



Manufactured Home Estate & Nine (9) Lot Torrens Title Subdivision

Lot 212 DP1307464, Beer Road, Moama 2731

DECEMBER 2024

Submitted to Murray River Council

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PROJECT NUMBER
23109

| REVISION NO | ISSUE DATE | VERSION STATUS | AUTHOR | APPROVED |
|-------------|------------|----------------|--------|----------|
| 3.0 | 18/10/2024 | Draft Issue | BM | CM |
| 4.0 | 31/10/2024 | Final Issue | BM | DH |
| 5.0 | 20/12/2024 | Revised Issue | BM | DH |

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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of The Range Moama Project Pty Ltd and Swedzah Pty Ltd, Lincoln Place IM Pty Ltd and R & M Perry Pty Ltd and is submitted to Murray River Council in support of a Development Application (DA) for the proposed nine (9) lot Torrens title subdivision of Lot 212 DP1307464 presently addressed as Beer Road Moama 2731, and the enabling infrastructure works to support the later establishment of the proposed new manufactured housing estate - a residential lifestyle village referred as *Moama Lifestyle Estate*.

The DA and this report have been prepared in accordance with the Environmental Planning and Assessment Act 1979 ("EP&A Act") and the Environmental Planning and Assessment Regulation 2021 ("EP&A Regs").

This report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It also describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.1. Background

This application follows the rezoning of the land from RU1 Primary Production (RU1) to R1 - General Residential (R1), and its subsequent staged subdivision of land to create the new residential estate known as The Range.

Development of The Range has been enabled by DA 10.2019.284.3, which was approved by Council in 2020. The consent has been modified several times to reflect minor changes to the lot layout. Construction of The Range has progressed, with multiple stages of development being released to date, including the creation of Lot 212 DP1307464, being the section of land subject to this proposal.

The previous development consent for subdivision is characterised as standard-scale residential development to be developed in stages. Stages 6, 7, and 8 are currently under construction and Stage 9, 10, and 11 are proposed to be delivered in later works. Stages 12 and 13 of The Range relate to the land that is the subject of this application.

1.2. Supporting Plans and Documentation

This application is accompanied by the following plans and documents, appended to this SEE Report.

Table 1 | Document List

| No. | Document Name | Prepared by |
|-----|--|----------------------|
| A | Title Details | Habitat Planning |
| B | ASIC Extract | Habitat Planning |
| C | Cost Summary Report | DrawDown Partners |
| D | Proposed Subdivision Engineering Plans | Development Outcomes |

| | | |
|----------|------------------------------------|----------------------|
| E | Drainage Calculation & Plan Detail | Development Outcomes |
| F | Drainage Strategy Advice | Water Technology |
| G | Traffic Impact Assessment | TrafficWorks |
| H | Subdivision Plan | Development Outcomes |
| I | Proposed unit site designs | Lincoln Place |
| J | SEPP Compliance Tables | Habitat Planning |
| K | DCP Compliance Tables | Habitat Planning |

2. Site Analysis

2.1. Site Location and Context

The land is legally described as Lot 212 DP1307464. It is known by its address as Beer Road, Moama 2731. The development site is located approx. 3 kilometres northwest of the Moama CBD.

The context map at **Figure 1** below identifies the location of the development site in proximity to the Moama township.

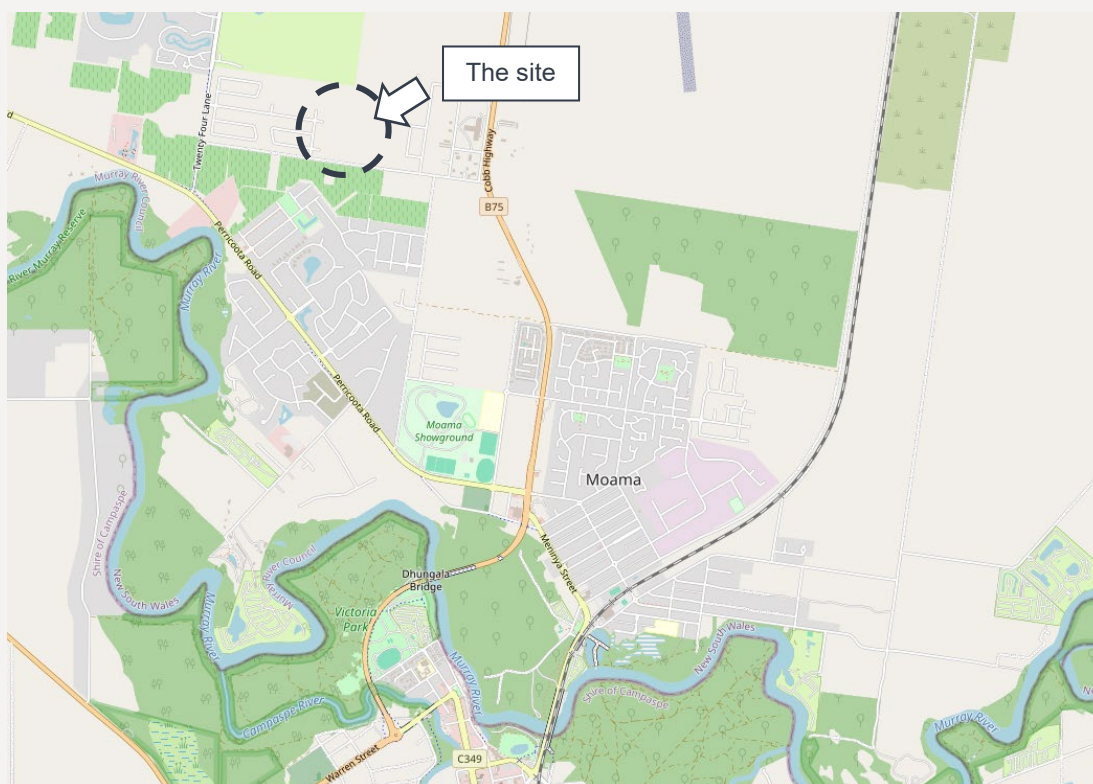


Figure 1: Context Map

The aerial locality map at **Figure 2** shows the surrounding land uses to be low impact agricultural and new residential development of a similar impact and scale.



Figure 2: Locality map

2.2. Site Description

The proposed development forms part of The Range residential development, which is a new residential subdivision which was approved via DA 10.2019.284.3.

The section of land subject to this DA has remained undeveloped as the earlier stages have progressed through Stages 1 – 5 adjacent to Twenty Four Lane which are now well-established to the west of the site. Table 1 below summarises a description of the existing conditions of the site and surrounds.

Table 2 | Site Description

| Site feature | Description |
|--------------|--|
| Vegetation | Largely devoid of trees and other vegetation but for grass groundcover and regrowth. |
| Site history | Agricultural cropping and grazing in previous decades. The recent history of the site has involved minimal agricultural activity |
| Soil quality | Soil condition of the land is under comment in the accompanying soil contamination report – no constraint to development. |

| Site feature | Description |
|----------------------|---|
| Drainage | <p>A shallow natural drainage depression traverses the western portion of development site adjoining the neighbouring golf course at the northern perimeter boundary toward an extant patch of Grey box eucalypt trees captured by wetland on the adjacent property. The northern portion of this drainage corridor is now under construction as wetlands and forms an integral nature-based element of the overall proposed stormwater system.</p> <p>No existing infrastructure. Proposed development will connect into approved drainage system in Stage 6 & 7 once constructed.</p> |
| Street frontage | <p>Beer Road is an east west oriented local road forming the southern property boundary of the site. It has no direct access to development site currently approved and under construction part of Stage 7.</p> |
| Legal access | <p>A new road connection into the Stage 7 development area was previously approved on DA 10.2019.284.3 and would ultimately provide a traffic network connection to the proposed manufactured home estate.</p> <p>The subject site would then be provided direct legal access via two proposed new roads - The Range Boulevard northern road entering the site via Stage 6 and Lorikeet Circuit southern road to enter the site via Stage 7.</p> |
| Easement | <p>Though the estate development area itself does not accommodate any legal easement, covenant, or restriction to use of land, the relevant 88B does list a couple of easements present on Lot 212, adjacent to the property boundary to established Lot 97. These are:</p> <ul style="list-style-type: none"> • Easement for underground powerlines 2 wide, [M] on plan, • Easement for multi-purpose electrical installation 4.2 wide, [F] on plan. <p>These easements do not encroach the proposed development area. It is noted that the creation of several new easements will be necessary over the adjacent Stage 6 & 7 land currently under construction as earlier stages of the subdivision. Detailed comment cannot be made on these proposed easements, but subdivision plans do not suggest any building works shall occur within any proposed new easement within the development site or on adjacent land.</p> |
| Surrounding land use | <p>The broader locality is undergoing significant change as former agricultural land uses are converted to allow for new residential development. Nearby land uses are also changing or intensifying residential activity with a large volume of land to the north west of Moama similarly zoned for upcoming residential development.</p> |

| Site feature | Description |
|-------------------|---|
| Adjacent land use | <p>Land immediately to the north of The Range is The Rich River Golf Club and course, which is separated from the site and is buffered by a vegetation screening along this boundary edge on the golf course side. The land immediately adjacent to the west is approved for subdivision development as part of <i>The Range</i> land release and is variously progressing at different stages of construction.</p> <p>Land beyond Beer Road at the southern boundary is characterised as ongoing agricultural activity, though does not create at immediate interface with the subject proposal, due its separation from the development area by road reserve. The unit sites along the southern boundary are solely inward facing, and the entire external perimeter of the development area is proposed with a landscape buffer to further minimise negative impacts due to any conflict in land use. The below Figure 3 aerial image depicts the site locality.</p> |

The greater site is undergoing rapid transition as residential activity is introduced to the land, as depicted in aerial image below Figure 3.



Figure 3 Aerial locality (Source: Nearmap 2024)

3. Description of Proposal

3.1. Overview

The proposal seeks approval for:

- Nine (9) Lot Torrens Title subdivision; and
- Development of a Manufactured Homes Estate, comprising earthworks, civil works and landscaping to enable future construction of individual dwellings .

The development is to occur within The Range residential subdivision, and specifically within the area previously approved as Stage 12 and Stage 13 of the earlier DA 10.2019.284.3.

3.2. Subdivision

The proposal seeks to further subdivide existing Lot 212 into nine (9) lots. The subdivision will create two lots (proposed Lot 1 and Lot 601) which will form the manufactured homes estate site, and seven lots (Proposed Lots 602 to 608) which will address Wattlebird Way and Honeyeater Street as standard residential lots within The Range development.

Lot 1 and Lot 601 will be developed for the manufactured homes estate and Lots 602 to 608 will be sold for separate development of residential accommodation by others.

