts in biodiversity from development through the Biodiversity Offset Scheme (BOS). The BDAR considers in detail the proposed development against the applicable legislation, the associated impacts, as well as avoidance and minimising impacts, and recommends mitigation measures and identifies the number of credits required to offset the proposal.

The proposed layout and footprint was altered throughout the design stage to respond to the biodiversity constraints of the site and minimise the loss of vegetation and associated impacts.

4.6 Water Management Act 2000

Controlled activities carried out in, on or under waterfront land are regulated by the Water Management Act, 2000. 'Waterfront land' is defined as the bed of any river, lake or estuary, and the land within 40 m of the riverbanks, lake shore or estuary mean high water mark. No watercourses are mapped within the subject site, however the

site to the south contains a watercourse and development is proposed on our site which is within 40m of that watercourse. As such, the proposed development likely constitutes a ‘controlled activity’ as per the WM Act and is “*Integrated Development*” and will require approval through the Department of Planning and Environment—Water.

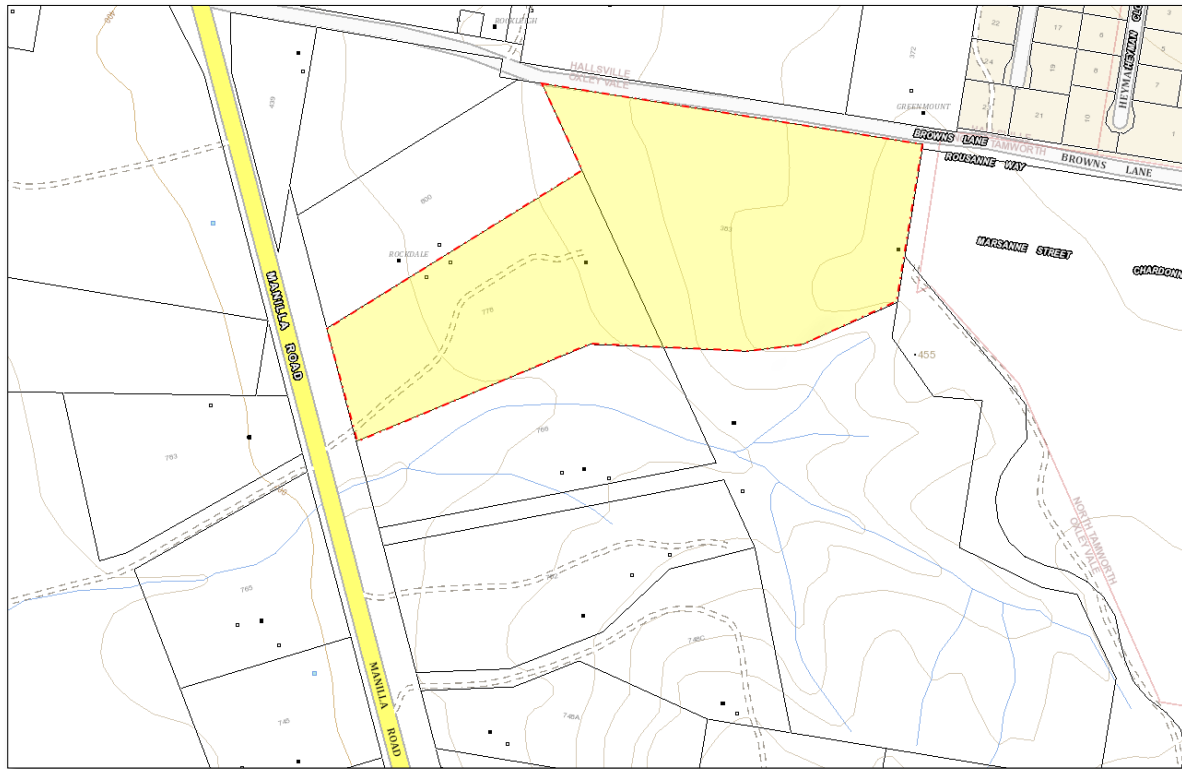


Figure 19: Watercourse – blue line on adjoining land to the south (source: www.sixmaps.nsw.gov.au)

The application is to be referred for review and the issue of General Terms of Approval.

4.7 Regional Strategies

New England North West Regional Plan 2041

The proposal remains consistent with the regional strategies and will provide additional and diverse housing, as well as providing jobs growth during construction and ongoing throughout the operation of the development. The site is located between the identified developing residential area to the north and east and a future residential investigation area to the west and is suitable for the proposed addition to the MHE.

New England North West Regional Plan 2041 indicates that the “*main centres of Tamworth and Armidale are bustling regional cities that provide opportunities for employment, housing, education and health services*” and “*In the coming 20 years, population growth in the region is expected to be concentrated in Moree and the regional cities of Tamworth and Armidale*”. Further, the proposal is consistent with the strategic priorities for the Tamworth Regional LGA including to “*deliver a variety of dwelling types and levels of affordability in Tamworth.*”

This proposal provides an alternate form of housing, targeted towards the aging population, which plays an important role in freeing up existing housing stock for the younger population and families. It is expected that a large majority of people who move to the estate will be from the Tamworth area, which allows new people to move to centre of Tamworth for work and education. The residents of the MHE can remain within the area whilst still allowing for population growth for Tamworth. New England North West Regional Plan 2041 supports this and states:

- *“The New England North West requires greater housing diversity to attract and retain younger residents while supporting people who want to stay in their local area as they get older. Affordable quality housing is required in the right locations with interesting public spaces. Growth is expected to be focused around Moree and the regional cities of Tamworth and Armidale. Increasing proportions of older single and couple only households are expected to drive increased demand for smaller dwellings and low maintenance housing options. This in turn, could make existing larger homes available for the next generation of families.”*
- *“In August 2022, the NSW Government adopted all recommendations of the Regional Housing Taskforce as part of a comprehensive response to support delivery of 127,000 new homes needed to house the growing population of the regions over the next 10 years.”*
- *“Planning for a diversity of housing choices gives people more options at different stages of life.”*
- *“Smaller homes with fewer bedrooms can provide the option of lower cost and lower maintenance lifestyles. Demand for this type of housing is expected to increase over time due to an increasing proportion of lone-person and couple households. Many of these lone people and couple households will be in older age groups. The movement of these households into new dwellings presents opportunities for younger families to move into established larger homes.”*

Tamworth is well serviced by existing facilities including businesses, health services and the airport, as well as a good road network and sporting, entertainment and cultural facilities. The site is well serviced by public transport via Manilla Road and this provides an alternate connection to these services other than via private vehicle or the proposed community bus. This further supports the development of the MHE by allowing people to continue using existing services despite relocating to the estate.

The proposal on the subject site does not compromise the agricultural needs of the area.

The proposed MHE provides an affordable housing option for existing residents and will assist with the existing housing crisis through a variety of site and dwelling sizes and bedroom numbers, providing greater choice for people at different stages of life and an option of lower cost and lower maintenance lifestyles.

The proposed development of an MHE remains consistent with New England North West Regional Plan 2041.

4.8 Local Planning Strategies

Blueprint 100 – Part 1

Blueprint 100 – Part 1 encourages and supports more diverse housing choices, stating *“Tamworth will increasingly need to provide a more diverse range of housing choices due to growing numbers of young workers, an ageing population and the needs of low income groups. Evidence suggests there is already demand for affordable one and two-bedroom units, especially for rent. There will still be an ongoing provision for families through new housing as well as those vacated by the elderly who downsized to smaller units”*. The proposed MHE provides the much needed diverse range of housing and allows for downsizing by the aging population.

Housing expansion is supported in Blueprint 100 – Part 1 in suitable locations to provide for compact urban growth. The proposal provides for compact urban growth adjacent to existing and future residential areas which will ensure that residents will continue to have easy access to essential facilities, not only by car, but also by bus, bicycle or walking. This also reduces pressure on precious land with an ecological or rural production value, with the proposal demonstrating avoidance of such areas. The development is permissible on the subject site despite its zoning and is considered to be partly identified within the growth management areas, as shown in the extract below. The site is nestled between such areas and Tamworth’s growth should be accommodated both within its current urban boundaries and in suitable locations just outside it, especially where some growth has already taken place or is planned. This is further supported by the site’s proximity to planned bypass links identified to the west, high speed bus route from Tamworth city centre to Hills Plain, new cycle path links in the wider area to connect Hills Plain to the south and centre, and a new local centre and residential at Hills Plain to the north of the

site, known as Windmill Hill neighbourhood Centre comprising shops, tavern, community hall and day-care centre, adjacent to the medical centre already built and operating.

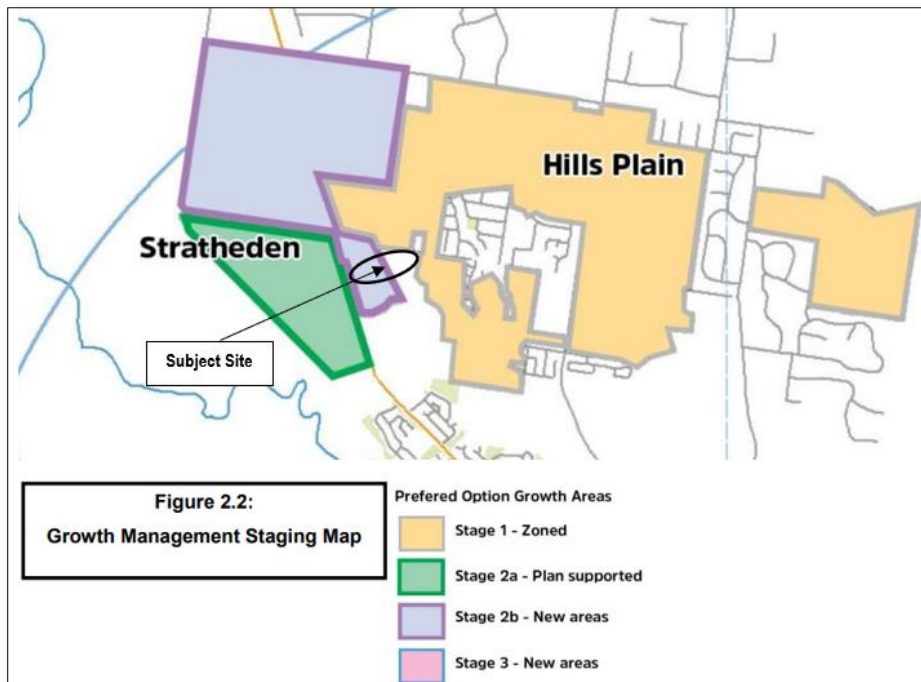


Figure 20: Extract - Figure 2.2 of Blueprint 100 – Part 1

The proposal is consistent with Blueprint 100 – Part 1.

Tamworth Regional Local Strategic Planning Statement 2020 - Blueprint 100 – Part 2

The proposal is consistent with Tamworth Regional Local Strategic Planning Statement 2020 as contained within Blueprint 100 – Part 2, facilitating residential growth and improvements in housing choice in a suitable location.

4.9 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

The aim of the Remediation of Land Chapter aims to “*promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment*”. The land is cleared vacant land that forms part of a developing residential area.

Chapter 4 of SEPP (Resilience and Hazards) requires that consent must not be granted to the carrying out of any development on land unless Council has considered whether the land is contaminated or requires remediation for the proposed use. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make the land suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

A Stage 1 Site Contamination Assessment was undertaken by Hunter Environmental Consulting to assess past and present potentially contaminating activities and contamination types as a due diligence to satisfy the requirements of SEPP (Resilience and Hazards) and to assist with the DA application. The Stage 1 Site Contamination Assessment is attached to the application.

Clause 4.6 states:

“4.6 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”

The preliminary investigations and assessment concluded:

“The detailed desktop review of available information and thorough Site inspection including thorough Site inspection have enabled the development of a preliminary CSM allowing assessment of potential health and environmental issues relating to the Site. Key findings were:

1. Potential contamination sources at the Site are limited based on historical land use;

2. Visible signs of gross contamination were not observed during the Site inspection.

In summary, based on the desktop study and thorough Site inspection conducted at the Site, no indication of potential or gross contamination has been identified in which would suggest further investigative works or that would likely constrain the Site of development. HEC considers the Site suitable for the proposed residential subdivision.

Given the preliminary nature of the investigation an unexpected finds protocol should be utilised during any proposed future earthworks at the Site.”

Given the report concludes that the site is suitable for residential purposes, no further investigation of land contamination is required.

Nothing in Clause 4.6 of SEPP Resilience with respect to the preliminary site investigation warrants refusal of the application. Points (a), (b) and (c) of Clause 4.6 have been addressed by way of the Stage 1 Site Contamination Assessment. In this regard, Council can be satisfied that the land is suitable for the proposed use, and therefore satisfies the requirements of SEPP (Resilience and Hazards) and no further investigation of land contamination is required.