The proposed subdivision plan is attached.

3.3. Manufactured Homes Estate

The proposal seeks approval for a manufactured homes estate and construction of enabling establishment and civil works and that will facilitate the subsequent development of individual homes on the identified sites. Proposed homes will be sought under subsequent approvals.

It is intended to subdivide the manufactured homes estate for lease purposes with each dwelling site forming a separate lot. Leasing of sites will be undertaken under the provisions of the Residential (Land Lease) Communities Act 2013.

The manufactured homes estate is to be developed in six (6) stages, commencing from the central portion of the development area, then progressing south towards Beer Road and finally towards the north.

| Stage | Proposed works |
|-------------------------------|---|
| Stage 1 (Shown as 12A) | Entry from The Range Boulevard, road and civil works, 47 dwelling sites, community centre and landscaping |
| Stage 2 (Shown as 12B) | Road and civil works, 42 dwelling sites and landscaping |
| Stage 3 (Shown as 12C) | Road and civil works, 42 sites and landscaping |
| Stage 4 (Shown as 12D) | Road and civil works, 14 sites and landscaping |

| | |
|-------------------------------|--|
| Stage 5 (Shown as 13A) | Road and civil works, 26 sites and landscaping |
| Stage 6 (Shown as 13B) | Road and civil works, 26 sites and landscaping |

3.4. Infrastructure and Services

Civil works and enabling infrastructure will be provided within the development as per the proposed plans provided. Services are to be installed within the proposed road corridors, including water, reticulated sewer and drainage, with these services connecting to existing provisions surrounding the site.

3.5. Access

The proposal will include an internal private road network, linking with The Range Boulevard and Wattlebird Avenue to the west and future development to the east. Each dwelling site will obtain access to the proposed internal street network of roads. The roads will be sealed with kerb and gutter consistent with the existing developed areas and will enable turning by appropriately sized service vehicles.

A series of footpaths within landscaped strips are proposed throughout the development.

3.6. Landscaping

Landscaping plans, enclosed indicate open space and green space oriented to pedestrian network; Units abutting adjacent agricultural land to the east are separated by a landscaped buffer of 8.0 metres width which extends along the eastern boundary. Each site will also be provided with a deep soil zone reserved for local plantings in the front and rear of the unit sites;

3.7. Operational Summary

This section details the operational matters of the proposed manufactured home estate development. The proposal includes a sales office and community centre as social/commercial operations of the proposal and a maintenance yard for general services. These operational matters are outlined below in Table 3.

Table 3 | Operational requirements of the proposed new use.

| Operational Matters | Operational Detail |
|---------------------------|---|
| Days & hours of operation | Sales office: Business hours 9:00am – 5:30pm weekday |
| Staff/Employees | 2 – 5 staff is sales office 1 – 2 maintenance staff |
| Deliveries | Central post / mail box located close to community centre |
| Loading/Unloading | Unit sites provided suitable loading/unloading zones |

| Operational Matters | Operational Detail |
|---------------------|---|
| Storage | No external storage proposed to any unit. Maintenance yard to accommodate work shed. |
| Waste management | Ordinary scheduled Council collection to kerb service. |

4. Planning Assessment

Under Section 4.15(1) of the EP&A Act when considering an application for development, the consent authority must take into consideration the relevant environmental planning instruments. This section details and responds to the relevant planning framework applicable to the proposal.

4.1. Applicable Environmental Planning Policies, Instruments and Controls

- Murray River Local Housing Strategy 2023
- Murray River Local Strategic Planning Statement 2020-2040
- Moama Mid-West Drainage Strategy 2019
- Echuca Moama Torrumbarry Flood Study Project
- Murray River Strategic Land Use Plan 2010-2030
- Riverina Murray Regional Plan 2041
- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Housing) 2021 Chapter 3 – Diverse Housing, Part 8 Manufactured homes
- State Environmental Planning Policy (Resilience & Hazards) 2021 Chapter 4 – Remediation of Land
- State Environmental Planning Policy (Transport & Infrastructure) 2021 Chapter 2 – Infrastructure
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 5 River Murray lands
- Murray Local Environmental Plan 2011
- Murray Development Control Plan 2012

Compliance with the applicable legislation and policies is discussed below.

4.2. Strategic Planning Policies

Table 5 below summaries an assessment of the proposal against the relevant local and State Strategic Planning Policies

Table 4 | Strategic Planning Policies

| Murray River Council Planning and building strategies | |
|---|---|
| Strategy | Comment |
| Murray River Local Housing Strategy 2023 | The <i>Murray River Local Housing Strategy</i> outlines the predicted demand for housing and directs the selection of land for housing growth for Moama. The subject land is identified within the Draft Urban Growth Boundary for Moama and forming part of the northwestern residential growth corridor – the proposal offers a site-responsive and context-appropriate use of land to address heightened demand and expands opportunities to provide blocks for sale as identified as a need in this Strategy. |

| Murray River Council Planning and building strategies | |
|---|---|
| Murray River Local Strategic Planning Statement 2020-2040 | The <i>Murray River Council Local Strategic Planning Statement</i> rationale for housing supply hinges on the town's growing and ageing population. The abovementioned housing strategy is seeded in the LSPS, where provision of a <i>suitable variety of housing for an aging population</i> is raised as the basis for the increasing interest in providing aged care and retirement communities in Moama. The proposed development directly addresses this identified need. |
| Moama Mid-West Drainage Strategy 2019 | <p>The subject land is identified at the northwestern extent of the Moama Mid-west study area forming the <i>Moama Mid-West Drainage Strategy</i>. The development area is directed by the <i>Moama Mid-West Drainage Strategy 2019</i>. The strategy was produced to ensure new peak flow patterns and volumes introduced by the unprecedented growth underway in this new residential development area. Under the strategy, the land is identified as <i>North of Beer Road (sub-catchment 1)</i> collecting golf course and local drainage. Local flows are captured by the proposed and constructed vegetated swales, and constructed wetlands for temporary storage, reuse and ecosystem services.</p> <p>The entirety of <i>The Range</i> residential development is included within the Moama Mid-West study area. As there was no existing formal infrastructure within the development area, new drainage infrastructure has been planned for and is underway throughout the overall subdivision development site. The system is designed to distribute inter-allotment stormwater over the entire development area and discharging to the proposed drainage reserve nominated as part of its open space provisions within the subdivision.</p> <p>The system is support by <i>the Final Report – Drainage Strategy Advice supplied by Water Technology</i>, which provides hydrological and water quality modelling to ensure the drainage design meets the intent of the <i>Moama Mid-West Drainage Strategy 2019</i>. The report concludes:</p> <p><i>The modelling, both for stormwater quality and quantity management, showed that there is ample space within the proposed central reserve to cater for the required drainage assets. These assets will ensure that the objectives of the Moama Mid-West Drainage Strategy are met, if not exceeded, at the subject site.</i></p> <p>Further, Development Outcomes produced a development-wide series of drainage plans aligned with the internal street network, corresponding to a planned catchment detail and a series of drainage calculations and data. Therefore, these calculations are included as supporting documentation to assist with Council's understanding of the overland conveyance of stormwater to the proposed series of channels and lagoons at various stages of construction in the overall drainage system of the development area.</p> |
| Echuca Moama Torrumbarry Flood Study Project (Completion date 31 December 2024) | The subject land is modelled on the Echuca-Moama-Torrumbarray Flood Study as flood-affected when Modelled 0.2% AEP Flood Depth. Further, the depth during such a flood event is less than 0.15m. It is noted that the Echuca Moama Torrumbarry Flood Study includes only a riverine flood model. It is anticipated that an overland flow (MOFFS) model should be made available to assess the impact of overland stormwater flows. |

| Murray River Council Planning and building strategies | |
|---|---|
| Murray River Strategic Land Use Plan 2010-2030 | <p>The <i>Murray Shire Strategic Land Use Plan 2010-2030</i> (Strategic Land Use Plan) seeks to guide the future development and use of land within the Shire for the next 20 years and beyond. The Plan points to land in West Moama as undergoing the most residential development in recent years and sets the expectation for greater proportion of growth in this area. The subject land is specifically identified as part of Future Residential – Stage 2 under the <i>Preferred sequence for release plans</i> in the <i>Plan</i>:</p> <p><i>“The area between Perricoota Road and Cobb Highway is preferred exclusively in the SLUP for residential development”</i></p> <p>Both subdivision of land for standard residential purposes, and the proposed manufactured home estate developments correspond with key directives of the Plan.</p> |
| Riverina Murray Regional Plan 2041 | <p>Delivery of housing at higher densities is reflected in the <i>Riverina Murray Regional Plan 2041</i>. The Plan recognises building at higher residential densities and providing diverse housing, namely manufactured homes, options as tenets to delivery of housing in the sub-region. The proposed development directly responds to Objectives 6 & 7 of the Plan by creating higher density housing connected to services. The Plan suggests there are economic benefits to contributing housing to the areas surrounding regional cities.</p> |
| Urban Design for Regional NSW | <p><i>Project Type 4 Greenfield development</i></p> <p>Considering the connections between the proposed new neighbourhood and existing areas and activities, and areas currently under development, and the proximity/interface of the proposed development with ongoing agricultural land uses.</p> <p>Connecting the internal road layout of the estate area with the overall pedestrian and vehicle networks of streets and pathways in the establishing neighbourhood and that of the existing streets and pathways in the surrounding area.</p> <p>Providing a network of new open space with different qualities and functions to meet the needs of future residents.</p> <p>Connecting shops, public facilities, and public transport stops to surrounding areas with direct routes for walking and cycling.</p> <p><i>Project Type 3 Infill development</i></p> <p>Creating connections that improve access for pedestrians and cyclists, with new or embellished open space and improved connections for walking and cycling.</p> <p>Providing a diversity of housing types and tenures, appropriate to the location, supporting different household configurations.</p> |

4.3. Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.”

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 5 of this Statement of Environmental Effects.

4.3.1. Division 4.8 – Integrated Development

The application has not been identified as Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

Integrated development is development that, in order to be carried out, requires development consent and one or more of the following approvals. The table below shows the assessment of the site against section 4.46 of the EP&A Act 1979.

Table 5 | Applicable Integrated Development

| Consideration of S4.46 of the EP&A Act 1979 | | |
|---|---|--|
| Act | Approval | Comment |
| Coal Mine Subsidence | <i>Approval to alter or erect improvements, or to subdivide</i> | Not Applicable, proposal does not meet criteria for consideration as |

| | | |
|---|---|---|
| Compensation Act 2017 | <i>land, within a mine subsidence district.</i> | integrated development under this Act. |
| Fisheries Management Act 1994 | <i>Aquaculture permit</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| | <i>Permit to carry out dredging or reclamation work</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| | <i>Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of an such land or lease</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| | <i>Permit to:</i> <i>(a) set a net, netting or other material, or</i> <i>(b) construct or alter a dam, floodgate, causeway or weir, or</i> <i>(c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| Heritage Act 1977 | <i>Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| Mining Act 1992 | <i>Grant of mining lease</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| National Parks and Wildlife Act 1974 | <i>Grant of Aboriginal heritage impact permit</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| Petroleum (Onshore) Act 1991 | <i>Grant of production lease</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| Protections of the Environment Operations Act 1997 | <i>Environment protection licence to authorise carrying out of scheduled development work at any premises.</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |

| | | |
|----------------------------------|--|---|
| | <i>Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a “waste activity” but including any activity described as a “waste facility”).</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| | <i>Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section. |
| Roads Act 1993 | <p><i>Consent to:</i></p> <p><i>(a) erect a structure or carry out a work in, on or over a public road, or</i></p> <p><i>(b) dig up or disturb the surface of a public road, or</i></p> <p><i>(c) remove or interfere with a structure, work or tree on a public road, or</i></p> <p><i>(d) pump water into a public road from any land adjoining the road, or</i></p> <p><i>(e) connect a road (whether public or private) to a classified road</i></p> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| Rural Fires Act 1997 | <i>Authorisation under section 100b in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |
| Water Management Act 2000 | <i>Water use approval, water management work approval or activity approval under part 3 of chapter 3</i> | Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act. |

4.4. Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2021

The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (“the Regulations”) apply to the operation of manufactured home estates, and the installation of manufactured homes in manufactured home estates. The objectives of this Regulation is to provide affordable residential accommodation alternatives and set standards for the design and construction of manufactured homes estates and manufactures homes that promote health, safety and amenity to residents.

The Regulations require that Council must not grant an approval unless satisfied the manufactured home estate will be designed, constructed, maintained and operated in accordance with Division 3 of the Regulations.

Development of the estate, under this application, will comply with the requirements of Part 2, Division 3 of the Regulations. A thorough assessment of the proposal against the provisions of Part 2, Division 3 is provided **attached**.

Following construction of the estate and dwelling sites, dwellings will be installed under the design and siting requirements of Part 2, Division 4 of the Regulation. Approval for the installation of is not sought or required at this stage, however the proposed dwellings to be offered have been included for reference.

4.5. State Environmental Planning Policies

The State Environmental Planning Policies applicable to the proposal are outlined below.

4.5.1. State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 5 - River Murray Lands

Chapter 5 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* applies to the subject development. The aims of the SEPP are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The objectives of the Chapter are:

- (a) *to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray;*
- (b) *to establish a consistent and coordinated approach to environmental planning and assessment along the River Murray; and*
- (c) *to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.*

Part 5.2 Planning principles outlines when general and specific principles that should be taken into account. Pursuant to Clause 5.7, Part 5.2 applies when a consent authority determines a development application, which thereby prompts the consent authority to take into account Clause 5.8 General principles & 5.9 Specific principles - requiring Council to take into account a number of general and specific principles when considering development proposals to which the Chapter applies. These controls generally relate to the protection of the River Murray. Chapter 5 - Clause 5.8 & 5.9 are addressed in the SEPP Compliance Comments in **Table 4**.

Table 6 | Consideration of planning principles in Chapter 5.2

| Principles to be taken into account | Consistency |
|---|--|
| General | |
| (a) the aims, objectives and planning principles of this plan. | Satisfaction against the general objectives can be determined by the assessment against the specific principles below. |
| (b) any relevant River Management Plan | There are no known river management plans endorsed by the Murray Darling Basin Authority (MDBA) relevant to the proposal. |
| (c) any likely effect of the proposed plan or development on adjacent and downstream local government areas. | <p>Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact.</p> <p>As described in the enclosed <i>Servicing Strategy</i>, a number of measures will be applied to the proposed development-wide drainage system introduced to minimise the impacts of pollution. These include retention basins at various points throughout the site, and a natural swale planted with trees at the southern boundary extent.</p> <p>Notwithstanding, given the large setback of the proposed works from the Murray River and the fact that stormwater will be discharged to Council's drainage network the risk of contaminating river water is low.</p> |
| (d) the cumulative impact of the proposed development on the River Murray. | The development is not expected to have a cumulative impact on the Murray River. |
| Access | |
| The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported. | Not applicable, the subject land does not comprise the foreshore of the Murray River. |
| Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only. | Not applicable, the subject land is not located adjacent to the main channel. |

| Principles to be taken into account | Consistency |
|---|--|
| Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth. | The subject land does not contain any stock and none are proposed. |
| Bank disturbance | |
| Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land. | Not applicable, the subject land does not comprise the bank of the Murray River. |
| Flooding | |
| <p>Where land is subject to inundation by floodwater:</p> <ul style="list-style-type: none"> the benefits to riverine ecosystems of periodic flooding, the hazard risks involved in developing that land, the redistributive effect of the proposed development on floodwater, the availability of other suitable land in the locality not liable to flooding, the availability of flood free access for essential facilities and services, the pollution threat represented by any development in the event of a flood, the cumulative effect of the proposed development on the behaviour of floodwater, and the cost of providing emergency services and replacing infrastructure in the event of a flood. | Not applicable, the subject site is not identified as being flood prone. |
| Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources | See above for further details. |

| Principles to be taken into account | Consistency |
|---|--|
| Land degradation | |
| Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats. | As outlined in the <i>Servicing Strategy</i> , a number of measures are proposed to be implemented to minimise the effects of land degradation. It is anticipated that a sediment and erosion control plan will be required as a condition on Council's determination. |
| Landscape | |
| Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species. | Not applicable, the subject land is not located within a 'riverine environment'. |
| River related uses | |
| Only development which has a demonstrated, essential relationship with the River Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray | Not applicable. |
| Development which would intensify the use of riverside land should provide public access to the foreshore. | The proposal will not alter existing public access arrangements. |
| Settlement | |

| Principles to be taken into account | Consistency |
|---|--|
| <p>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located:</p> <p>(a) on flood free land,</p> <p>(b) close to existing services and facilities, and</p> <p>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</p> | <p>The development responds appropriately to the natural constraints of the site as demonstrated within this report. Specifically,</p> <ul style="list-style-type: none"> (a) the proposed development is to occur on flood free land, (b) the development is sited for ease of access to the Howlong town centre via bus routes connecting to Albury and Corowa, (c) the land is appropriately zoned for residential activity and efficient connection to existing utilities and enabling infrastructure as detailed in the <i>Servicing Strategy</i>. |
| Water quality | |
| <p>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</p> | <p>The proposed land use will generate 'salt and nutrients', and a number of nature based mechanisms are proposed to be implemented to minimise any pollution entering the river.</p> |
| Wetlands | |
| <p>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</p> <p>Land use and management decisions affecting wetlands should:</p> <p>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</p> <p>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</p> <p>(c) control human and animal access, and</p> <p>(d) conserve native plants and animals</p> | <p>Not applicable, the subject land does not contain a wetland.</p> |

The type of development proposed in this application is also included in the list of ‘specific’ developments for which Chapter 5 requires additional consultation. These matters are summarised and discussed in **Table 5** below.

Table 7 | Clause 5.12 - Planning Control & Consultation Table - Summary

| Trigger | Definition | Planning Control | Consultation | Comment |
|--|--|------------------|---|---|
| Clause 5.12 6 CARAVAN PARK CAMPING GROUND | Use of land for caravans or other moveable dwellings requiring an approval under Part 1 of Chapter 7 of the Local Government Act 1993. | Council consent. | Department of Planning and Environment (DPE). | Consultation with DPE is required. |
| Specific matters for consideration— | | | | |
| <ul style="list-style-type: none"> Permanent facilities, such as rigid caravan annexes, amenity blocks and long term sites, should not be on flood liable land. | | | | The subject site is not located on flood liable land |
| <ul style="list-style-type: none"> In riverfront locations, pedestrian access to the River Murray should be restricted to constructed pathways and a vegetated strip of river frontage should be retained as a buffer between the River and camping/caravan sites and amenities. | | | | The subject site is not located on a riverfront location. |
| <ul style="list-style-type: none"> Vehicular access to the River Murray should be at boat launching ramps only. | | | | No access is proposed between the site and the River Murray |

4.5.2. State Environmental Planning Policy (Housing) 2021

Chapter 3 – Diverse Housing

The *State Environmental Planning Policy (Housing) 2021* ("Housing SEPP") seeks to provide affordable and diverse housing to the population of New South Wales.

Part 8 of Chapter 4 refers specifically to Manufactured Homes Estates. This part sets out the objectives as:

- (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.*

Manufactured Home Estates are considered a contemporary form of medium density housing and provide an alternative to traditional housing. This proposal will provide a form of alternative residential housing in a specifically designed estate. Adequate provision has been made for on-site facilities, services and open space above minimum standards of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. The subject land is also not an area of high or sensitive biodiversity value and does not have landscape, scenic and in particular ecological qualities.

Clause 122 states that development for a manufactured home estate may be carried out on any land on which development for the purposes of a caravan park may be carried out, except for on land within one or more of the categories described in Schedule 6, or land dedicated or reserved under the National Parks and Wildlife Act 1974, or land within a Crown reserve.

The subject land is zoned R1 General Residential, within which a 'caravan park' is permissible with consent. The subject site does include any characteristics that would prohibit the development of a manufactured homes estate.

Clause 125 of the SEPP also allows for land within a manufactured homes estate to be subdivided either under section 289K of the Local Government Act 1919 for lease purposes, or under the Community Land Development Act 1989. It is intended to subdivide the estate for lease purposes with each dwelling site forming a separate lot.

Clause 125 sets out the matters for consideration under Chapter 3 Part 8 of the SEPP. These matters are discussed in the SEPP Compliance Table **attached**.

4.5.3. State Environmental Planning Policy (Resilience & Hazards) 2021

Chapter 4 - Remediation of Land

The objective of chapter 4 in the SEPP (Resilience and Hazards) 2021 is to provide a Statewide planning approach to the remediation of contaminated land. Clause 4.6 states that prior to development consent on the land, the consent authority must consider the contaminated status of the subject land.

In the context of this application, clause 4.6 of Chapter 4 generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose. The SEPP requires the consent authority to consider whether the subject land is contaminated when determining a development application. If the land is contaminated, the consent authority must be 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.

The subject land has been previously developed and occupied for rural residential purposes and is not known to be contaminated, nor is it expected to be at risk of contamination given its historical use and surrounding context.

An 'Unexpected Finds Protocol' will be established for use during earthworks, to ensure that due process is carried out in the event of a possible contaminated find.