4.10 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Koala Habitat Protection 2021

Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. As the area of the subject land is greater than 1ha and is located within the Tamworth Regional Council Local Government Area, SEPP (Koala Habitat Protection) 2021 is applicable.

The project ecologists have undertaken an assessment (refer to accompanying BDAR – Section 5.7.1) in accordance with the Policy and given no koalas were recorded during site investigations and the site is not ‘Core Koala Habitat’, no further provisions of this Policy apply.

4.11 State Environmental Planning Policy (Transport and Infrastructure) 2021

Infrastructure

The application has been assessed against the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021. This Policy contains State-wide planning controls for developments adjoining rail corridors and busy roads. The development is not located immediately within 40 metres of a Railway corridor. However, the site has frontage to the west to Manilla Road which is a classified road.

The development is classified as a Traffic Generating Development in accordance with Clause 2.122 and Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021 as emergency access is proposed to a classified road.

Referral is required to be undertaken by Council to Transport for NSW.

4.12 State Environmental Planning Policy (Housing) 2021 – Manufactured Housing Estates

Approval is being sought for the proposed development for the purposes of a Manufactured Housing Estate under State Environmental Planning Policy (Housing) 2021.

The objectives of Chapter 3 Part 8 of the Housing SEPP 2021, are stated as:

“118 Aims and strategies

- (1) *The aims of this Part are—*
 - (a) *to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and*
 - (b) *to provide immediate development opportunities for manufactured home estates on the commencement of this Part, and*
 - (c) *to encourage the provision of affordable housing in well designed estates, and*
 - (d) *to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and*
 - (e) *to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and*
 - (f) *to protect the environment surrounding manufactured home estates, and*
 - (g) *to provide measures which will facilitate security of tenure for residents of manufactured home estates.*
- (2) *The strategies by which those aims are to be achieved are—*
 - (a) *by allowing, with development consent, manufactured home estates on certain land on which caravan parks are permitted if the land meets the suitable locational criteria stipulated in this Part (which it would not do if, for example, it contains important resources, is subject to natural or man-made risks or has sensitive environmental or ecological features), and*
 - (b) *by applying this Part to areas where there is likely to be a demand and suitable opportunities for the development of manufactured home estates, and*
 - (c) *by allowing manufactured home estates to be subdivided with development consent either by way of leases for terms of up to 20 years or under the Community Land Development Act 1989, and*
 - (d) *by enabling the Minister for Planning to exclude from this Part any land that is subject to a local environmental plan prepared in accordance with the principles of a direction issued in conjunction with this Part under section 117 of the Act.”*

The proposed MHE meets these aims and strategies for the following reasons:

- The proposal is a well-designed estate containing a contemporary form of housing.
- The proposal contributes to housing choices, whilst having regard to the environmental qualities of the site.
- The form of resort style housing is a popular alternative for the aging population and is highly desirable to the mature population who wish to downsize or live in a secure community.
- The tenants of this Lifestyle Estate have their tenure secured via legislation.
- The design response for the estate has been mindful of the location on a classified public road and the large environmental corridor within the site, as well as respecting the existing and future residential character of the area.
- The proposed MHE has its main entrance off a public road and has limited the number of sites which are visible from the public road and ensured suitable screening. The main entrance and community facilities are partially screened by proposed fencing and dense landscaping from the public domain.
- The design approach adopted responds to the scale and forms of built elements in nearby residential developments and the likely future residential character of the area once the remaining surrounding land transitions from rural land to residential, whilst respecting the nearby rural land.
- The MHE is proposed only on the R1 land where caravan parks are permitted and on rural land adjacent to urban land and that meets the suitable locational criteria stipulated in this Part. The part of the land with the key ecological features is proposed to be contained within the C3 land and avoided.
- There is a strong demand for MHEs in northern NSW as a whole. This relates primarily to the demographics of the area and region and the desire to downsize or retire to the region. The level of quality of the proposed estate, including the private, vegetated setting, and the size of the sites being larger, provide a point of difference to other MHE developments.
- There is a significant demand for quality and affordable lifestyle accommodation in the area and to assist with keeping some current residents from moving out of the LGA when downsizing and also attracting new residents to the area.
- Based on a review of the 2016 census data by the Caravan Industry Association of Australia and Residential Land Lease Alliance, 37% of residents in MHE live alone and 41% contain two residents. The data identifies a gap for people living alone or as two people, with the majority of housing options in Tamworth being 3 or 4 bedrooms. The MHE market is assisting to provide options for people in that market, with the indicative dwelling designs showing 2 and 3 bedroom options.
- The development works will avoid the C3 zoned land, which has been identified as having conservation qualities. There are no specific LEP provisions applicable to the subject site regarding landscape or scenic qualities. In broader terms, the landscape and scenic qualities of the site have been considered in the visual assessment.
- Civil infrastructure for the MHE is being extended to the site and within the estate as part of the proposed works. Water reticulation is located within the road corridor and connection to existing water reticulation infrastructure is proposed. Likewise, sewer reticulation is to drain to a sewer manhole as provided by Council in the public road.
- Regarding access to nearby services, a community bus can be provided by the operator and a daily bus service utilises Manilla Road a few times day, with a set down / pick up location at Hallsville (approximately 700m north of Browns Lane). The service (No.443) runs between Manilla and Tamworth CBD twice a day.

- Further, the proposed development includes community facilities and services through the community building, swimming pool, bowling green and croquet lawn, which will service the residents on a daily basis. The Clubhouse includes many amenities including consultation rooms for visiting health professionals, a gym, cinema, meeting rooms, large communal area off a kitchen, and other meeting areas both inside and outside.

Clause 122 states:

“122 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:

- (a) land within one or more of the categories described in Schedule 6 or*
- (b) land dedicated or reserved under the National Parks and Wildlife Act 1974, or*
- (c) land within a Crown reserve.”*

Schedule 6 states:

“4 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.

5 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,*
- wetlands.*

6 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*
- rural (where the land is not adjacent to or adjoining land zoned for urban use).”*

Part of the site is identified in an EPI, being the LEP, as zoned C3 - Environmental Conservation. However, under the proposed application, development is not proposed within the C3 land.

The land does not fall within Schedule 6, and caravan parks are a permissible land use on the site under the R1 - General Residential zoning of the site.

Under Schedule 6, Subclause 6, although the land is within the RU4 zone it is located adjacent to land zoned for urban use. Guidance provided from the Land and Environment Court in *Marpet Enterprises v Eurobodalla Shire Council* [2000] NSWLEC 159 the term “adjacent” includes land close to or near, as well as contiguous land.

An extract from *Marpet Enterprises v Eurobodalla Shire Council* [2000] NSWLEC 159 with the relevant meaning of the expression “adjacent to” is provided below:

- “24. The ordinary dictionary meanings and usage of the words “adjacent” and “adjoin” clearly indicate that the former has a wider meaning than the latter.
25. In their statutory collocation in cl 31(1)(b) of the LEP, “adjoining” clearly carries its ordinary and narrow meaning of being contiguous. The present statutory context means that the cases which have interpreted “adjoining” in a loose sense do not apply, eg *Auckland Lai v Warringah Shire Council* (1985) 58 LGRA 276; *Hornsby Council v Malcolm* (1986) 60 LGRA 429; and *Parkes and Spencer v Rastogi* [1992] NSWLEC 108; (1992) 78 LGRA 71.
26. Concerning the word “adjacent”, as the Privy Council observed in *Mayor of Wellington v Mayor of Lower Hutt* (1904) AC 773: Adjacent is not a word to which a precise and uniform meaning is attached by ordinary usage. It is not confined to places adjoining and it includes places close to or near.
27. Considerations of context and statutory purpose in the present case justify adopting as the meaning of the expression “adjacent to”--lying near to, close or neighbouring.”

Therefore, the proposed development for the purposes of a manufactured housing estate is permissible on the site under Clause 122 of SEPP (Housing) 2021 given the RU4 land immediately abuts the R1 zoned land.

Clause 123 of the SEPP requires approval to operate the MHE to be obtained under the Local Government Act and a condition of consent to this effect is envisaged on the consent. This SEE accompanies an application to Council for development consent for an MHE and once approved will be followed by a Section 68 approval for operation of the MHE and installation of dwellings.

Consistent with Clause 124, subdivision of the estate or land is not proposed.

Clause 125 states:

“125 Matters to be considered by councils

- (1) A council may grant a development consent pursuant to this Policy allowing development for the purposes of a manufactured home estate only if it is satisfied:
 - (a) that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and
 - (b) that the manufactured home estate is or will be provided with adequate transport services, and
 - (c) that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and
 - (d) that the development will not have an adverse effect on any:
 - conservation area
 - heritage item
 - waterway or land having special landscape, scenic or ecological qualities,
- which is identified in an environmental planning instrument applicable to the land concerned.

(2) A council may grant a development consent pursuant to this Policy allowing development for the purposes of a manufactured home estate only after it has considered the following:

- (a) the cumulative impact of the proposed development and other manufactured home estates in the locality,
- (b) any relevant guidelines issued by the Director,
- (c) the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.”

With respect to Clause 125:

- The site is proposed to be adequately serviced by infrastructure. All proposed dwelling sites will be provided with water, sewer, stormwater, electricity and telecommunications services.
- The lifestyle estate residents will utilise the existing shops and facilities in the local area. The estate is conveniently located within proximity of the existing business and commercial areas of Tamworth.
- Bus services go along the frontage of the lifestyle estate on Manilla Road. The future residents typically own a vehicle which would be stored in their own private garages. In addition, residents will likely have access to the community bus provided by the operator to access local services.
- Several community activities and communal facilities are proposed on-site within the Clubhouse precinct for resident use and enjoyment.
- The development will not impact upon heritage, waterways, scenic or ecological values.
- The design and layout of the Lifestyle Estate has had regard to the C3 zoned land and respects the environmental qualities of the area. The traffic generation of the proposal is less than that of a subdivision, provision of public transport will further reduce car dependency and have less impact upon the traffic network and reduce the environmental impact of the residents of the resort. All infrastructure utilities can be extended to provide services for the development and residents.
- There is unlikely to be a cumulative impact from approval of the MHE as there is a diversity of housing forms in Tamworth including standard lots, large lot residential, rural and MHE, as well as multi-unit housing. There is a popularity for this high-quality form of housing.
- The landscape screening around the boundaries of the estate also provides a visual separation to the adjoining land uses.
- Whilst a new MHE is being introduced into the area, this is consistent with the residential development of the site identified within Council's strategic policies.
- The technical reports accompanying this application have demonstrated that there is capacity within the road network and existing infrastructure to accommodate the proposed development. The new private roads will provide appropriate connections for future residents and commuters.
- There is no cumulative adverse impact upon infrastructure as a direct result of the proposed MHE.
- There is a demonstrated need for this form of housing in the region given the demographics of the area and continuing similar trend. To ensure this growth, it is important to accommodate the future needs. The proposed development of a Lifestyle Estate in Tamworth will contribute to the required future housing stock for people wanting to move to the area.

Consideration of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 is provided as an attachment to this report. The proposal complies with the requirements of the Regulation, except where variations are requested to allow for construction of the dwellings on site.

A review of the approved MHE developments in the broader locality has been undertaken on Council's website. It has been confirmed that there are no MHE developments in proximity of the site. The diversity of housing forms in Tamworth including standard lots, large lot residential, rural, caravan parks, seniors housing and multi dwelling housing remains unaltered by this proposed MHE. A drive around South Tamworth identified a large amount of residential development underway, including new residential subdivisions. For the purpose of s125(2)(a), the subject application is the only MHE, either under assessment or approved, to be considered.

Part 8 of SEPP (Housing) applies to Manufactured Housing Estates and allows this land use with development consent, on certain land on which caravan parks are permitted if the land meets the suitable locational criteria stipulated in Part 8.

Separately, Part 9 of SEPP (Housing) applies to Caravan Parks and includes the following definitions:

"129 Definition

In this Part—

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

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

Local Government Act 1993 contains the following definitions:

"manufactured home means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling—

(a) that comprises one or more major sections, and

(b) that is not a motor vehicle, trailer or other registrable vehicle within the meaning of the Road Transport Act 2013,

and includes any associated structures that form part of the dwelling.

manufactured home estate means land on which manufactured homes are, or are to be, erected.

moveable dwelling means—

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

(b) a manufactured home, or

(c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition."