4.6. State Environmental Planning Policy (Transport & Infrastructure) 2021

4.6.1. Chapter 2 – Infrastructure

Chapter 2 of State Environmental Planning Policy (Transport & Infrastructure) 2021 provides a consistent and flexible planning system to facilitate the delivery of infrastructure and services. The policy identifies environmental assessment categories for types of infrastructure, matters to consider when assessing development adjacent to infrastructure and provides for consultation with relevant public authorities.

Chapter 2 contains provisions relating to approval processes and assessment requirements for infrastructure proposals according to the type or sector of infrastructure. It outlines land-use zones where types of infrastructure are permissible with or without consent and identifies certain works as exempt and complying development.

There are several Clauses under the SEPP that trigger referral and concurrence matters. These are addressed in the table below for consideration.

Table 8 | SEPP (Transport and Infrastructure) 2021 – Chapter 2 Matters for Consideration

| Matter for consideration | Response |
|---|--|
| Division 5 Electricity transmission or distribution Subdivision 2 Development likely to affect an electricity transmission or distribution network Clause 2.48 – Determination of development applications – other development | <p>This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <ul style="list-style-type: none"> (a) <i>the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</i> (b) <i>development carried out—</i> <ul style="list-style-type: none"> (i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i> (ii) <i>immediately adjacent to an electricity substation, or</i> (iii) <i>within 5m of an exposed overhead electricity power line,</i> (c) <i>installation of a swimming pool any part of which is—</i> <ul style="list-style-type: none"> (i) <i>within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</i> (ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</i> (d) <i>development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</i> <p>Comment:</p> <p>Referral under Clause 2.48 is not going to be required to the relevant electricity supply authority due to the wide proximity of any electrical infrastructure from the development area. The closest existing infrastructure is the Essential Energy substation located outside of the subject site, adjacent to the Beer Road road reserve on the southern boundary of the adjacent land.</p> |

4.7. Murray Local Environmental Plan 2011

Murray Local Environmental Plan 2011 (“the LEP”) is the principal planning instrument that guides development within the LGA. The below provides an overview of consistency and compliance of the proposal against the relevant provisions.

4.7.1. Clause 2.1 - Land Use and Permissibility

As seen in the land zoning extract in Figure 4 below the land is located within the R1 General Residential zone (R1).



Figure 4 Land zoning map extract

The land use table for the R1 zone indicates that a caravan park is permitted with consent, as it is not specifically listed as a prohibited development. Pursuant to Clause 122 of the Housing SEPP, a manufactured home estate is permitted on any land on which a caravan park is permitted.

Table 9 below summarises an assessment of the development against the objectives of the zone.

Table 9 | Zone objectives

| Zone objective | Comment |
|---|---|
| <i>To provide for the housing needs of the community.</i> | The proposal adds a substantial number of new homes to available housing stock. |
| <i>To provide for a variety of housing types and densities.</i> | The proposed manufactured homes offer specialised housing targeting the Lincoln Place lifestyle brand of living. |
| <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> | Facilities and services proposed to be provided to residents within the community centre. |
| <i>To avoid potential land use conflict and protect the amenity of residents.</i> | Measures are proposed to ensure land use conflicts between the proposed development site and the adjacent agricultural land is minimized. |
| <i>To provide for tourist and visitor accommodation in appropriate locations.</i> | Not applicable to the proposal. |

4.7.2. Overview of relevant LEP provisions

Table 7 below provides an assessment of the development against the relevant provisions and clauses of the LEP.

Table 10 | LEP Assessment

| <i>Part 2</i> | <i>Assessment Summary</i> |
|---|---|
| <i>2.6 Subdivision—consent requirements</i> | <p>(1) <i>Land to which this Plan applies may be subdivided, but only with development consent.</i></p> <p>Subdivision consent is required for the subdivision of the allotments as denoted on accompanying subdivision plans. The application seeks consent for subdivision pursuant to this clause.</p> |
| <i>Part 4</i> | <i>Principal development standards</i> |
| <i>4.1 Minimum subdivision lot size</i> | <p>The proposed Torrens Title subdivision result in seven (7) new allotments which satisfy the minimum lot size requirement of 750 sqm.</p> <p>Lots proposed for manufactured homes are proposed well-above the minimum lot size requirement.</p> |
| <i>Part 5</i> | <i>Miscellaneous provisions</i> |
| <i>5.10 Heritage conservation</i> | <p>This clause seeks to conserve the existing heritage of Murray Shire by observing the environmental heritage items, conservation areas, archaeological sites and Aboriginal places of significance. Consent is required where a particular development proposes to demolish, alter or disturb an item or works within the conservation area.</p> <p>The items for consideration listed under the <i>MLEP 2012 Schedule 5 Environmental Heritage</i> shall not be affected by the proposed development and the area does not contain a specified item listed in this schedule.</p> <p>A basic AHIMS search was conducted on 9 April 2024. The search returned a result of 0 Aboriginal places declared in or near the above location within a buffer area of 1000 metres of the development site, and 1 Aboriginal site recorded within 1000 metres of the location. The detected Aboriginal site is located approx. 1000 metres from the boundary of the development area and thus no further archaeological investigation is required.</p> |
| <i>5.22 Special flood considerations</i> | <p>Council as the Consent Authority now utilises the Echuca Moama Torrumbarry Flood Study – Online map (available: Echuca-Moama-Torrumbarry Flood Study - Online Map (arcgis.com)) when considering Development Applications. Under this mapping, part of the subject land is mapped as Flood affected in a 0.2% AEP Flood Event (classed as Probable Maximum Flood). Therefore the proposal must be assessed against the provisions of Section 5.22. This was flagged as an issue on the return letter, which has been included as an Addendum to the report.</p> <p>This section seeks to ensure the safe occupation and evacuation of individuals during floods, while also promoting development that aligns with the land's flood behaviour and minimizes negative impacts on flood dynamics. Additionally, it aims to safeguard emergency response</p> |

facilities and critical infrastructure, and to prevent harmful effects of hazardous development on the environment during flood events.

The subject land is regarded as sensitive development as residential accommodation as part of a lifestyle estate

and may require evacuation during certain times. The modelled flood level during the PMF is 0.150-metres and therefore the proposal includes measures to ensure flood affectation to the built setting is managed appropriately.

The engineering design and detail for each proposed unit site is to include appropriate freeboard and all sites to convey flows to drainage canal and lagoon system on the adjacent land. It is noted that the Echuca Moama Torrumbarry Flood Study includes only a riverine flood model. It is anticipated that an overland flow (MOFFS) model should be made available to assess the impact of overland stormwater flows.

Notwithstanding the above, the revised development application includes a full drainage engineering plan set and supporting calculations which present details on the anticipated flow rates and volumes on the proposed system.

| Part 7 | <i>Additional local provisions</i> |
|------------------------|--|
| 7.1 Essential services | <p>The consent authority must be satisfied that the proposed unit site development area can be serviced, or adequate arrangements have been made.</p> <p>The unit sites are proposed to be serviced by new infrastructure to be established as subdivision works within the adjacent residential development on adjacent land progresses. New infrastructure is denoted on the accompanying site plans.</p> <p>Stormwater drainage to be established with system-wide drainage infrastructure servicing individual unit sites proposed for connection into existing Council drainage infrastructure via adjacent residential development.</p> |
| 7.2 Earthworks | <p>The purpose of this clause is to prevent a detrimental impact to environmental functions, neighbouring uses and identified cultural or heritage features of the surrounding land.</p> <p><i>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</i></p> <p><i>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</i></p> <p>The proposed development will require significant earthworks for new internal street layout and prepare each unit site for subsequent unit development. The proposal introduces substantial roof and hard stand surfaces anticipated to reduce site permeability. Furthermore, the <i>Moama Mid-West Drainage Strategy 2019</i> depicts an existing low flow natural swale within the development area and this line shall be impacted by subdivision works. The enclosed site plans propose several measures to mitigate against potential increase in flows. At request of Council, the pervious area ratio is calculated and provided on site plans and all site units shall be connected to kerb and gutter drainage to ensure post-development flows are directed to basin as per development plans for Stages 6 – 12. These measures seek to</p> |

ensure that post-development flows to not exceed pre-development flows.

(b) the effect of the proposed development on the likely future use or redevelopment of the land,

Proposed development is anticipated to remain the primary future use of the site.

(c) the quality of the fill or the soil to be excavated, or both,

Any quality virgin extracted natural material (VENM) excavated at the development site proposed for reuse as fill. Soil contamination report undertaken during rezoning did not determine any measurable site contamination due to agricultural sprays and fertilizers.

(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,

Amenity impacts are considered below in section 4.6 of this report.

(e) the source of any fill material and the destination of any excavated material,

As above.

(f) the likelihood of disturbing relics,

Due to the site history being used for cropping and grazing, the site is considered significantly disturbed with little likelihood of discovering relics during site works.

(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

As discussed in the Assessment Tables at Appendix J of this report – *SEPP (Biodiversity and Conservation) 2021 – Chapter 5 River Murray lands* – the proposed development creates minimal cause for concern for adverse impacts to River Murray or existing local vegetation.

4.8. Murray Development Control Plan 2012

The Murray Development Control Plan 2010 (“the DCP”) provides specific requirements for development within the LGA, including the subject site.

The following chapters of the DCP are applicable to the proposed works:

- *Chapter 2 – Residential Development*
- *Chapter 7 – Subdivision*
- *Chapter 11 – Flood prone land*
- *Chapter 12 – Notification policy*

The proposed development is considered to comply with the controls of the above Chapters. Refer to responses outlined DCP Assessment Tables at Appendix K.

5. Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

These impacts and mitigating measures have been identified following comprehensive analysis of the site and the proposed plans.