For permissibility purposes, a caravan park is permitted on the R1 land and therefore an MHE is permissible. There is no other correlation to the caravan park controls and the two land uses are separately defined. It cannot be inferred that the cumulative impact also needs to include separately defined and approved caravan parks.

The Housing SEPP 2021 aims to provide affordable housing in well-designed estates, in suitable locations where proper management and development of land can occur, and residents are adequately serviced and have access to community facilities and services, whilst protecting the environment. This statement and the accompanying reports and documentation indicate that the Housing SEPP objectives are satisfied.

In summary, the proposed development is consistent with the aims and objectives as well as the relevant matters for consideration under the Policy.

4.13 State Environmental Planning Policy (Sustainable Buildings) 2022

Schedule 1 of the EP&A Regulation sets out the requirement for a BASIX Certificate to accompany “any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel”. BASIX does not apply to Manufactured Homes Estates. BASIX only applies to ‘residential building work’ as designed in the *Home Building Act 1989*. To fit this definition a structure must be considered as a ‘building’. The only proposed ‘building’ in the DA and are of a commercial nature and as such may be subject to Section J – clubhouse, pool house, shed, gates, fences etc.

The *Local Government Act 1993* specifically excludes manufactured homes from its definition of ‘building’. The actual operation and subsequent installation of manufactured homes does not necessarily form part of this development consent. The actual installation of manufactured homes will be carried out under regulation 9 exemptions or a Section 68 ‘installation’ approval framework under an Approval to Operate under Section 68, Part F3 of the *Local Government Act 1993* after a development consent being granted.

A BASIX Certificate for the proposed dwellings within the MHE is not required and State Environmental Planning Policy (Sustainable Buildings) 2022 is satisfied.

4.14 State Environmental Planning Policy (Primary Production) 2021

Chapter 2 - Primary Production and Rural Development of State Environmental Planning Policy (Primary Production) 2021 has the following aims:

- “(a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.”*

The subject site is not identified as state significant land, the development is permissible on the land subject to State Environmental Planning Policy (Housing) 2021, the land has been identified in area wide within the growth management areas as shown in Figure 20 and the development does not sterilise rural land on adjoining or nearby lands and protects native vegetation and water resources. Accordingly, the proposal satisfies Chapter 2 - Primary Production and Rural Development of State Environmental Planning Policy (Primary Production) 2021.

4.15 State Environmental Planning Policy (Planning Systems) 2021

Development specified in Schedule 6 of the SEPP is declared to be regionally significant development for the purposes of the Act. The proposed development has a capital investment value of less than \$30 million and therefore does not meet the CIV threshold to be Regional Development. On this basis, the proposed development is not regionally significant development and is to be assessed and determined by Council.

4.16 Tamworth Regional Local Environmental Plan 2010

The proposed development for the purposes of a MHE is considered to be consistent with the objectives of Tamworth Regional Local Environmental Plan 2010 and is “*orderly, economic and equitable development while safeguarding the community’s interests and residential amenity*” and promotes ecologically sustainable urban development.

As indicated by the following map extract from the Tamworth Regional LEP 2010, the subject site is currently zoned R1 General Residential, RU4 Primary Production Small Lots and C3 Environmental Management under Tamworth Regional LEP 2010. The development is not proposed on the C3 land.

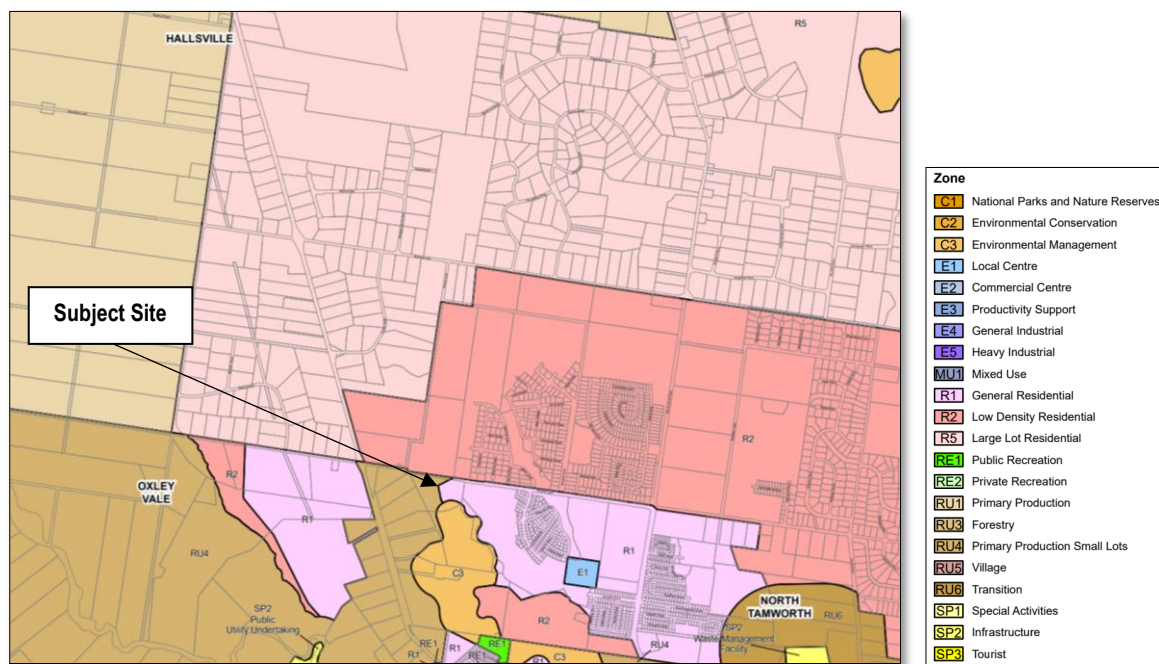


Figure 21: Extract Zoning Map (source: www.legislation.nsw.gov.au)

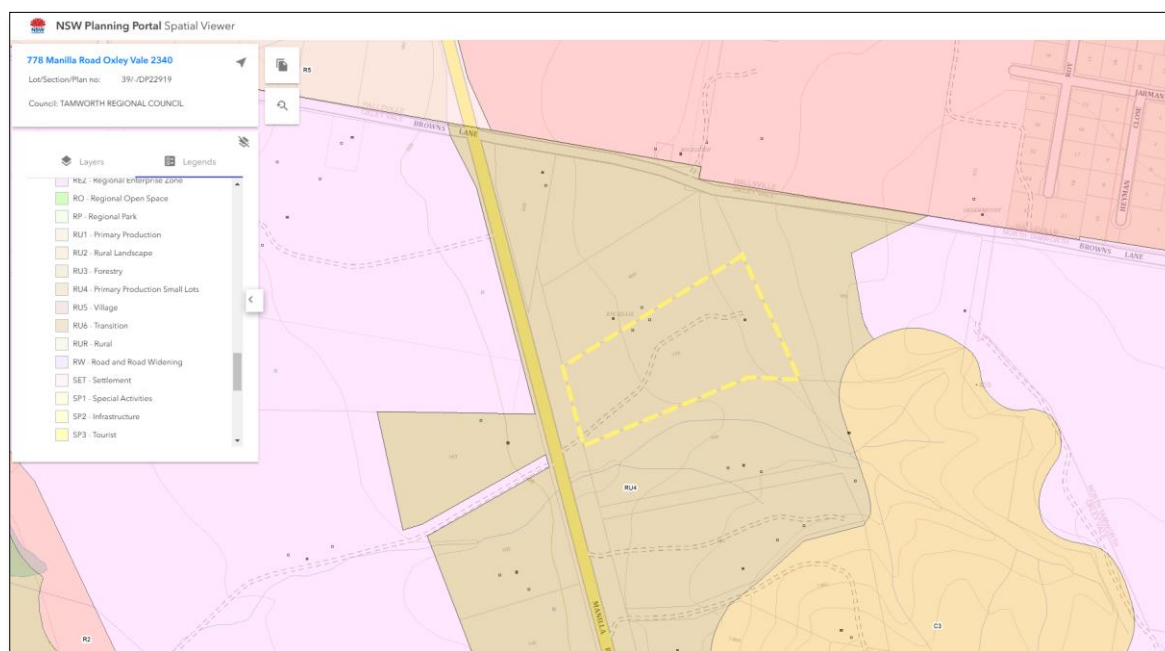


Figure 22: Planning Portal Extract - Zoning Map – 778 Manilla Road (source: NSW e-planning portal)

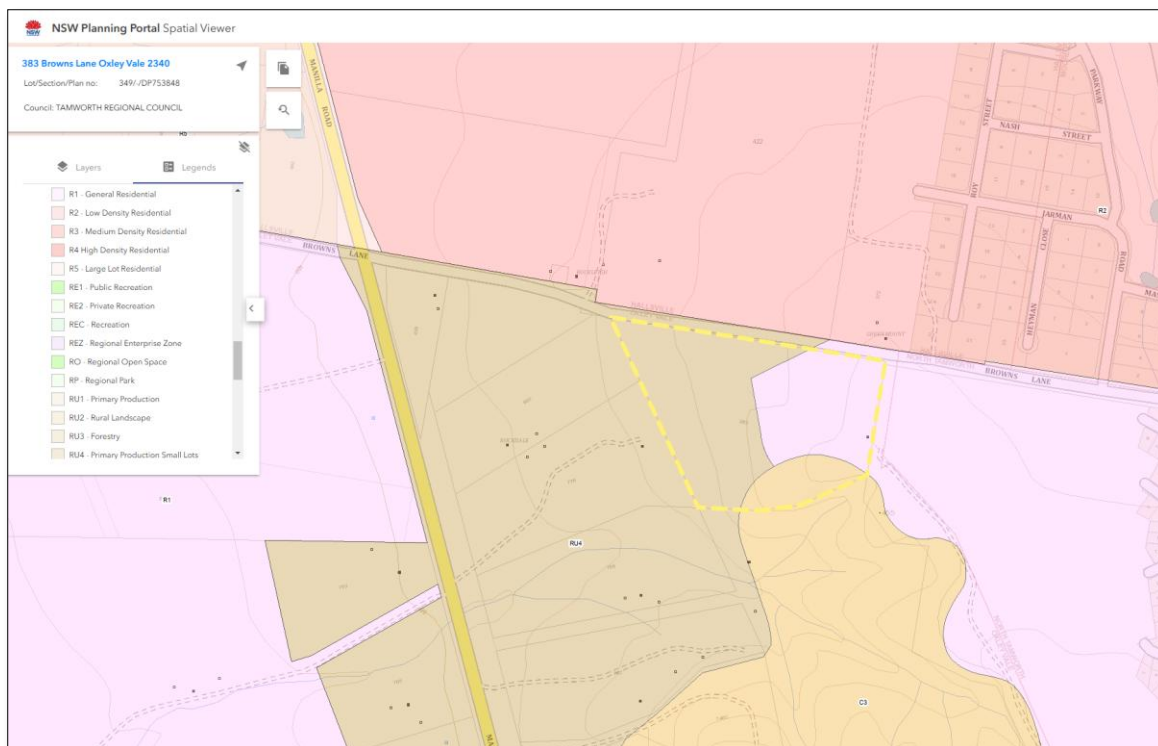


Figure 23: Planning Portal Extract - Zoning Map – 383 Browns Lane (source: NSW e-planning portal)

Permissibility

Development for the purpose of caravan park, and therefore MHE, are permissible with consent in the R1 zone and rural land adjoining land for urban purposes. As discussed above, the proposed development for the purposes of a manufactured housing estate on the RU4 zoned land is permissible on the site under Clause 122 of SEPP (Housing) 2021.

LEP Objectives

The proposed Lifestyle Estate introduces a varied form of housing into Tamworth, which increases housing choice in a desirable location on the edge of a village in an area identified for future housing yet easily accessible to the facilities nearby in Tamworth and further afar. This housing form allows for a varied price point and less maintenance. It also allows for extra security than a standard residential subdivision, through the security gate and on-site management and operations. The dwellings are of a high standard, yet still affordable and have a consistent contemporary resort feel through provision of a range of dwelling types and styles. A series of pedestrian linkages are proposed throughout the development.

Orderly and economic use of the land is proposed in accordance with the general aims of the LEP. The proposed development will contribute 218 additional residential dwellings to the residential housing stock of Tamworth, as well as the greater region. This housing stock is consistent with the regional strategies and the identified population increase. Providing additional housing on a relatively unconstrained site on the edge of an established urban area and part of an emerging residential area is ideal. The surrounding area contains a variety of allotment sizes. The proposed layout will increase the density on the site and will provide a variety in built form and dwelling sizes within the existing estate. The proposed development is in keeping with the objectives of the zones and the overall LEP.

This development aims to provide a high-quality product which appears as single dwellings. The MHE also provides a range of community uses and services on the site, which assists with the needs of those people living

in the development. The MHE adds to population growth in the Tamworth area, and this will have a positive impact on the local community and existing and future planned businesses.

The R1 zone has the following objectives:

- *“To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.”*

The subject land is located within the southern extent of the urban fringe of Tamworth. The character of the area presently is predominately subdivided into rural / rural-residential and large lot allotments which separates the existing residential developments to the north and west in this locality. The locality is undergoing transition as evidenced by recent construction commencing on the adjacent land to the south-west of the subject land. The land within this area will continue to experience significant urban expansion and residential development.

The R1 objective *“To provide for the housing needs of the community”* is satisfied by the proposed development incorporating sites which are substantially larger than that required for an MHE under the Regulations, in order to appear similar to a residential lot within a residential subdivision.

The MHE is enclosed by fencing and dense landscaping within a 3m front setback, which provides a visually pleasing view from the public road. The Community Building being a Clubhouse is single storey, Homestead style form reflecting the rural-residential form nearby. The large front landscaped setback provides a sense of space, and the Clubhouse is angled and setback further within the site. Importantly, the western view towards the public road is not exposed to the peak height and the single storey homestead style is apparent.

The design approach adopted responds to the scale and forms of built elements in nearby residential developments and the likely future residential character of the area once the remaining land is developed for residential and transitions from rural land to residential, whilst respecting the nearby rural land.

The retention of the vegetated C3 zoned corridor provides a green backdrop for the development. The design has broken up rows of dwellings and the sites are generous in size, well above the minimum requirement of the Regulations and a variety of sizes of sites has been provided throughout the site to allow for varying dwelling designs. It is unlikely that the same dwelling can be accommodated on every lot and the provision of a number of indicative designs allows for the variation, as well as personalising with differing materials to maintain the rural theme of the locality utilising light browns, ochres and earthy hues.

The RU4 zone has the following objectives:

- *“To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.”*

Whilst the western portion of the site is zoned RU4, having regard to the New England North West Regional Plan 2041, the subject site and surrounding areas have been identified for residential and will support the growth of Tamworth. The site is not identified as important farmland and the landscaped areas and open space around the perimeter of the development and the large area of vegetation being retained within the site, will assist with integrating the estate into the rural setting to the north and south. The existing rural land uses can continue without conflict and remain compatible; however, their long term continuance is unlikely in the immediate vicinity of the development to achieve the aims of the regional strategies.

The C3 zone has the following objectives:

- *“To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.”*

The development protects the C3 zoned land, and environmental land will be retained and avoided. As such, the objectives of the C3 zone are satisfied by the proposal, to protect, manage and restore areas of high ecological values.

Having regard to permissibility and zone objectives, the proposal complies.

Clause 2.7 Demolition requires development consent

The proposal includes demolition of the existing dwelling and outbuildings.

Clause 4.1 Minimum Lot Size

No subdivision of the site is proposed.

Clause 4.4 Floor Space Ratio

The site does not have a maximum floor space ratio (FSR).

Clause 5.10 Heritage

The site is not mapped as containing a heritage item, archaeological site, or aboriginal place of heritage significance. There are no heritage items in the vicinity of the site. The results of an AHIMS report are attached as part of this application which indicate no records on the subject site. There are known Aboriginal sites within the vicinity, however, are separated by Browns Lane and Manilla Road and over 800m from the site. No further investigation is necessary.

Clause 5.21 Flood Planning

The site and surrounding area is not identified as being subject to flooding.

Clause 7.1 Earthworks

The proposal involves earthworks with respect to the construction to ensure the land is not impacted by flood. Full details of earthworks will be provided at the construction certificate stage. The proposed earthworks to facilitate construction of dwelling pads and connections to civil infrastructure have considered the adjoining environment, properties and the proposed drainage of the subject site and are located entirely within the R1 and RU4 zoned land and not encroach the C3 zoned lands.

Subject to the implementation of the management plans which accompany the development application in relation to erosion and sediment control and stormwater management, the proposed earthworks are unlikely to create any adverse environmental impact on existing drainage patterns, soil stability or amenity of adjoining properties in the locality or the likely future use or redevelopment of the land.

Clause 7.6 Development in flight path

The site is subject to an obstacle height limit of 45m as shown on the Obstacle Height Limitation Surface Height LEP Map. The proposed community buildings, and future dwellings, will be well below that maximum height.

4.17 Tamworth Regional Development Control Plan 2010

Step 1: Introduction

The Aims of the Plan are outlined in Section 1.2 of DCP 2011 state:

- *“Define development standards that deliver the outcomes desired by the community and Council;*
- *Provide clear and concise development guidelines and desired future character statement for various forms of development and site specific precincts;*
- *Encourage innovation in design and development by not over-specifying development controls;*
- *Expedite development approvals by providing clear direction on Council’s intent and criteria;*
- *Provide certainty of development outcomes for developers and the community; and*
- *Protect and mitigate impact on environmental values of land, air, water, noise, scenic visual amenity, flora and fauna (ecological and biodiversity).”*

The proposal is consistent with the character of the surrounding existing and transitioning area, ensuring a visually pleasing presentation to the public domain and responds to the characteristics of the site by avoiding and protecting the C3 zoned corridor of vegetation. The eastern portion of the site is zoned for residential purposes and a review of the surrounding area, indicates new and existing residential subdivisions to the north and east of the site. The subject development has respected the presence of C3 zoned land and a portion of vegetation which extends northwards through the R1 and RU4 zoned land and largely avoided this area to provide a corridor of established dense vegetation as a backdrop to the development.

Whilst the MHE form of development is controlled by the Housing SEPP and Regulations, there will be a uniformity of built form between the existing low density subdivision and housing (1-2 storeys) and the indicative dwellings provided within the MHE. The proposed MHE development further satisfies these Aims and integrated the MHE into the changing setting by avoiding the C3 land and dense vegetated corridor; dense landscaping along the entire frontage of the estate facing the public road; and having a landscaped entry to the estate.

All civil components of the development and APZ are to be contained within the R1 and RU4 zone. The BDAR demonstrates that the proposed development will predominantly impact cleared land with low conservation value and regenerating forms of low-condition EEC vegetation. Good-condition EEC vegetation and habitat for threatened species will be predominantly avoided.

The MHE remains on one title and in the best interests of the owners and management, the estate will be maintained regularly, including weed control. A Vegetation Management Plan will be developed post consent for the C3 land and the APZs to ensure weeds are contained.

The C3 land is not identified for sterilisation, but rather to protect the values. It is considered that fencing is not required given the distance provided from the internal road reserve and new plantings, which will assist with defining the edge. Access is required by management for weed control.

The proposed development is consistent with the Aims of the Plan.

Step 2: Type of Development

The controls set out in Tamworth Regional Development Control Plan 2010 do not relate specifically to the proposed form of development for an MHE, with the Housing SEPP and Regulations applying. The general provisions of the DCP have been considered below, however the dwelling and subdivision controls within ‘Step 2: Type of Development’ of the DCP are not applicable given the nature of the development.

Step 3: General Development Specifications

The DCP indicates provision should be made for electric vehicles and bicycles within the development. Parking and bicycle facilities are dictated by SEPP. It is anticipated that individual owners may wish to include EV charging within their dwellings. With respect to bicycles, it could be appropriate to provide bicycle parking near the main

Clubhouse facilities for any resident wanting to cycle through the estate or from their dwelling to the facilities but has not been proposed as not stipulated by the SEPP or Regulations.

Low level outdoor lighting is proposed throughout the estate and will comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.

No signage as part of this application.

The DCP provides controls relating to urban heat which are not specifically applicable to this site, however, the proposed design has been developed with consideration of urban heat given the importance of climate change and rising temperatures. The proposal preserves and increases tree canopy cover with appropriate native species and landscaping to increase shading, irrigates the open spaces, improves water quality, proposes wider internal roads to allow for avenue tree planting and street trees, and air flow and improved urban design, as well as lighter materials and finishes (i.e. avoiding dark greys and blacks).

Step 4: Site Specific - Hills Plain Development Controls

Part of the development site is identified within the Hills Plain Masterplan Area, as shown below.

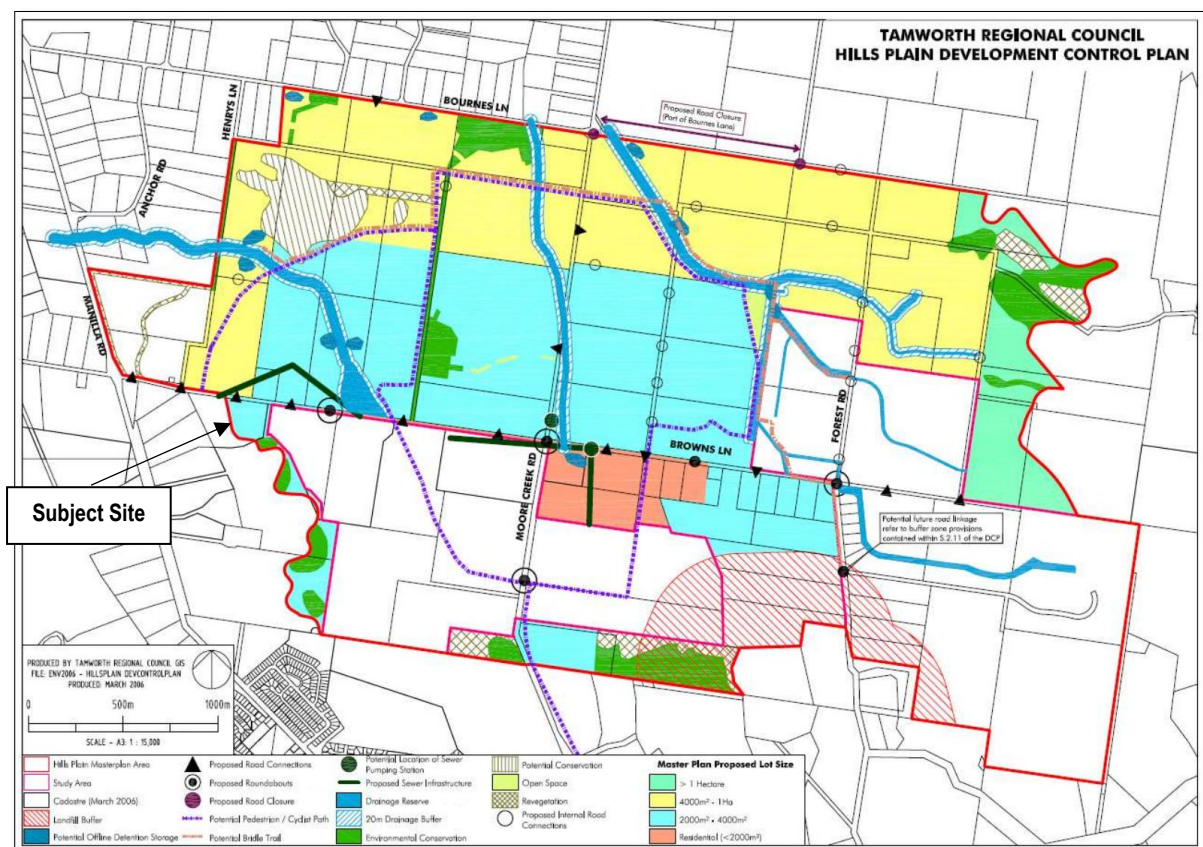


Figure 24: Extract – Hills Plain Concept Plan - Tamworth Regional Development Control Plan 2010

The plan shows a proposed road connection along Browns Lane on the frontage of the site, identifies sewer infrastructure on the northern side opposite the site and an area of environmental conservation to the south of the site. The proposed lot size identified for the site is 2000-4000m². The proposed development is consistent with these components and no subdivision is proposed.

Further afield, road connections, intersections, pedestrian footpaths and bicycle paths are indicated to be provided with no direct requirement for the subject site as no subdivision is proposed.

Direct vehicular access to individual allotments is not permitted from Browns Lane under the DCP. Consistent with this requirement and the Hills Plain Masterplan Area, one access point is proposed to the site for the development from Browns Lane.

The proposal does not propose disturbance within 20 metres of the top of the bank of natural creek and drainage lines as identified in the Plan.

The colours of building materials are considered to maintain the rural theme of the locality utilising light browns, ochres and earthy hues, as detailed on the architectural plans accompanying this application.

The DCP indicates that “No solid fences are permitted for lots zoned R2 Low Density Residential shown on the Lot size Map as V – 2000m² or W – 4000m² “. Having regard to the type of housing, the Regulations require the estate to be appropriately screened by fencing and landscaping. Comments provided by Council at the pre-lodgement with respect to ensuring the fencing is decorative has been incorporated for the fencing of the sites to Browns Lane.