The analysis and impact identification under this section is informed by:

- Desktop analysis and investigation of the subject land and surrounding properties.
- Analysis of the proposed plans for development (provided attached for reference)
- Desktop review of applicable Environmental Planning Instruments
- Consideration of the Councils Development Plans and Policies including the DCP
- Assessment of relevant strategic planning documents.

| Impact | Impact Identification | Response |
|------------------------------|---|--|
| Context & setting | <p>Consideration of Part 17 of the ADCP.</p> <p>Inspection of the property.</p> | <p>The proposal introduced a new residential accommodation development within developing residential area. The Range residential subdivision is already well underway surrounding the subject land and the proposal will integrate with the existing and proposed future stages of the development. The land has been zoned for residential purposes and adjoins existing and upcoming residential development projects on all sides.</p> <p>The proposal represents a form of higher density dwelling development and is an appropriate form within the establishing residential precinct of Moama. It does not comprise a form that would be considered inconsistent with the surrounding area and represents diversity within the growth areas of Moama.</p> <p>The proposal incorporates extensive perimeter and internal landscaping to create a high-quality landscape character which is appropriate for the fringe of Moama. Noise impacts to internal spaces and privacy impacts to rear enclosed private spaces are ameliorated by the proposed landscape buffers surrounding the external perimeter of the site. Further, internal public space, open space, community areas, and open & linear parks ensure the development site has an integrated feel with <i>The Range</i> residential development, and the public realm is an appealing and safe setting for residents.</p> <p>The proposal will create opportunity to substantially add to local housing stock, and the benefit for the targeted local occupants the offer to downsize, whilst enjoying the amenities services and benefits of residing close to Moama. The proposed development will enable the development of the subject land for a type of lifestyle village, manufactured home estate housing in a manner that is compatible with the surrounding development. In particular, the proposed dwellings will be of a single detached and single storey character, consistent with the dominant urban form of Moama generally.</p> <p>The application being solely for the enabling / infrastructure works means that the context & setting will be mostly unaffected, until such time the manufactured homes are to begin installation under a subsequent approval.</p> |

| | | |
|--|---|--|
| <p>Access, Traffic & Carparking</p> | <p>Analysis of plans and supporting details.</p> <p>TIA supplied by Peter Meredith Consulting</p> <p>Consideration of Part 5 of the SEPP (Housing) 2021</p> | <p>The proposal involves adding residential accommodation, which will increase traffic and necessitate a new formal access point from Beer Road, and integrated access with the adjacent land on the development site.</p> <p>Traffic impacts were previously investigated in the Traffic Impact Assessment for the proposed development, please refer to Appendix G.</p> <p>Though the report acknowledges that The Range in its entirety shall add notable traffic volume to the local road network, it also separately assessed the retirement village component of the subdivision. The report found that an additional 2 vehicle per hour were added to the impact, and this is a negligible increase. Twenty Four Lane and Beer Road are entirely capable of handling the additional traffic movements introduced by the proposal.</p> <p>A network of pedestrian pathways are proposed in the internal street layout and this network shall be integrated with that of the greater residential subdivision area. The designs comply with the engineering standards for accessibility for paved walkways.</p> <p>The proposal includes off-street and under cover parking to each unit site for a minimum of 2 spaces for on-site parking contained entirely at the front of each unit site. Carparking is generally stacked in a tandem configuration with one space in garage and one space on driveway. Though, floor plans are varied and may include double garages for secure side-by-side undercover parking, or end-to-end undercover parking. Proposed carparking satisfies the relevant controls of the DCP. A number of additional carparking spaces are proposed at the community centre location which can handle additional needs of visitors. The off-street parking areas and internal road network are designed in accordance with Austroads standards and ensure sufficient circulation and forward access and egress.</p> <p>The submitted TIA makes the following conclusions on the anticipated impact, which have subsequently been noted in the proposed street network layout:</p> <ul style="list-style-type: none"> • <i>The proposed Lifestyle Estate will have no significant impact on the existing and proposed level of traffic generation and there will be no anticipated changes to the traffic distribution on Beer Road or Twenty-Four Lane from traffic generated by the Lifestyle Estate;</i> • <i>There are no changes required to the proposed intersection treatments as proposed by the March 2020 TIAR;</i> • <i>Parking requirements for the Lifestyle Estate and the Community Centre have been met.</i> |
|--|---|--|

| Impact | Impact Identification | Response |
|--------------------------|---|---|
| Infrastructure | Analysis of plans and supporting docs. | <p>Internal infrastructure servicing individual unit sites is local infrastructure only and is considered a private network maintained locally only. Development is to be serviced by proposed connections to Council water and sewer services to be supplied to the property via the adjacent development under Stage 6 & 7.</p> <p>Electrical services, telecommunications will also be provided from existing or proposed services, or services currently under construction.</p> <p>A Council reticulated water main to deliver the Council water servicing arrangements is proposed for construction within <i>The Range Boulevard</i> road reserve to support essential service delivery to future development anticipated to occur on land on the east of the development site, on the adjacent lot at 1/-/DP1084683.</p> <p>Stormwater management for this development has been discussed elsewhere in this report, and the application is supported by a Drainage Strategy Advice Report from Water Technology, and comprehensive drainage analysis calculation and data provided by Development Outcomes.</p> |
| Heritage | Review of Heritage Items & Conservation Areas in the LEP and DCP. | There are no heritage items or heritage conservation areas in the immediate surrounds. |
| Cultural Heritage | <p>Search of NSW AHIMS database for registered cultural heritage items.</p> <p>Consideration of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW, Department of Environment, Climate Change and Water NSW, 2010</p> | The subject land is a highly modified site and has very little likelihood of any items of containing cultural heritage. Previous urban development has occurred on the property, as well as more recent disturbance by demolition and clearing of the property. In the event that the applicant does identify or uncover archaeological items during works, the items will be left in place and appropriate protocols for dealing with such instances will be observed. |

| Impact | Impact Identification | Response |
|----------------------------|--|---|
| Soils & Erosion | Analysis of plans and supporting docs. | <p>The proposed works will include minor site disturbance in the new works, including trenching and excavation to prepare the site for enabling infrastructure - services, amenities and unit sites. All construction works will be appropriately secured and managed by the appointed contractors to avoid any significant impact on drainage infrastructure.</p> <p>The potential for erosion or sediment movement to exposed areas of the site is low, however will be minimised by use of sediment control and stabilisation, both before and after construction. The potential is limited due to the flat topography of the site and the construction urban drainage provisions established to the site and surrounding areas.</p> <p>To ensure all potential impacts are minimised, appropriate Soil and Water Management techniques will be implemented during demolition and construction works, in accordance with Council's guidelines.</p> <p>The subject land has historically been used for accommodation purposes, namely as its current use. As part of these former uses, there were no activities or storage processes that are potentially contaminating land uses. Consequently, there is a high degree of confidence that the land is not potentially contaminated.</p> |
| Biodiversity | SEPP (Biodiversity and Conservation) 2021 | Any anticipated impacts to proximal environmental flows or any local ecosystem value of the River Murray or its environs is considered minimal. A response to the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 5 River Murray lands</i> is provided in support of the proposal. There is no anticipated impact to existing biodiversity at the proposed development site. |
| Stormwater | <p>Analysis of plans and supporting docs</p> <p>Moama Mid-West Drainage Strategy 2019</p> <p>MLEP provisions</p> | <p>The proposal is supported by a Drainage Strategy Advice Report from Water Technology, and comprehensive drainage analysis calculation and data provided by Development Outcomes.</p> <p>To ensure proper water quality and control the impacts to downstream waterways or basins, the stormwater drainage system will incorporate retardation and water treatment measures. A series of lagoons lines the topographic low point of the wider suburb – and is strategically located within the development to accommodate the site's topography and outfall specifications. These basins will also serve as sedimentation basins, allowing particles to settle out.</p> <p>The stormwater drainage system integrated with that under construction on the adjacent residential subdivision is proposed to achieve the goals of water sensitive urban design, directing flows to the constructed wetland and ensuring post-development flows to not exceed pre-development flows.</p> |

| Impact | Impact Identification | Response |
|--|--|--|
| Landscaping | Analysis of plans and supporting docs | <p>Landscaping areas are provided in order to provide for functional open space and green spaces throughout the area.</p> <p>Residential development on the adjacent lands has extensive landscaping plans that shall be integrated with a network of active travel paths throughout the proposed development area. The proposed site layout confirms each site will be capable of supporting individually landscaped gardens.</p> |
| Flooding | <p>Analysis of plans and supporting docs</p> <p>MDCP Chapter 11 – Flood prone land</p> | <p>The site is affected by the 0.2% flood, modelled to impact the subject land at a level of 0.15-metres. Thereby an assessment of the proposal against the provisions of Section 5.22 of the Murray River Local Environmental Plan has been undertaken, please refer to Table 7.</p> <p>The application is accompanied by a full drainage design and analysis plan set which includes proposed drainage infrastructure plans, servicing strategy advice document and calculations.</p> |
| Bushfire | Analysis of plans and supporting docs | Not applicable to the proposal. |
| Safety, security & crime prevention | <p>Analysis of plans and supporting docs</p> <p>MDCP Controls 2.8 Security</p> | Internal design of the street network, unit site layout and provision of public space throughout the development area are considered to minimise the potential for crime. |
| Construction | Analysis of plans and supporting docs | The proposal is for site works and subdivision works related to the earthworks and enabling works to prepare the land for the development of manufactured home estate, and the equivalent of houses on the proposed seven (7) Torrens Title standard residential allotments. Individual building on the unit sites and residential development on the Torrens Lots are anticipated to be supported as permissible use and satisfactory floor plans and elevations - provided in support of this application for performance related measures. Detailed engineering design and construction building plans will follow prior to issue of development consent and building approval is sought under Section 68 for manufactured homes. |

| Impact | Impact Identification | Response |
|--|---------------------------------------|---|
| Social & economic impacts | Analysis of plans and supporting docs | <p>The proposed development introduces new residential development and diversity to support the wide range of needs within the Moama market. The development seeks to facilitate the redevelopment of a vacant residential site for an appropriate manufactured home estate development. The subject land is well positioned in an emerging residential setting at the suburban fringe of Moama and on Beer Road, which provides high accessibility to Moama.</p> <p>Provision of higher density housing close to town allows members of the community to settle in place. There will be a positive social and economic effect for the Moama and wider Murray Council community generally resulting from the development through the provision of additional choice and availability of residential housing options.</p> <p>It is accepted that the residents are to be offered opportunities for social connection and sense of community. A short-term economic benefit will be received within the local industrial economy in the employment of local trades and contractors.</p> |
| Suitability of the site for development | Analysis of plans and supporting docs | <p>The subject site is contained within an establishing residential context and is surrounded by a range of housing forms and types. The proposal is a residential form or housing and will accommodate dwellings of a different, but appropriate, density and demonstrates integration with the road network and surrounding context.</p> <p>The development is considered to be suitable for the site.</p> |
| The public interest | EP&A Act 1979 | <p>The public interest is a broad consideration relating to many issues and is not limited to any one particular issue. Taking into account the full range of matters for consideration under Section 4.15C of the Environmental Planning and Assessment 1979 (as discussed within this report), it is considered that approval of the application is consistent with the public interest. The development of land in an orderly and economic way is in the public interest.</p> |

6. Conclusion

The DA seeks consent for subdivision of the land into nine (9) lots and development of a manufactured homes estate on part of the land described as Lot 212 DP1307464, Beer Road, Moama. The proposed development aims to provide a high-quality, affordable housing product that integrates with The Range residential development and provides diversity in the housing market of Moama and the wider area.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act. As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

- It is for the enabling works related to the subsequent establishment of dwelling residences only;
- it is consistent with the relevant state and local environmental planning instruments and development control plan;
- it introduces a significant addition to housing availability in a preferred development area in a rapidly progressing residential area close to the Moama township;
- it is well integrated socially and with existing and imminent residential development throughout *The Range*
- it provides occupants access to high quality social and environmental assets, and a community-oriented lifestyle
- it activates a long-standing vacant piece of land that is appropriately zoned
- will provide visually appealing and streetscape at ground level
- it is designed with principles of accessibility in mind;
- it is located in close proximity to the Rich River Golf Club and associated amenities; and
- it provides greater variety and availability of housing for local residents seeking a retirement lifestyle in Moama.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

Appendix A: Title Details

Appendix B: Proposed Site Plans

Appendix C: Drainage Strategy

Appendix D: Traffic Impact Assessment

Appendix E: Local Government Regulation 2021

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

| Applicable provision | Response |
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| Part 1 Preliminary | |
| <p>3 Object</p> <p><i>The object of this Regulation is to provide opportunities for affordable alternatives in short-term and long-term accommodation by setting standards—</i></p> <p><i>(a) for the design of manufactured home estates, caravan parks and camping grounds, and</i></p> <p><i>(b) for the design and construction of manufactured homes and other moveable dwellings, and</i></p> <p><i>(c) for the siting of manufactured homes and other moveable dwellings, and</i></p> <p><i>(d) to promote the health, safety and amenity of the occupiers of manufactured homes and other moveable dwellings.</i></p> | <p>The subject development application proposes a manufactured home estate, and the provisions of the Regulation thereby applies to this proposal.</p> |
| Part 2 Manufactured home estates and manufactured homes | |
| Division 1 Application of part | |
| <p>5 Application of Part</p> <p><i>This Part applies to—</i></p> | <p>Part 2 of the Regulation applies to the proposal, which involves the installation of manufactured homes in a manufactured home estate.</p> |

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| <p>(a) the operation of manufactured home estates, and</p> <p>(b) the installation of manufactured homes in manufactured home estates.</p> | |
| Division 2 Approvals and exemptions | |
| Subdivision 1 Operation of manufactured home estates | |
| <p>6 Factors for consideration before approval is granted</p> <p>(1) The council must not grant an approval unless satisfied the manufactured home estate will be designed, constructed, maintained and operated in accordance with Division 3.</p> <p>(2) Before approving the operation of a manufactured home estate on flood liable land, the council must consider the principles in the Floodplain Development Manual.</p> | Subdivision 1 relates to <i>Operation of manufactured home estates</i> , which can be permitted due to the proposal complying with Division 3, as discussed below. |
| <p>7 Matters to be specified in approval</p> <p>An approval must specify, by reference to a plan, the number, size and location of the dwelling sites allowed by the approval.</p> | The proposal is supported by a site layout set proposed for development consent, detailing the number, size and location of dwelling sites. |
| <p>8 Conditions of approval</p> <p>An approval is subject to the condition that the manufactured home estate is designed, constructed, maintained and operated in accordance with Division 3.</p> | The accompanying documentation includes commentary on the design, construction, maintenance and operations which accord with Division 3. |

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| <p>Note—</p> <p><i>The council may also impose conditions on the grant of an approval under the Act, section 94.</i></p> | |
| <p>Subdivision 2 Installation of manufactured homes and associated structures in manufactured home estates</p> | |
| <p>9 Conditional exemption</p> <p>(1) <i>A person may, without an approval—</i></p> <p>(a) <i>install a manufactured home on land within a manufactured home estate if the home is—</i></p> <p>(i) <i>designed, constructed and installed in accordance with Division 4, and</i></p> <p>(ii) <i>not occupied by a person until a certificate of completion has been issued, or</i></p> <p>(b) <i>install an associated structure on land within a manufactured home estate if the structure is designed, constructed and installed in accordance with Division 4.</i></p> <p>(2) <i>The installation must be carried out by, or with the consent of, the holder of the approval.</i></p> <p>(3) <i>This section does not apply—</i></p> <p>(a) <i>if the council has given the holder of the approval written notice that the land is flood liable land—to the installation of a manufactured home on flood liable land, or</i></p> <p>(b) <i>to the installation of a manufactured home or associated structure exceeding 1 storey.</i></p> | <p>The subject proposal seeks consent to establish a manufactured homes estate, thereby providing a legislative definition to the land use activity proposed to occur on the land. The Manufactured home estate will be established subsequent to the successful staged completion of engineering and site preparation works that are proposed in this application.</p> <p>The provisions of Division 4 apply to individual homes to be manufactured and installed on the site once the unit sites are prepared in accordance with Council-approved engineering plans. Approval of only the engineering, and establishment of the Manufactured homes estate is the subject of this proposal, thus the provisions of Division 3 are considered below.</p> |

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| <p>10 Installation on flood liable land</p> <p>(1) Before approving the installation of a manufactured home or associated structure on flood liable land, the council must consider the principles in the Floodplain Development Manual.</p> <p>(2) It is a condition of an approval to install a manufactured home or an associated structure on flood liable land that the manufactured home is designed, constructed and installed in accordance with Division 4.</p> | <p>Not applicable. Not subject of this development application.</p> |
| <p>11 Installation of manufactured home or associated structure of more than 1 storey</p> <p>Before approving the installation of a manufactured home or associated structure exceeding 1 storey, the council must consider the likely impact on the amenity of—</p> <p>(a) occupiers of adjoining manufactured homes, and</p> <p>(b) occupiers of land adjoining the manufactured home estate.</p> | <p>Not applicable. Not subject of this development application.</p> |
| <p>Division 3 Manufactured home estates</p> | |
| <p>Subdivision 1 Land and dwelling site requirements</p> | |
| <p>12 Minimum size of estate</p> <p>A manufactured home estate must not have an area of less than—</p> <p>(a) 1 hectare, or</p> | <p>Complies. The site area is 96,649 m² (9.6 ha) and thereby exceeds the 1 hectare minimum size requirement.</p> |

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| <i>(b) if a lesser area is permitted on the land by an environmental planning instrument, the lesser area.</i> | |
| <p>13 Community amenities</p> <p><i>(1) A minimum of 10% of the total land area of a manufactured home estate must be reserved for recreation or other communal activities.</i></p> <p><i>(2) The council may allow a lower percentage, not less than 6% of the total land area of the manufactured home estate, to be reserved for recreation or other communal activities.</i></p> <p><i>(3) Before allowing a lower percentage, the council must consider—</i></p> <p><i>(a) the type and range of amenities to be provided, and</i></p> <p><i>(b) other matters the council considers relevant.</i></p> | <p>The total land area of the manufactured home estate is 90,383 m², and thereby requires a minimum of 9,038.3m² for recreation or other communal activities in accordance with the 10% minimum as per this provision.</p> <p>The proposed site plan meets this minimum for recreation and other communal activities.</p> |
| <p>14 Size of dwelling sites</p> <p><i>A dwelling site must have an area of at least 130 square metres.</i></p> | <p>Complies. The land area for each dwelling site is minimum 260m².</p> |
| <p>15 Site identification</p> <p><i>(1) A dwelling site must be numbered or identified with its site boundaries clearly outlined.</i></p> <p><i>(2) The site identification must be easily recognised.</i></p> | <p>Complies. Please refer to enclosed site plans depicting sites with clear boundaries.</p> |
| <p>Subdivision 2 Setbacks</p> | |

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| <p>16 Dwelling sites to have road frontage</p> <p><i>A dwelling site must have vehicular access to an access road.</i></p> | <p>Complies. Each dwelling site is provided road frontage.</p> |
| <p>17 Setbacks of community buildings</p> <p><i>(1) A community building must not be located closer than 10 metres to the boundary of a manufactured home estate or dwelling site.</i></p> <p><i>(2) The council may allow a lesser distance of at least 2 metres if satisfied the community building has been or will be properly screened, fenced, enclosed or otherwise treated.</i></p> | <p>Complies. The proposed community buildings are sited centrally to the overall development, away from the boundary.</p> |
| <p>18 Setbacks of dwelling sites from road frontages</p> <p><i>(1) A dwelling site must not be located closer than—</i></p> <p><i>(a) 10 metres to a public road, or</i></p> <p><i>(b) 3 metres to another boundary of the manufactured home estate.</i></p> <p><i>(2) The council may allow a lesser distance if satisfied the dwelling site has been or will be properly screened, fenced, enclosed or otherwise treated.</i></p> | <p>Complies. The manufactured home estate is proposed with a minimum 3-metre spray drift buffer at the southern property boundary to be appropriately landscaped and screened from the Beer Road thoroughfare.</p> |
| <p>19 Use of buffer zones</p> <p><i>Nothing in this Part prevents land within a required setback from being used for—</i></p> | <p>Complies. The landscaped areas which form buffers to adjacent land uses are used to contribute to the overall community amenity land area.</p> |

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| <p>(a) community amenities, access roads, car parking spaces, footpaths or landscaping, or</p> <p>(b) a similar purpose allowed by the council.</p> | |
| <p>Subdivision 3 Roads</p> | |
| <p>20 Entrance and exit roads</p> <p>(1) A road forming an entrance to or exit from a manufactured home estate must be at least 8 metres wide.</p> <p>(2) For a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.</p> <p>(3) The council may specify, in an approval, the way in which an entrance or exit road must meet the sealed portion of other access roads.</p> | <p>Complies. Entrance roads are 10-metres, and sealed portion on side median strip is 5-metres as per proposed layout plan.</p> |
| <p>21 Width of roads</p> <p>(1) The width of the road reserve must be at least—</p> <p>(a) 8.5 metres for a major access road, and</p> <p>(b) 6 metres for a minor access road.</p> <p>(2) The width of the sealed portion of an access road must be at least—</p> <p>(a) 6 metres for a major access road, and</p> <p>(b) 4 metres for a minor access road.</p> | <p>Complies. The proposal does not include any new public road, and the internal street network of the unit area is considered to be a private “internal” network. Nevertheless, the road widths within the development area are proposed at 10-metres within the unit street network, and 11-metres adjacent to the community facilities. The internal road reserve contains suitable space to provide for passing.</p> |