Mature trees have been retained and water and sewer will be extended to the site.

In summary, the proposal is considered to be in keeping with the applicable requirements of Tamworth Regional Development Control Plan 2010.

5. ENVIRONMENTAL ASSESSMENT

The matters required by the Environmental Planning and Assessment Act, 1979 and the Regulation are addressed by the information uploaded to the NSW Planning Portal and the Statement of Environmental Effects.

Clause 24 of the Environmental Planning and Assessment Regulation 2021 provides that a Development Application must contain the information and be accompanied by the documents specified in the Approved Form, the Act and the Regulation.

The “Approved Form” means a form approved by the Planning Secretary and published on the NSW Planning Portal. The Approved Form is titled “Application Requirements”, dated March 2022 and provides that a Development Application must be accompanied by a Statement of Environmental Effects which must indicate the following matters:

- The environmental impacts of the development.
- How the environmental impacts of the development have been identified.
- The steps to be taken to protect the environment or to lessen the expected harm to the environment.
- Any matters required by any guidelines issued by the director for the purposes of this clause.

These requirements are specifically addressed in the following sections. Other matters such as drawings of the proposed development, statements of context and compliance with building controls are addressed in the preceding sections of the Statement of Environmental Effects and the attached Appendices.

This section will consider the likely impacts of the development; site suitability and public interest in accordance with Section 4.15 (1)(b), (c), (d) and (e).

It is important to note in the planning assessment that a Manufactured Housing Estate is not directly comparable with a residential subdivision given the low occupancy rate (likely 1-2 people per dwelling based on 2016 Census data) and the use being separately defined. A standard residential allotment could accommodate large dwellings or dual occupancies without a limit on the number of bedrooms, most likely up to 4 bedrooms for a standard dwelling and 3-4 bedrooms for each of the dwellings in the case of a dual occupancy. Therefore, the population



and environmental impacts for comparison between standard residential allotments and the proposal is not directly comparable. This difference needs to be considered in the assessment of traffic, stormwater, water, sewer, and developer contributions rates.

It should be noted that as per the Regulations, MHE sites can only contain one dwelling and are limited in size generally to two-bedroom or three-bedroom dwellings for the larger sites.

Further, the Lifestyle Resort will be marketed to a certain age, generally being over 50's, as per the same arrangement of many of the manufactured housing estates established in the northern area of NSW and throughout Australia, where these are no age restrictions. A manufactured home estate is land lease living, the residents buy a new or established home within a secure estate and instead of buying the land, a weekly or fortnightly site fee is paid to lease the land where your home is located. Residents are unable to obtain a traditional mortgage to purchase a home within a manufactured home estate as the land is not owned, which in effect restricts the eligible purchasers to those downsizing from larger family homes or retired from the work force with capital available to purchase without the need to borrow money. It is unlikely that first home buyers or adults with families have the type of cash equity required to purchase a home or desire a home of the size or style of those offered in a manufactured housing estate. Hence, this reinforces the trend for two-bedroom dwellings on each site and a lower traffic, stormwater, water, and sewer impact.

NSW local Councils in their assessments of MHE developments, have rightly so, not assessed MHE previously as standard residential allotments when considering the associated impacts.

5.1 Assessment of Natural & Built Environmental Impact – Section 4.15 (1)(b)

Topography and Scenic Impacts

Overall, the proposed development is compatible with existing and future planned surrounding land uses. The site is zoned to allow the proposed development in accordance with the Housing SEPP and is located close to the township of Tamworth. The proposed design provides a landscaped buffer between the proposed dwelling sites and the adjoining properties and has been designed to have regard to the environmental qualities of the site.

The proposed Lifestyle Estate and built form will retain a high level of amenity for residents and surrounding sites including in respect of solar access, views, privacy, and noise levels. The design of the proposal incorporates durable materials with low maintenance requirements compatible with the scenic impact of a new residential development. To maintain the rural theme of the locality utilising light browns, ochres and earthy hues are proposed, which will also compliment the emerging residential area and assist with urban heat.

The site does not exhibit any characteristics which would preclude the development of an MHE from proceeding. However, the topography is likely to make the provision of a footpath along the development side of Browns Lane difficult.

Impact on the Area's Character

The proposal is of benefit to the surrounding area as it proposes a positive development of high-quality design that will achieve urban development in the locality, improve surveillance and safety of the precinct. Overall, the proposed development is compatible with existing and future surrounding land uses, which is residential as per the strategies for the area.

The site is zoned for a mix of residential, rural and conservation purposes and is located within a diverse area with a mix of land uses. The area is undergoing a significant transformation and the character and land uses in this locality are becoming more diverse. The design of the proposed development embraces the diversity of

the emerging area whilst respecting the residential and rural uses adjoining, with a high level of building design, fencing and open space and landscaping to ensure minimal impact on the character of the locality.

The proposed MHE is residential in nature and of a lower density than a standard residential dwelling due to the smaller size of the dwellings. The proposed MHE design will retain a high level of amenity for residents and surrounding sites including in respect of solar access, views, privacy, and noise levels.

This application includes indicative dwelling designs, as well as the detailed Architectural Drawings for the community facilities. A review of these plans clearly identifies a high-quality, contemporary product being produced, which will set the tone for the residential development of this immediate area. Further, landscape buffers have been incorporated between the sites and the side boundaries.

The Land and Environment Court has established Planning Principles. In *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, a Planning Principle has been established with respect to surrounding development and compatibility. Having regard to above Planning Principle, the proposed development does have regard to height, setbacks, landscaping, and architectural style of the desired residential area and has had regard to the relationship between the various factors and this has been reflected in the site layout and building design. The built form is low scale with large areas of landscaped open space surrounding. In terms of height, the overall building height is consistent with nearby built form and setbacks are appropriate for any future adjoining residential developments. The design reference allows for individuality in the development on this site, whilst having regard to the existing and future desired character.

A review of the area identifies that there is not a consistent character. There is no consistent or established rhythm within this area of Oxley Vale/North Tamworth due to the strategic planning and rezoning to be consistent with the Regional Plan taking years. There is no denying that the proposed development is not a new feature for this immediate area, however some of the land remains zoned rural. The proposed built form, layout and design reference allows for a rhythm within the development to be established which is not repetitious and uninteresting in form. The future development of this area should be guided by this architectural form.

As outlined in the Planning Principle above, the development is to be in harmony with the Precinct but does not need to be the same and can have different attributes and remain compatible. The proposed built form responds to the essential elements identified in the area, both built and landscaping, to ensure a harmonious development and form.

The proposal is of benefit to the surrounding area as it proposes a positive development of high-quality contemporary design that will improve surveillance and safety of the precinct. Overall, the proposed development is compatible with existing and future surrounding land uses, which is low density residential. The site is partly zoned for residential purposes and is located within an emerging residential area. The proposed design will retain a high level of amenity of the subject and surrounding sites including in respect of solar access, views, privacy, and noise levels. Consideration has been given to the existing adjoining subdivision pattern and existing nearby dwellings and new landscaping and fencing will be provided along boundaries where not currently in place to ensure a delineation of boundaries and to ensure the amenity is protected for existing and proposed residents. The design of the sites, open space and landscaping are consistent with that anticipated for this form of development. The aim of this development is to provide high quality dwellings within the lifestyle estate, with generous living areas, highly sought-after outlook and finishes which are in keeping with the surrounding rural development utilising light browns, ochres and earthy hues, and reflective of Council's planning controls. These objectives are reflected in the design.

Appropriate mitigation will be undertaken during construction and operation to preserve the amenity of surrounding land uses. The site does not exhibit any characteristics which would preclude the development from proceeding.

Visual & Privacy Impact

The proposed community buildings and future residential dwellings on the MHE sites comply with relevant controls for this form of development including height limits. There are appropriate setbacks and screening from the community buildings to nearby dwellings within the site and neighbouring properties ensuring there will be no issues pertaining to visual and acoustic privacy, or views and overshadowing. The Clubhouse is a larger structure; however, this will serve as a main entry feature and nodal point to clearly give identity and is located centrally within the site. The density and scale of the proposed development are commensurate with the desired character of the Oxley Vale/North Tamworth area, and the lifestyle resort when viewed from the public domain, is unlikely to be highly visible due to provision of the proposed landscaping and retention of the environmental land buffer within the site.

With regards to the scale and character of the proposed development, the proposed dwellings will ultimately accommodate single storey low scale dwellings which will be consistent with the existing and future residential dwellings being constructed to the immediate east and north of the subject site. Long- and short-range views will not be adversely affected as the proposal generally presents detached style housing, incorporating various typologies. On a regional scale, the development is consistent with the existing pattern of development and is a logical extension of the existing and urban area of Tamworth.

There will be no significant overshadowing impacts on adjoining properties as no substantial building construction is proposed other than the provision of the Clubhouse, swimming pool, tennis court, bowling green, shed and associated communal infrastructure, which are located away from neighbours. However, once the new sites are completed, new dwellings will be single storey and will therefore have no overshadowing impacts or cause loss of sunlight to adjacent properties.

The proposed Lifestyle Estate will exhibit a positive visual outcome for the area achieved through planning and design. The variety of site sizes and dwelling types will allow for diversity within the Lifestyle Resort. The proposed landscaping, street trees and fencing will be consistent throughout the site and designed in keeping with the entry gate, dwellings and community buildings which will all have a modern feel. The proposed landscaping softens and integrates the new development with the surrounding streetscape, creating a high aesthetic quality and amenity for both the new occupants and the adjoining public domain. The proposed species have been selected from suitable low-water-use native planting list, with a view for low-water usage and low landscape maintenance requirements and planning for bushfire provisions.

The proposed internal layout of the lend lease community ensures the orderly use of the land through the provision of regularly shaped sites with street frontages capable of accommodating several typologies of dwelling house and sufficient private open space. The size, shape and orientation of individual allotments will enable future built form to address the street creating visual interest and providing opportunities for passive surveillance. Landscaping within the development includes new plantings that will soften the appearance of built form, contribute to the creation of a high amenity environment, provide for pleasant views to and from the site and enhance the vegetated character of the locale. The surrounding environmental zoned land also provides appropriate visual and amenity buffers to surrounding developments.

Combined with screen painting, decorative fencing to Browns Lane, solid and open style security boundary fencing is proposed, which allows for the landscaping to be the dominant feature from the public domain. The design response for the development has been mindful of the location on two roads, as well as from adjoining rural and residential land. It has also been developed to acknowledge the environmental corridor within the site and its screening and buffer ability, as well as respecting the existing rural character and future residential character.

The proposed MHE has its main entrance off the future public road and has no sites which are directly accessible from the public road. The main entrance and community facilities will be the main components of the development

visible from the public road, with the sites and future dwellings largely screened by proposed fencing and landscaping.

The design approach adopted responds to the scale and forms of built elements in nearby residential developments and the likely future residential character of the area once the remaining surrounding land transitions to residential, whilst respecting the nearby rural land and its built form.

The following key strategies have been adopted:

- Homestead style form for the Clubhouse, reflecting the rural-residential form nearby, with ornate features and bulk limited due to height remaining as single storey.
- Single storey dwellings with materials, colours and articulated forms to reflect a low density setting as well as respect the rural lands. Materials will be light browns, ochres and earthy hues.
- A variety of site and indicative dwelling sizes, which will result in a variety of sizes and designs.
- Landscaped setback from the public road and emphasis on the landscape zone to the front of the site and its relationship to the broader setting.
- Substantial setbacks from neighbouring properties which enables the creation of a sense of space and separation, as well as being a physical vegetated buffer and distance to existing adjoining land uses. The setbacks and design assist in mitigating potential amenity impacts into and out of the MHE.
- The landscape treatment screens and softens the appearance of the MHE from the public domain.
- A centralised main entry point to be the focus and avenue of trees through the site.
- Building of the dwellings on site to allow for a greater focus on design and higher quality product, which cumulatively provides a high standard of appearance for the overall MHE.

The landscape and visual impact assessment below considers the overall impact of the proposal on an area's character and sense of place and the visual impact assessment involves the assessment of the visibility of the project and has identified the visibility of the proposal from surrounding lands, as well as the visibility for the future public road users.

a) The landscape and visual context of the locality;

The MHE development site is located within an area containing various zoned land, with no clear or distinct character, either existing or future desired. There is a clear separation between the proposed residential character and the surrounding land uses created by the planning undertaken for the Hills Plain area to the east and north and the remaining rural zoned areas to the west, as well as the planning underway for Stratheden is subject of a Planning Proposal to rezone for residential purposes.

The key area for consideration of the visual impact of the MHE is from the public roads being Browns Lane and Manilla Road.