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| <p>(3) <i>If a minor access road exceeds 80 metres in length, a passing bay must be provided within the road reserve.</i></p> <p>(4) <i>Passing bays must be provided at intervals of no more than 100 metres.</i></p> <p>(5) <i>The width of the sealed portion of an access road at a passing or parking bay must be at least—</i></p> <p>(a) <i>8.5 metres for a major access road, and</i></p> <p>(b) <i>6 metres for a minor access road.</i></p> | |
| <p>22 Speed restrictions as part of road design</p> <p><i>Access roads must be designed to limit the speed at which vehicles may travel on the roads to—</i></p> <p>(a) <i>30 kilometres per hour for major access roads, and</i></p> <p>(b) <i>15 kilometres per hour for minor access roads.</i></p> | <p>Noted. Traffic control device to be included at subsequent unit stages of the development.</p> |
| <p>23 Visitor parking</p> <p>(1) <i>A manufactured home estate must contain at least the following number of visitor parking spaces—</i></p> <p>(a) <i>for a manufactured home estate containing no more than 35 sites—8 spaces,</i></p> <p>(b) <i>for a manufactured home estate containing more than 35 sites, but no more than 70 sites—12 spaces,</i></p> <p>(c) <i>for a manufactured home estate containing more than 70 sites, but no more than 105 sites—16 spaces,</i></p> | <p>Variation requested. The proposed site plan includes thirty (30) visitor parking spaces, though thirty-three (33) carports are required under this part of the Regulation. This creates a shortfall of three (3) spaces to be covered at the subsequent Stage 13 unit site development.</p> <p>Each parking space has dimensions which meet the minimum dimension requirement under clause (2). Parking spaces shall be clearly identified as per the Regulation.</p> |

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| <p>(d) for a manufactured home estate containing more than 105 sites—20 spaces plus 1 additional space for every 7 sites above 140 sites.</p> <p>(2) Each parking space must have minimum dimensions of—</p> <p>(a) for angle parking—5.4 metres by 2.5 metres, or</p> <p>(b) otherwise—6.1 metres by 2.5 metres.</p> <p>(3) Visitor parking spaces must be clearly identified.</p> | |
| <p>24 Visitor parking for people with disabilities</p> <p>(1) A manufactured home estate must contain—</p> <p>(a) at least 1 visitor parking space for people with a disability (a disabled parking space), or</p> <p>(b) if the manufactured home estate contains 100 sites or more—at least 1 additional disabled parking space for—</p> <p>(i) the first 100 sites, and</p> <p>(ii) every further 100 sites, and</p> <p>(iii) a remaining part, if any, of 100 sites.</p> <p>(2) A disabled parking space must be—</p> <p>(a) provided in accordance with AS/NZS 2890.1:2004, <i>Parking facilities, Part 1: Off street car parking</i>, and</p> <p>(b) clearly identified as a disabled parking space.</p> | <p>The proposal for 197 unit sites will require at minimum two (2) car parking spaces for people with disabilities as per the Regulation and these shall be provided at the subsequent stage of the development.</p> |

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| <p>(3) <i>A disabled parking space may be counted as a visitor parking space.</i></p> | |
| <p>25 Road surfaces</p> <p><i>All access roads, including all passing and parking bays, must—</i></p> <p><i>(a) have an all-weather sealed or other surface finish specified in the approval, and</i></p> <p><i>(b) be adapted to the land to enable adequate drainage and remove excessive grades.</i></p> | <p>Complies. The proposed internal street network to be constructed as all-weather roads. Please refer to enclose stormwater servicing plans for drainage plans.</p> |
| <p>26 Lighting</p> <p><i>All access roads must be adequately lit between sunset and sunrise.</i></p> | <p>Complies. The lifestyle village will be furnished with appropriate street illumination.</p> |
| <p>Subdivision 4 Utility services</p> | |
| <p>27 Water supply</p> <p><i>(1) A manufactured home estate must be—</i></p> <p><i>(a) connected to a mains water supply, or</i></p> <p><i>(b) provided with an alternative water supply service as specified in the approval.</i></p> <p><i>(2) A dwelling site must be—</i></p> <p><i>(a) connected to the water supply service for the manufactured home estate, and</i></p> <p><i>(b) provided with—</i></p> | <p>Complies. The estate shall be connected to reticulated water infrastructure as per the enclosed infrastructure servicing plans.</p> <p>The sites must be separately metered and water supplies shall comply with the <i>Plumbing and Drainage Act 2011</i> and <i>Drinking Water Guidelines</i>.</p> |

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| <p>(i) a separate water meter, and</p> <p>(ii) a separate water service isolating valve.</p> <p>(3) The water supply service must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and</p> <p>(b) the requirements of a relevant statutory body.</p> <p>(4) The water supplied for human consumption or domestic purposes must comply with the Australian Drinking Water Guidelines 6 published in October 2011 by the National Health and Medical Research Council.</p> | |
| <p>28 Sewerage</p> <p>(1) A manufactured home estate must be—</p> <p>(a) connected to a main sewer, or</p> <p>(b) provided with an alternative sewage disposal system as specified in the approval.</p> <p>(2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate.</p> <p>(3) The sewage disposal system must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and</p> <p>(b) the requirements of a relevant statutory body.</p> | <p>Complies. The estate will be connected to reticulated sewer infrastructure as per the enclosed infrastructure servicing plans.</p> |

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| <p>29 Drainage</p> <p>(1) <i>A manufactured home estate must be provided with a stormwater drainage system as specified in the approval.</i></p> <p>(2) <i>A dwelling site must be—</i></p> <p>(a) <i>connected with the stormwater drainage system for the manufactured home estate, or</i></p> <p>(b) <i>provided with an on-site stormwater drainage system.</i></p> <p>(3) <i>A stormwater drainage system must comply with—</i></p> <p>(a) <i>the Plumbing Code of Australia, and</i></p> <p>(b) <i>the requirements of a relevant statutory body.</i></p> | <p>Complies. The application is supported by Drainage Calculations and plan set (E) depicting the proposed stormwater drainage system. A further drainage strategy advice report (F) is included. Please find these documents enclosed with this application.</p> |
| <p>30 Electricity supply</p> <p>(1) <i>A dwelling site must be supplied with electricity from a reticulated electricity service by an electrical circuit connected to a separate electricity meter.</i></p> <p>(2) <i>The electrical circuit must be installed in accordance with the Australian/New Zealand Wiring Rules.</i></p> <p>(3) <i>The maximum capacity of the electrical circuit supplying a dwelling site is not required to be more than 32 amperes if the site is provided with gas, whether by a reticulated gas service or on-site gas containers.</i></p> <p>(4) <i>If a dwelling site is provided with electricity otherwise than by a direct connection to the local electricity supply authority's electricity main, the occupant of the dwelling site</i></p> | <p>Complies. The manufactured homes estate is proposed to be connected to the existing local electrical network, with each unit site connected to a separate electricity meter designed to the appropriate electrical standards.</p> |

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| <i>may only be charged reasonable charges for the supply of the electricity.</i> | |
| 31 Telephone lines <i>Telephone services, if available, must be provided by a telephone connection that is available to each dwelling site within the manufactured home estate.</i> | If available, the telephone connection will be available to each dwelling site. |
| 32 Common trenches <i>A common trench may be used for the installation of services in accordance with guidelines provided in AMCORD.</i> | Complies. Common trenches will be installed in accordance with guidelines provided in AMCORD. |
| Subdivision 5 General | |
| 33 Garbage removal <i>Arrangements specified in an approval must be implemented and maintained—</i> <i>(a) for the removal of garbage, and</i> <i>(b) to keep garbage receptacles in a clean and sanitary condition.</i> | Complies. The street network is capable of handling garbage removal vehicles, with any shared garbage receptacles kept to an appropriate safe, and clean standard. |
| 34 Fire hydrants <i>(1) No part of a dwelling site or community building within a manufactured home estate may be located more than 90 metres from a fire hydrant.</i> | Complies. The internal street network will be provided with adequate fire hydrant resources in accordance with the Regulation. |

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| <p>(2) A fire hydrant located within a manufactured home estate must be—</p> <p>(a) a double-headed pillar-type fire hydrant, and</p> <p>(b) maintained to the standard specified in the approval.</p> | |
| <p>35 Buildings</p> <p>(1) A building must not be erected on a manufactured home estate unless the approval allows the erection of the building.</p> <p>(2) An approval may allow only the following kinds of buildings to be erected on the manufactured home estate—</p> <p>(a) community buildings,</p> <p>(b) brick or masonry walls to erect—</p> <p>(i) separating walls between adjoining manufactured homes, or</p> <p>(ii) external facades to manufactured homes.</p> <p>(3) The approval may allow the erection of a brick or masonry wall to erect an external facade to a manufactured home only if—</p> <p>(a) the dwelling site on which the manufactured home is located is a neighbourhood lot, and</p> <p>(b) the owner of the manufactured home is the owner of the neighbourhood lot.</p> <p>Note—</p> | <p>Complies. The enclosed site plans include floor plans and elevations for a supporting community facilities and consent is sought to do establishing works to prepare the land for these facilities under this development application.</p> |

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| <p><i>The erection of a building, including a community building or brick or masonry wall, may require development consent under the Environmental Planning and Assessment Act 1979.</i></p> <p><i>(4) In this section—</i></p> <p><i>neighbourhood lot</i> <i>has the same meaning as in the Community Land Development Act 1989.</i></p> | |
| <p>36 Use of manufactured home estates</p> <p><i>(1) A manufactured home estate must not be used—</i></p> <p><i>(a) for a commercial purpose other than a manufactured home estate or an associated purpose, or</i></p> <p><i>(b) for the manufacture, construction or reconstruction of moveable dwellings.</i></p> <p><i>(2) A manufactured home may be used for exhibition purposes.</i></p> <p><i>(3) A manufactured home installed in a manufactured home estate may be renovated, maintained and repaired.</i></p> <p><i>Example—</i></p> <p><i>Renovation, maintenance and repairs may include painting and the replacement of wall cladding or roof sheeting.</i></p> | <p>Complies. The development is proposed to establish a manufactured home estate and complies with the provisions of this part of the Regulation.</p> |
| <p>37 Community map</p> <p><i>The holder of an approval must provide the council with a copy of the community map for the manufactured home estate—</i></p> | <p>Noted.</p> |

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| <p>(a) as soon as practicable after an amendment is made to the map, and</p> <p>(b) at other times reasonably required by the council.</p> | |
| <p>38 Access to approval and community map</p> <p>The holder of an approval must ensure that copies of the following documents are available for inspection, free of charge, by an occupant of the manufactured home estate—</p> <p>(a) the approval for the manufactured home estate,</p> <p>(b) the current community map,</p> <p>(c) this Regulation.</p> | <p>Noted.</p> |