There is a secondary area identified being the adjoining rural lands, noting that there is not a continuous rural character as it is interrupted by existing land uses and future regional planning. The sensitivity of the rural zone has negligible impact from the proposal as it is already being supported for change to residential in close proximity. Having regard to a potential future zone change to allow residential on the adjoining rural land, the MHE incorporates site setbacks to the sites and community facilities, as well as existing vegetation and new landscaping with high screening attributes and appropriate material colours.

b) The potential impact of the development, in particular, when viewed from surrounding residential development, public spaces and/or facilities; and

As identified above, the two areas for consideration with respect to visual impacts from the MHE are:

1. Proposed public roads being Browns Lane and Manilla Road; and
2. Adjoining rural lands and nearby dwellings.

The first point forms the basis of this assessment given it relates to a public space, being the proposed public road. Importantly, these are not static views, as both vehicles and pedestrians will be moving whilst driving or walking past the MHE on both roads.

Browns Lane View:

The views when travelling past the site on Browns Lane initially be of the upcoming MHE entrance, fencing and landscaping. The view then remains of the road itself which kinks at the western end of the site and to the rural land and mountains in the distance. This is a passing view and the proposed fencing and landscaping in the large setback play an important role in concealing a future single storey dwellings and the set back Clubhouse and amenities. Whilst entering the MHE, the view is of the main road entrance, open style fencing and avenue of landscaping, car parking with the Communal Facilities in the background and once off the public road and into the MHE, it is private land and no longer a public view.

Having regard to the zoning of this portion of the site being R1, a standard residential subdivision would have a far more significant visual impact than the proposed MHE given that the front or rear of each residential lot could be built up to the new public road and up to 2 storeys. This is a more intense built form up to the public road, as opposed to the proposed 3m setback to the sites with future single storey dwellings and dense landscaping and fencing to screen the MHE development.

It is considered that the sensitivity of the viewer on the public road being Browns Lane is low.

Manilla Road View:

Whilst passing by, the view then remains of the road itself and the wider verge and landscaped setback of the MHE to Manilla Road, including the stormwater basin. View of the two sites in this area or structures at this point is fleeting and hidden by fencing, and is the same for both directions.

It is considered that the sensitivity of the viewer on the public road on Manilla Road is low due to the limited exposure of built form at this viewpoint along with length of time and focus of the viewer, combined with the significant setback and treatment.

Rural & Other Dwellings:

Negligible impacts are envisaged on the other surrounding areas in the local setting given the retention of a large area of vegetation within the central area of the site as well as dense landscape screening around the boundaries. Given the large distances to the rural dwellings on the rural land and dwellings to the north and east on residential land, as well as proposed landscaping and C3 vegetation, which is being retained, the visual impacts from the MHE proposal are minimal.

Conclusion

In conclusion, the view from the public domain is largely of proposed landscaped setbacks.

The magnitude of scale of the MHE development is far less intense than nearby residential subdivisions and this reduced size and scale, combined with the high quality of the communal buildings and dwellings which are built on site, provides for an overall visual appearance of the development which reflects both the rural and residential



forms nearby. Montages of the proposed Community Facilities buildings and indicative dwellings have been prepared.

The development will change the current view from open grasslands, however, is doing so in accordance with a state policy and the dense mass of vegetation within the C3 zoned portion of the site remains on the site, which provides a vegetated backdrop for the MHE development. This backdrop of mature vegetation, combined with the new landscaped foreground and setbacks, significantly minimises the visual impact from the public domain.

c) Any relevant 'local character' statements for the town, village or locality.

Local Character Statement

Council does not have any 'local character' statements for the site or surrounds.

Previous strategic works includes the broader regional planning strategies which indicates a desire for Tamworth to be a bustling regional city, including housing.

Future Desired Character

The MHE component of the site is located within a diverse area with a mix of land uses. This area of Tamworth is undergoing a significant transformation and the character and land uses in this locality are becoming more varied in their nature and form. The design of the proposed development embraces the diversity of the emerging area whilst respecting the residential and rural uses adjoining, with a high level of building design, fencing and open space and landscaping to ensure minimal impact on the character of the locality.

The proposed MHE development satisfies this vision whilst respecting the natural environment by avoiding the C3 land and creating a vegetated corridor; dense landscaping along the entire frontage of the estate facing the public road; and having a landscaped entry to the estate.

The site is not identified as having scenic values, and no specific clauses have been applied to the site regarding scenic values, however consideration has been given to the wider view of the site from further afar as well as maintaining views of the distant mountains.

The greatest potential for impact has been identified from the proposed public roads for the frontage of the MHE development. It has been illustrated that there is limited exposure from the public domain and the interaction will be limited due to limited exposure of built form along with length of time and focus of the viewer, combined with the significant setback and treatment. The front setback to the public road with dense landscaping and solid decorative fencing and retention of the mature vegetation in the background is consistent with the wider area and is visually compatible. Importantly, the Planning Principle reiterates that the MHE does not need to be the same as other development, but rather be in harmony, which has been achieved through the design response.

The proposed development results in the creation of a sense of place which respects the surrounding natural features and built form to create an appropriate and unique character for the site.

In summary, the proposed development has had regard to the visual and privacy impacts for adjoining properties and from the public domain and included design responses to ensure the development satisfactory integrates into the area.

Impact on Sunlight Access

The proposed Clubhouse building is single storey in height and has been centrally located within the site with large areas of landscaping surrounding. Other buildings as part of this application are single storey and will have minimal impact upon solar access. Given the separation to existing and future adjoining dwellings including a landscape strip, there is not expected to be overshadowing impacts on future neighbouring projects. The size of the individual dwelling sites allows for good solar access to each site.

Micro-Climate Impacts

The proposal will not impact on micro-climates.

Noise, Water & Air Quality Impact

It is considered there will be no ongoing air or noise issues pertaining to the proposed development. Construction noise may be effectively mitigated against by conditioning hours of operation. The operation of the dwellings and community facilities are not restricted by hours of operation, but rather by standard noise criteria under the *Protection of the Environment Operations Act 1997*. The proposed separation of sites from the common boundaries, retention of vegetation combined with boundary fencing and the landscaped strip all assist in providing adequate separation between land uses.

The proposal is for low scale single dwellings within a gated community and surrounded by fencing and landscaping. The likely noise sources including communal facilities have been located centrally within the site and the proposed maintenance shed away from sites. As such, the proposal is acceptable in terms of noise impacts.

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.

During construction, some noise and vibration is likely to be created, however, construction activities will be short term and will only occur during those hours permitted by the Council and as represented in the development permit. The operational noise levels from the proposal will not be out character with the future intent of the precinct. The development has been designed (materials, setbacks etc) to minimise any impacts on existing residents of the area. It is considered there will be no ongoing air quality issues pertaining to the proposed development.

The stormwater design of the development has had regard to the environmental characteristics of the land. Refer to the accompanying technical engineering reports and plans which indicate that the proposal incorporates an appropriately managed and maintained stormwater management system that will maintain or improve the quality of stormwater discharged from the land. The proposed stormwater management infrastructure will effectively improve water quality before drainage from the site enters the public drainage system or nearby watercourses.

It is reasonable to determine that the downstream waterways will not be impacted upon detrimentally given the stormwater treatment on site and the SWMP stormwater modelling has been undertaken to demonstrate no net increasing quantity or quality will occur.

Given works are occurring within 40m of the watercourse, it is expected a Controlled Activity Approval will likely be required post consent and referral by Council as "Integrated Development".

The subject site is adjacent to existing urban areas to maximise the efficient use of infrastructure and services in the locality, including water, sewer, road, and waste services. The attached water and sewer servicing plan demonstrates suitable capacity to cater for the increase in densities.

In terms of noise, water and air quality impacts there are no impediments that would stop the development proceeding.

Soils

As previously assessed, the site is unlikely to include any contaminated soil (or other contaminating agents) based on the site's land use history and the site is suitable for the construction of the proposal. Disturbance to insitu soils on site will be minimised by undertaking all erosion and sediment control practices during construction in accordance with "NSW Department of Housing - Managing Urban Stormwater, Soils & Construction" 2004

(Blue Book). Post construction of residential development, all pervious surfaces will be vegetated by landscaping or turfing/grass seeding until established.

Environmentally Sustainable Development

The proposal incorporates passive solar design principles, which will allow for the dwelling to enjoy levels of thermal comfort and to minimise the reliance on mechanical ventilation, heating and cooling. BASIX Certificates are not required for the dwellings, as per the legislation for MHE.

Waste Management

Adequate dedicated waste storage and collection facilities to service the development are proposed. The development will provide appropriate best practice facilities for removal of waste through a private waste contractor at the Operators expense.

Heritage

The subject site is neither a heritage item nor located within a conservation area. Council's LEP maps do not indicate European heritage on the site or in the vicinity. An AHIMS search has not revealed aboriginal heritage on the site or within 50m of the site and a copy of the search forms an attachment to this report. In accordance with the NSW Office of Environment and Heritage's "*Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*" and flowchart in Section 8, no further investigation is required, and it is standard practice if any item of heritage significance is revealed during construction of the development works will cease immediately and the appropriate authorities will be contacted.

5.2 Assessment of the Site Suitability – Section 4.15 (1)(c)

Proximity to Services & Infrastructure

All services can be extended to the proposed development. The demands of the development on utility supplies are reasonable given the urban context and the availability and location of all required servicing. All installations will meet the requirements of Council, Australian Standards and the Building Code of Australia.

Discussions have been undertaken to ensure provision of water and sewer to the site and have been incorporated into the Concept Services Plan.

The application for a Manufactured Housing Estate is made under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. The Regulations state:

"28 Sewerage

(1) A manufactured home estate:

(a) must be connected to a main sewer, or

(b) must be provided with an alternative sewage disposal system as specified in the approval for the manufactured home estate.

(2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate.

(3) The sewage disposal system must comply with:

(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and

(b) the requirements of any relevant statutory body."

The site is serviced by sewer and will be extended for the development. Therefore, the Regulations are satisfied by way of the proposed sewer route. Refer to Concept Services Plan accompanying this application.

A Stormwater Management plan and associated assessment has been prepared to provide information on stormwater quality and quantity control and addresses the pre and post development scenarios for the development. A copy of the report accompanies this application. The proposed development includes a basin in the MHE common area.

Council can be satisfied that essential services are capable of being provided to the site. Telecommunications, electricity, reticulated sewer, and water supply is available to be extended to and within the subject site.

As the proposed development provides for the multiple residential occupation, all proposed manufactured homes and community facilities will need to have extension of services and infrastructure. It is proposed that the development seek approvals from Council to ensure connection to reticulated water supply and sewer services. A provision of a reticulated town water supply will be to provide a water supply that is also available for firefighting purposes and ensure availability of hydrant coverage to the proposed development for fire protection purposes as required under the NSW RFS Planning for Bushfire Protection 2019.

Where practicable within the MHE development, electrical transmission lines will be underground.

The Concept Services Plan accompanying this SEE has been updated and details the existing and new services proposed throughout the development and along the proposed public road.

Traffic, Parking & Access

Vehicular access is proposed to be provided to the main entry of the MHE development via existing Browns Lane. A new internal road system servicing the MHE development will connect with Browns Lane to the north and a secondary emergency access to Manilla Road.

The main entry road into the MHE complex will provide two-way movement of vehicles to and from the public road. Access to the proposed individual dwelling sites and community facilities will also be provided via several two-way movement of vehicles within internal access roads which will provide direct road frontage to each of the proposed MHE sites. The road system within the proposed MHE will function as a two-way pavement and will be constructed to normal private road standards with a through road design providing for alternative directions of travel.

Transport for NSW's preferred approach to traffic assessment rather than utilising a numerical comparison is to take an actual count of a similar development. The 'RMS Guide to Traffic Generating Developments', suggests review of a comparable development, stating "*Surveys of existing developments similar to the proposal, can also be undertaken and comparisons may be drawn*". Comparable MHE developments have been considered as part of this MHE application. Refer to Traffic Impact Assessment accompanying this application.

A Manufactured Housing Estate is not directly comparable with a residential subdivision given the low occupancy rate (likely 1-2 people per dwelling) and the use being separately defined and not being a detached dwelling. Therefore, the suggested rate of 3.6 trips per day per dwelling is appropriate for this development. The proposed development has a lower traffic generation than a standard residential development.

The community facilities will not attract additional traffic, as they are community facilities for use of the MHE patrons and any guests invited, not opened to the public for hire, so no additional traffic would be created. The provision of community facilities is required by the Regulations for MHE and in fact, reduce car usage given some facilities are provided on-site rather than requiring a trip off-site.

In terms of traffic generation, based on other MHE development applications, the road network has capacity to withstand the proposed Lifestyle Estate, based on actual traffic counts of a directly comparable development.

It is noted that our application uses 3.6 trips per day, based on the actual Ocean Club traffic count which is now being adopted for many MHE developments approved on the NSW mid to north coast over recent years. This is at the higher end of the traffic generation scale and well as the comment above with the usual range for MHE being between 0.2 to 0.34, which equates to 2 - 3.4 trips per day. In addition, traffic movements will be further reduced when public transport or the community bus is used.

Given the established traffic rate for manufactured housing state-wide, the need for road upgrading or improvements should be considered against the rate contained within the Traffic Impact Assessment of 3.6 trips per day, or lower.

The proposed development provides on-site resident and visitor car parking spaces more than the minimum parking requirements of the Regulations and meet Council's DCP requirements. Off-street parking spaces are capable of being accommodated on each dwelling site. The MHE is a private development under one ownership and appropriate road widths and pathway network has been proposed, connecting into the public system.

Regarding road upgrades, Section 94 (Direct) Contributions Plan – Hills Plain – Residential Development indicates that part of the site being Lot 349 DP 753848 on Browns Lane is subject of the Plan and is within the Hills Plain component of Tamworth Urban Area, as shown below in Figure 25. Table B2 of the plan (extract below in Figure 26) indicates R-207 in the vicinity of the site which within the table below indicates is “*Browns Lane upgrade from Moore Creek Road to Main Road 63*”, with Main Rd 63 assumed to be Manilla Rd. No details were publicly available with respect to the extent or design of upgrade works to Browns Lane.



TABLE B2: ROADS WORKS SCHEDULE										
Facility Ref. #	Locality	Description	Land Acquisition Area (m ²)	Land Acquisition Cost	Capital Cost	Total Facility Cost	Apportioned to New Development	Cost attributable to New Development	Cost attributable to Council/ Others	Priority / Timing / Threshold
R-101	Calala	Calala Lane Kerb & Gutter [K&G]	0	\$0	\$314,198	\$314,198	39%	\$121,395	\$192,803	2015
R-102	Calala	Campbell Road K&G	0	\$0	\$50,000	\$50,000	100%	\$50,000	\$0	2020
R-103	Calala	Calala Lane upgrade - pavement	0	\$0	\$1,500,000	\$1,500,000	100%	\$1,500,000	\$0	2021
R-104	Calala	Calala Lane upgrade – bridges	0	\$0	\$1,800,000	\$1,800,000	100%	\$1,800,000	\$0	2021
R-105	Calala	Roundabout at Campbell Road/Calala Lane intersection	0	\$0	\$800,000	\$800,000	100%	\$800,000	\$0	2021
R-201	Hills Plain	Forest Road Widening	0	\$0	\$1,260,000	\$1,260,000	34%	\$429,767	\$830,233	2013-2020
R-202	Hills Plain	Intersection treatment at Browns Lane & Moore Creek Road	0	\$0	\$800,000	\$800,000	34%	\$272,868	\$527,132	2018
R-203	Hills Plain	Intersection treatment at Tribe Street & Main Road 63	0	\$0	\$1,500,000	\$1,500,000	34%	\$511,628	\$988,372	2017
R-204	Hills Plain	Intersection Upgrade - Bournes Lane & Moore Creek Road	0	\$0	\$500,000	\$500,000	9%	\$42,636	\$457,364	2021
R-205	Hills Plain	Intersection Upgrade - Browns Lane & Main Road 63	0	\$0	\$500,000	\$500,000	34%	\$170,543	\$329,457	2021
R-206	Hills Plain	Browns Lane upgrade from Forest Road to Moore Creek Road	0	\$0	\$2,510,000	\$2,510,000	34%	\$856,124	\$1,653,876	2018
R-207	Hills Plain	Browns Lane upgrade from Moore Creek Road to Main Road 63	0	\$0	\$3,710,000	\$3,710,000	34%	\$1,265,426	\$2,444,574	2020

Figure 26: Extract – Section 94 (Direct) Contributions Plan - Table B2

However, the recent Tamworth Integrated Transport Plan adopted by Council 13 August 2024 includes the image below which clearly indicates active transport is not proposed along Browns Lane as part of any upgrade. It is reasonable to expect that Browns Lane will be upgraded to include kerb and gutter and a footpath, but note the concerns raised within the accompanying Traffic Impact Assessment regarding topography along the frontage of the site on Browns Lane.

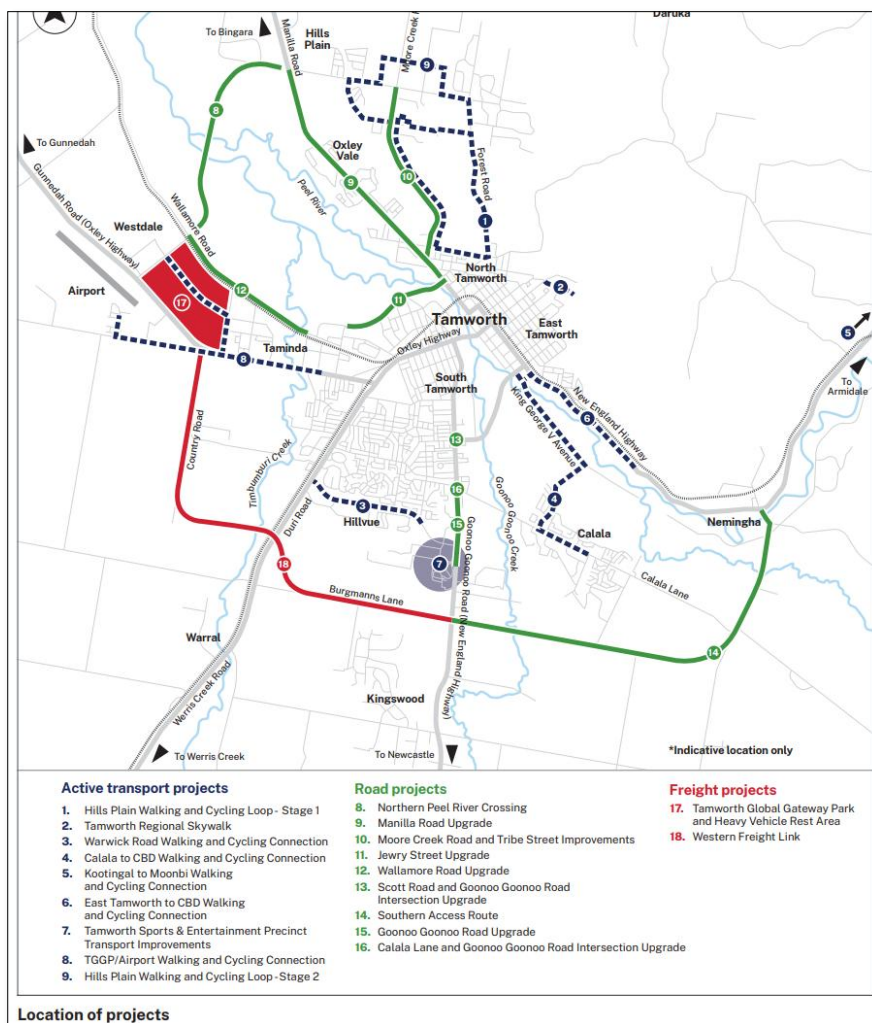


Figure 27 - Extract from Tamworth Integrated Transport Plan

Overall Suitability

The site is suitable for a Lifestyle Estate as it is in an existing and emerging residential area and will be developed on relatively cleared land with no unmanageable constraints which preclude the development. The MHE proposal is suitable for the subject land and provides additional housing stock. The proposal is a permissible land use and has been designed to complement the character of the locality. The proposed development is compatible with the future desired character of the surrounding area and the R1 zoning for housing.

There are a variety of land uses within the area and diversity in residential form, including large lots, standard residential lots, MHE and the area emerging is unlike other areas without large areas of standard low density residential lots only. There is a greater demand for alternative living arrangements and diversity of housing stock. The proposed development accommodates the growing demand for reasonably priced housing which offer social activities and lifestyle amenities.

The matter of competition between any existing MHE and this Lifestyle Resort is a commercial consideration and market driven and is not a consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Safety, Security & Crime Prevention

The principles specified under the “*Crime Prevention and the Assessment of Development Applications*” published by Department of Urban Affairs and Planning Guidelines are required to be considered under Section 4.15 of the *Environmental Planning and Assessment Act 1979* as amended.

Crime Prevention Through Environmental Design (CPTED) is the development of design principles within and surrounding a proposed development to assist in minimizing crime opportunities once the development has been completed. CPTED reduces crime opportunities by increasing the risk to offenders, increasing the effort required to commit crime, reducing opportunities for excuse making (e.g. spatial ambiguity is commonly used by burglars to justify trespassing) and reducing the likely rewards of criminal behaviour. There are four CPTED principals that must be considered to minimise crime which include Surveillance; Access Control; Territorial Reinforcement and Activity and Space Management. These main principals are addressed below.

The proposal ensures that principles of Crime Prevention Through Environmental Design is incorporated into the design with living zones facing the street, driveway and common open space to provide passive surveillance, building articulation to inhibit hiding or enclosed spaces, and landscaping to provide an attractive streetscape without compromising safety and security. The private road reserves are wide and allow for pedestrian linkages and ensure a feeling of openness and safety for the residents, and low glare lighting is to be incorporated throughout the Lifestyle Resort.

The proposed buildings and design of the dwellings will contribute positively to the street by providing a clear street address, direct access from the street via a centralised entry point and provide a direct outlook into the street. The MHE has entrance gates and has on-site management staff ensuring effective operations, management and maintenance of the site also providing safety and security. The main entrance to the MHE is secured by a gate. Fencing is proposed to ensure security for the residents; however, it will be designed to blend in with the locale and surrounded by landscaping.

The proposed dwellings are compatible in size and scale. The proposed development promotes modern design, providing a quality architecturally designed building design incorporating defined public and private areas. The proposed landscaping will soften the overall appearance of the buildings whilst defining private and public spaces.

The design of the community buildings and facilities, dwelling sites and walkways have been planned to exclude any potential areas that could foster criminal activities. The design of the development responds to the four main (CPTED) principles. The proposal establishes good opportunity for casual surveillance throughout the

development and within dwelling sites providing safety and security. There is also a clear delineation between public and private areas, and lighting is proposed for safety.

The dwelling designs allow for casual surveillance of the streets and pathways network. The proposed open space links and landscaping have been designed to be wider than normal to avoid areas of entrapment and are also subject to general observation by the adjoining dwellings. People feel safe in areas when they can see and interact with others allowing people to see what others are doing in public spaces. This helps in the deterrence of crime.

Lighting will be imperative to ensure effective evening and night surveillance and will be provided in the form of post top lighting along the pathway and at the entrance gate. Lighting design will ensure no spillage onto neighbouring properties. Natural surveillance is therefore being achieved along the route of the pathway as well as at the gated accessway into the development.

Access control is the restriction or attraction of movements of people out of and around developments. In the proposed design minimises opportunities for people to wander into areas where they are not encouraged to do so. The key/ card-controlled gate to the development is an effective access control which channels and controls permitted people into the development site. These various controls increase the time and effort required for criminals to commit crime activities. Access control is therefore being achieved within the site.

Territorial reinforcement relates to the clear distinction between public and private property using actual and symbolic boundary markers and environmental cues. Territorial reinforcement encourages community responsibility, identifies the use of a space, and distinguishes who should/ should not be within such space. The proposed design incorporates boundary fences, gated pedestrian entry and 'private property' signage which clearly defines who utilises the space. This provides a clear distinction between private and public property. Territorial reinforcement is therefore achieved.

Space management ensures that the area is appropriately utilised and well maintained to maximise security and community safety. It involves the formal control and care of the development. The proposed design shall be maintained by the management of the proposed MHE development. This will involve regular mowing, weeding of garden beds, under pruning of canopy trees and pruning of shrubs as required. Any damage to lighting, fences and gates shall be repaired by the MHE management team. By ensuring a well-maintained pathway area will encourage greater and more effective use. This in turn helps to avoid anti-social or bad behaviour. Space management is therefore being achieved by the future management of the proposed development.

The proposed development will be accessible from the public domain via pathways and if a resident of the dwelling has special needs, their homes will be constructed to cater for them. The dwellings will have clearly articulated entries to provide a welcoming and secure environment for residents and their guests.

The proposal also included common areas and shared facilities in the form of open space. These common areas and shared facilities may be facilitated by management for the entire development. Residents residing within the dwellings have chosen to do so for the peaceful environmental attributes of the site and location.

The CPTED principles are incorporated within the proposed development.

Social and Economic Impacts

The proposed development will provide alternative housing stock for people who wish to downsize from their existing home or relocate to Tamworth. Throughout Australia proportionately more people aged 50 years and over live in small towns than major cities. The improved roads allow for travel safety and reduced travel times and makes Tamworth more accessible and more attractive to those looking for a tree change. The proposed development meets this market demand.

Tamworth provides a vast range of community and government facilities/services for all ranges of ages, and the proposed development will have access to a variety of commercial and community services and facilities. It is expected that all the existing community and government services would have capacity to service the needs of the residents. An audit of current services and facilities located within the Tamworth area is not deemed necessary for the proposed development. Tamworth is an urban township which is serviced by a large range of retail, commercial and community services. The more people in the area will increase retail and economic demand and the flow on effect expected to contribute to Tamworth and surrounds.

The proposed development will create a positive economic effect on the local community. The subject site is ideally located to ensure residents have easy access to existing services and facilities within 15 minutes.

Diversity in housing prices is an important part of community infrastructure that supports community wellbeing and social and economic sustainability, strong and inclusive communities, including supporting a diverse labour market and economy. The nature of the development will encourage social cohesion amongst residents of the development. The demographics of the residents will result in similar characteristics – these could include age, income, life experiences and education. It is also envisaged that the residents will assimilate with their peers and other residents currently residing in the immediate and surrounding area.

There is a greater demand for alternative living arrangements and diversity of housing stock and various sized dwellings and bedroom mixes. The proposed development is designed to accommodate residents choosing a certain lifestyle which has a lower level of maintenance with shared facilities rather than being single dwellings with its own backyard. Benefits can include the unit that is easily maintained, in a private and secure environment with people of a similar life stage. Manufactured homes built on site also increases the opportunity for residents to age in place, remaining in their homes longer. The proposed development is not expected to create a negative impact on the neighbourhood character or identity given its consistency for the planning of the area and mix of housing types in existence.

The development will have a positive social and economic impacts, with increased job opportunities during construction and provision of affordable housing for the area with the associated positive impact for businesses from the new residents. The location of the edge of the existing residential allows the existing services and facilities to be available to the future residents. The development will provide housing stock at an affordable pricing point and provides a variety and choice of housing stock.

According to NSW Treasury Economic Update (September 2013),

“NSW Treasury estimates that for every \$1 million spent on extra residential construction, a possible \$2.5 million would be generated in the overall economy. The spending would give rise to an additional three full-time jobs in the construction industry and a total of eight full-time jobs in the overall economy.”

The total construction cost of the proposed development, being the roads, enabling infrastructure, community facilities and homes is estimated to be approximately \$14.88 million. Using the information provided by NSW Treasury the proposed development will generate \$37.2 million to the overall economy. In addition, full-time construction jobs and flow on jobs in the overall economy will be created. The proposed MHE therefore has a positive economic and social benefit to the community of Tamworth and the region.

The proposed development will be complimentary to the neighbourhood, the exterior appearance of the buildings will be maintained in an excellent condition. The new MHE dwelling sites, comprehensive landscaping and pathway network and community facilities will create and strengthen the sense of place and community by providing a high-quality residential environment with key pieces of social infrastructure. The layout of the proposed development and design of the community facilities has been prepared to afford both privacy for individual dwelling sites, and accessibility for residents to the community infrastructure.

Each dwelling allows the resident to have their own private open space as well as access to communal areas providing residents with options to suit their individual circumstances and feel a sense of belonging. The community facilities likely include the Clubhouse with library, gym, meeting rooms, craft area, games area and dining area, as well as other facilities including a swimming pool and bowling green. The perimeter of the site includes substantial landscaped buffers and pedestrian connections throughout the development and to the street.

The orientation and layout of the proposed dwelling sites provides natural surveillance and visibility in public areas by reducing areas that people could hide or where criminal activity could take place. Internal roads and common areas will be provided with adequate lighting, streets will have clear lines of sight and the proposed landscaping reduces areas where people could hide. The proposed development will provide both residential and visitor parking. The proposed lifestyle village will be controlled throughout its operational hours and made safe by on site management and casual surveillance.

The subject site is located within a bush fire prone area. The proposed development will comply with the principles of *“Planning for Bush Fire Protection 2019”*.

The proposed development meets *‘Neighbourhood Planning Principle’* as public transport and social infrastructure are already in place within 5km of the development and can reasonably accommodate the needs of the proposed development.

Net Benefit is defined as *“having an overall positive impact on relevant communities”*. This social impact comment has identified several areas in which the proposed development has an overall positive impact on the wider Tamworth area.

The proposed development is deemed appropriate with respect to relevant social planning issues as follows:

- It is envisaged that the residents will assimilate with their fellow residents and the general population.
- Positive community cohesion between all Tamworth residents can be achieved.
- It is unlikely that the proposed development will result in any significant increase of crime activity but could potentially contribute towards the greater security and crime prevention in the area.
- While measures can be implemented to promote a safe environment for residents, residents must also be responsible in ensuring they act in a responsible and safe manner at all times.
- There is a genuine need for ‘reasonably priced’ housing within Tamworth Council area.
- The proposed development is not expected to decrease housing prices within the area.
- Integration between residents within the development is expected to be positive.
- The proposed development will create a positive economic effect on the local community.
- The proposed development will have access to water, sewer, electricity, internet and telephone services.
- Local commercial businesses have the capacity to service the proposed development.
- Diversity of housing stock will be achieved through the proposed development, with a mix of dwelling sizes and bedroom numbers.
- The development site is within close proximity to commercial, community, public transport recreation and environmental areas.
- Enrichment of the local community by supporting a diversity of population.

It is concluded that the proposed development will not have unreasonable/ negative social impacts in the locality and the net benefit to the community in allowing new residential development is the key contribution to provision of a liveable community.

It is anticipated that residents of the development will be able to access public bus services on Manilla Road.

Sewer, water, electricity and phone services will be made available to all sites. The existing service providers will be able to provide these services and design will be determined in consultation with authorities.

Every effort has been made to restrict negative impacts on the environment. Recommendations of the Biodiversity Assessment Report have been taken into consideration in the design features of the proposed development. The planning which occurred for the area by Council identifies this site and surrounds for residential development. The state planning controls allow Manufactured Housing Estates. Whilst some trees will be removed to accommodate the proposed development, replanting is to occur, and any loss to the environment, potentially to lifestyle and outlook is expected to be minimal.

It was considered that negative impacts associated with the proposed development can be mitigated as part of the development application design and assessment process, as well as through appropriate ongoing site management and as part of a refinement of certain aspects of the site design.

The following mitigation measures are recommended or have been implemented to reduce the potential negative impacts and maximise the potential benefits and suitability of the proposed development:

- Finalisation of a Plan of Management prior to operation of the Lifestyle Estate & copy to all residents as part of a welcome pack. A Draft POM has been prepared and will be finalised prior to commencement of operations and reviewed annually.
- Development of a Landscape Plan for the Lifestyle Estate, with plantings which encourage screening along boundaries within setback areas. A Concept Landscape Plan has been prepared and accompanies this application.
- The front vehicular access gate / boom gate being set back within the development to allow access to the reception to facilitate site access by visitors, service providers and the like and to ensure a welcoming entrance to the site is provided.
- Provide a pedestrian connection for the residents of the Lifestyle Estate to the nearby areas via the public roads.
- A community bus could be provided by the Operator.
- Provision of a Noticeboard within Reception or Clubhouse to alert residents to local events and activities.
- The entrance to the Lifestyle Estate will be provided with low glare security lighting after dark and the overall site will contain low glare lighting to increase security and reduce opportunities for crime.

Overall, any potential negative impacts of the proposed development can be successfully managed with the implementation of the above mitigation measures. As such, the proposal will have a positive social and economic impact and the provision of 218 manufactured home sites within the proposed Lifestyle Resort and is consistent with affordable housing principles.

5.3 Submissions made in accordance with the Act or Regulations - Section 4.15 (1)(d)

Tamworth Regional Council is the Consent authority and will consider any submissions received in response to the public exhibition of the proposed development after lodgement of the Development Application. Following the notification period, a review of submissions can be undertaken.

5.4 The Public Interest - Section 4.15 (1)(e)

It is considered there are no matters of public interest pertaining to the proposal which will limit the orderly and efficient use of land within the area which has been zoned for residential and urban uses. The proposal provides an opportunity for more choice of housing in the market. The development of the site will improve the supply of housing in the Tamworth Council region, in accordance with the regional strategies.

The proposal will accommodate the needs of an aging population and supports a high standard of living for future residents and provides for more choice of housing in the market. The development of the site will improve the supply of housing in the region, in accordance with the regional strategies. The proposal is considered within the public interest as it will assist with housing shortage issues and housing targets because of increasing populations in the locality.

A variety of site sizes are proposed which can accommodate various dwelling typologies to meet market demands. Overall, the proposal provides positive social, economic, and environmental outcomes that will positively contribute to Tamworth. All environmental impacts can be sufficiently mitigated to minimise disturbance to surrounding land uses. The proposal is therefore considered to be in the general interest of the public and will not conflict with the character or amenity of the surrounding region. The proposed development is ideally located close to local services, and community facilities in Tamworth, as well as benefiting from those on-site.

The proposed housing form is proposed to accommodate market demands from a particular sector of the market. Overall, the proposal provides positive social, economic, and environmental outcomes that will positively contribute to Tamworth and the overall region.

There are no known Federal and/or State Government policy statements and/or strategies other than those discussed in this report that are of relevance to this development proposal. There are no guidelines issued by the Secretary which are relevant to the proposed development. The proposed development is unlikely to result in any adverse social or economic effects in the locality. The proposal has been designed to respect the surrounding built form and amenity of residents.

It is considered the proposal is in the public interest and of benefit to both Tamworth and the wider region.

6. CONCLUSION

This application has been considered against the relevant provisions of the Section 4.15 of the Environmental Planning and Assessment Act, 1979 including relevant State Environmental Planning Policies and Tamworth Regional LEP 2010 and the proposed development is consistent with legislation and Council's controls including the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

The subject site is currently zoned R1 General Residential, RU4 Primary Production Small Lots and C3 Environmental Management under Tamworth Regional LEP 2010.

The proposed MHE is permissible on the site in accordance with Housing SEPP 2021.

The subject site is located on the edge of a developing residential area and within an area identified within strategies for further growth, which is emerging on the northern part of Tamworth in accordance with the local and regional strategies. The proposed development layout is in keeping with the existing and desired residential character of the area and the site constraints have been resolved within the design. The likely impacts have been considered and found to be satisfactory and the site is suitable for the proposed development and the proposal is in the public interest. On balance, a good planning outcome has been achieved. No unmanageable issues were identified in relation to transport, visual and acoustic privacy, heritage, flooding, bushfire, flora and fauna or the provision of utilities. The development is proposed on the cleared or disturbed portion of site, in an area zoned for residential purposes. All services and infrastructure are readily capable of being extended to the site.

The comprehensive assessment undertaken has found the following:

- The layout and design of the proposal responds to the site conditions, taking into consideration the site topography/ height limits, the current and future character and scale of the surrounding residential area and environmental constraints. The resulting development is considered to be orderly and does not result in harm to the environment.
- The proposal includes landscape provisions to enhance the visual amenity of the site and integrate the proposed development into the site and surrounding area.
- The development will contribute positively to the quality of life of its occupants, by rationalising the existing living spaces - providing improved amenity and visual quality to the occupants, whilst meeting the requirements of the contributory item objectives.
- The proposed development of the site has been assessed and informed by a team of specialist consultants including Architecture, Building Code Australia, Bushfire, Traffic, Civil Engineering, Landscaping and Town Planning advice. The supporting reports and plans are included with the application and conclude the proposal is appropriate for the site.

On this basis, it is considered that the proposal is consistent with the relevant objectives and provisions of applicable planning instruments and suitable for the site and will have minimal negative impact. It is submitted that the site is suitable for the proposed development and that the development, which will deliver a contemporary high-quality residential lifestyle community for an aging population and is in the public interest.

For all the above reasons, in our opinion, the proposal is an appropriate development for the subject site, and we seek Council's support for this application.

7. ATTACHMENTS

- A. DA Plan Set**
- B. Architectural Plan Set**
- C. Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 Compliance Table**
- D. Section 82 Objection**
- E. Draft Plan of Management**
- F. Bushfire Assessment Report**
- G. Biodiversity Assessment Report**
- H. Contamination Assessment Report**
- I. Traffic Impact Assessment**
- J. Stormwater Management Plan**
- K. AHIMS**