State Environmental Planning Policy (Resilience & Hazards) 2021 Chapter 4 – Remediation of Land

| Applicable provision | Response |
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| <p><i>Chapter 4 of State Environmental Planning Policy (Resilience & Hazards) 2021 sets out considerations relating to land contamination across the state. The intention of the SEPP is to establish 'best practice' guidelines for managing land contamination through the planning and development control process.</i></p> <p><i>In the context of this application, clause 4.6 of Chapter 4 generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose. The SEPP requires the consent authority to consider whether the subject land is contaminated when determining a development application. If the land is contaminated, the consent authority must be 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.</i></p> | <p>A preliminary site investigation (PSI) was undertaken in March 2017 associated with the rezoning proposal.</p> <p>The PSI investigated the entirety of the proposed subdivision development area including the subject development area. The report identifies that the historic use of land is dryland grazing and cropping.</p> <p>The PSI did not detect contaminants requiring a further detailed site investigation and nor was soil contamination present considered as an impediment to residential development. Council at the time issued the consent and the western section of the subdivision has been previously developed for residential purposes.</p> <p>The area is not known to have uncovered undetected contamination, nor is there expected to be at risk of contamination given its historical use and surrounding context.</p> |

State Environmental Planning Policy (Transport & Infrastructure) 2021 Chapter 2 – Infrastructure

| Applicable provision | Response |
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| <p><i>Chapter 2 of State Environmental Planning Policy (Transport & Infrastructure) 2021 provides a provides a consistent and flexible planning system to facilitate the delivery of infrastructure and services. The policy identifies environmental assessment categories for types of infrastructure, matters to consider when assessing development adjacent to infrastructure and provides for consultation with relevant public authorities.</i></p> <p>Clause 2.48 – Determination of development applications – other development</p> <p>Clause 2.119 – Development with frontage to a classified road</p> <p>Clause 2.122 – Traffic generating development</p> | <p>No referral is required under Clause 2.48 to the relevant electricity supply authority as the development is proposed away from any overhead and underground powerline and no overhead powerline is proposed to be introduced under the adjacent subdivision developments in Stage 6 or Stage 7.</p> <p>Clause 2.119 is not applicable as the development does not front a classified road, as such referral to TfNSW is not required.</p> <p>Clause 2.122 As the proposed manufactured home estate development does not meet these thresholds, the development is not classified as ‘traffic-generating development’ and referral to TfNSW is not required.</p> |
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State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 5 River Murray lands [formerly Murray Regional Environmental Plan No 2 – Riverine Land (deemed SEPP)]

| Applicable provision | Response |
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| <p><i>The aims of the Chapter 5 River Murray lands are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.</i></p> <p><i>The objectives of Chapter 5 River Murray lands are:</i></p> <p>(d) <i>to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray;</i></p> | <p>The subject development site falls within the area to which State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 5 River Murray lands (formerly the Murray Regional Environmental Plan No 2 – Riverine Land “MREP”) applies. A section of the overall subdivision area is identified as native vegetation and this section of vegetation is proposed to be retained as part of The Range residential development area.</p> <p>The development area subject to this application identified for the manufactured home estate does not present as a specified boundary on the map. Nevertheless, the development site is located within the land application area, and the provisions of Chapter 5 apply.</p> |

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| <p>(e) <i>to establish a consistent and coordinated approach to environmental planning and assessment along the River Murray; and</i></p> <p>(f) <i>to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.</i></p> <p><i>Chapter 5 River Murray lands requires Council to take into account a number of general and specific principles when considering development proposals to which the plan applies. These controls generally relate to the to the protection of the River Murray.</i></p> | |
| <p>General principles</p> <p><i>When this Part applies, the following must be taken into account—</i></p> <p>(a) <i>the aims, objectives and planning principles of this Chapter,</i></p> <p>(b) <i>any relevant River Management Plan,</i></p> <p>(c) <i>any likely effect of the proposed plan or development on adjacent and downstream local government areas,</i></p> <p>(d) <i>the cumulative impact of the proposed development on the River Murray.</i></p> | <p>The matters listed here are accounted for in the following table where responses are provided, with reference to external strategies and management of the development to assure protection of the River Murray.</p> <p>The proposed development is not considered to contribute a cumulative impact to the River Murray, and measures are proposed for the construction and ongoing environmental management.</p> |
| <p>Specific principles</p> | |
| <p>Access</p> <p><i>* The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this</i></p> | <p>The development site is located approx. 700 metres from the waterway and will not obstruct or make private use.</p> |

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| <p><i>resource by or for private purposes should not be supported.</i></p> <p><i>* Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.</i></p> <p><i>* Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.</i></p> | <p>The proposal does not involve access to the river or riparian corridor.</p> |
| <p>Bank disturbance</p> <p><i>* Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.</i></p> | <p>The proposal will not cause a disturbance to the bank or riparian vegetation.</p> |
| <p>Flooding</p> <p><i>* Where land is subject to inundation by floodwater—</i></p> <p><i>(a) the benefits to riverine ecosystems of periodic flooding,</i></p> <p><i>(b) the hazard risks involved in developing that land,</i></p> <p><i>(c) the redistributive effect of the proposed development on floodwater,</i></p> <p><i>(d) the availability of other suitable land in the locality not liable to flooding,</i></p> <p><i>(e) the availability of flood free access for essential facilities and services,</i></p> | <p>The LEP does not have a current Flood Planning Map, following an amendment to the LEP that repealed 7.8 <i>Flood planning</i>. Flood risk considerations are addressed under 5.21 <i>Flood planning</i>. A new Flood study, and Floodplain Risk Management Study and Plan for Moama is currently underway.</p> <p>Despite the repeal of clause 7.8, the proposed development area is located outside of the flood planning extent as mapped on Murray River Local Profile 2018 and is located outside of the historic Flood Planning Area.</p> <p>Notwithstanding the above, the site partially affected by floodwaters during the 0.2% (1 in 500) AEP event, and this affectation is accounted for in the proposed designs and DCP design response to account for freeboard and drainage system strategy that is supporting this proposal.</p> |

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| <p>(f) the pollution threat represented by any development in the event of a flood,</p> <p>(g) the cumulative effect of the proposed development on the behaviour of floodwater, and</p> <p>(h) the cost of providing emergency services and replacing infrastructure in the event of a flood.</p> <p>* Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.</p> | |
| <p>Land degradation</p> <p>* Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</p> | <p>The noted land degradation processes are not anticipated to occur as a result of proposed residential activity. The major disturbances are anticipated during construction only.</p> |
| <p>Landscape</p> <p>* Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</p> | <p>The proposal will not impact the riverine landscape, riverbank or adjacent land. The existing native vegetation on adjacent lands is not anticipated to be impacted during construction works.</p> |
| <p>River related uses</p> <p>* Only development which has a demonstrated, essential relationship with the river Murray should be located in or on</p> | <p>The proposal does not seek to introduce or intensify any activity at the bank of the River Murray, nor does it block public access.</p> |

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| <p><i>land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.</i></p> <p><i>* Development which would intensify the use of riverside land should provide public access to the foreshore.</i></p> | |
| <p>Settlement</p> <p><i>* New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located—</i></p> <p><i>(a) on flood free land,</i></p> <p><i>(b) close to existing services and facilities, and</i></p> <p><i>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</i></p> | <p>As discussed elsewhere in this report, the existing flood planning area is repealed, though it is noted that the development is proposed to benefit from new public transport and vehicle connections to services and facilities within Moama.</p> <p>The site is undergoing significant change from agricultural to residential activity. This priority was identified in the Moama Strategic Land Use Plan to expand residential activity and the site is appropriately zoned for residential use.</p> |
| <p>Water quality</p> <p><i>* All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</i></p> | <p>Proposed local drainage network redirects overland flows to the proposed constructed wetlands / basin infrastructure. The basin is essentially a pollutant trap with the dual function as retention basin to reduce flows and ease the channelling of overland pollutants entering the River Murray, and secondly to absorb pollutants through ecological processes.</p> |
| <p>Wetlands</p> <p><i>* Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</i></p> <p><i>Land use and management decisions affecting wetlands should—</i></p> | <p>The proposed development does not impact upon a natural wetland or other natural resource.</p> <p>It is noted that the proposed constructed wetland seeks to provide for the values listed under this part.</p> |

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| <p>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</p> <p>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</p> <p>(c) control human and animal access, and</p> <p>(d) conserve native plants and animals.</p> | |
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State Environmental Planning Policy (Housing) 2021, Chapter 3 Diverse housing, Part 8 Manufactured homes

| Applicable provision | Response |
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| 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 | |

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- (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.
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119 Land to which this Part applies

- (1) This Part applies to land that is within the City of Gosford or the Shire of Wyong and to all other areas in the State that are outside the Sydney region.
- (2) This Part does not apply to—
- (a) land described in Schedule 5, being land subject to a local environmental plan prepared in accordance with the principles of a direction issued in conjunction with this Part and made under section 117 of the Act, or
- (b) land less than 18 kilometres from the Siding Spring Observatory within the meaning of clause 5.14 of the standard local environmental planning instrument prescribed by the Standard Instrument (Local Environmental Plans) Order 2006.

The Part is relevant to land outside of the Sydney areas, thereby applying in the case of the proposed development.

Schedule 5 does not apply.

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| <p>120 Relationship to other environmental planning instruments</p> <p><i>(1) In the event of an inconsistency between this Part and any other environmental planning instrument whether made before or after this Part, this Part prevails to the extent of the inconsistency.</i></p> <p><i>(2) Nothing in Chapter 3, Part 9 prevents development consent from being granted pursuant to this Part for the use of land for the purposes of a manufactured home estate.</i></p> | <p>Noted. No other Part applies to subject proposal.</p> |
| <p>121 Definitions</p> <p><i>(1) Words and expressions used in this Part that are defined in Schedule 7 have the meanings set out in that Schedule.</i></p> <p><i>(2) Notes appearing in this Part are intended to assist understanding of this Part only and are not part of this Part.</i></p> | <p>Noted. The subject proposal has used the definitions provided in Schedule 7. The proposal is for a manufactured home estate, which means land on which manufactured homes are, or are to be, erected.</p> |
| <p>122 Where development for the purposes of a manufactured home estate may be carried out</p> <p><i>Development for the purposes of a manufactured home estate may be carried out pursuant to this Part on any land on which development for the purposes of a caravan park may be carried out, except—</i></p> <p><i>(a) land within one or more of the categories described in Schedule 6, or</i></p> <p><i>(b) land dedicated or reserved under the National Parks and Wildlife Act 1974, or</i></p> | <p>As discussed under Section 4.5.1 of this report, permissibility is enabled through the SEPP (Housing) 2021, Part 8 provisions with reference to permissibility of caravan parks. Clause 122 of the SEPP provides that caravan parks as a permissible land use enables the use of the land as a manufactured homes estate.</p> |

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| (c) <i>land within a Crown reserve.</i> | |
| <p>123 Development consent required for manufactured home estates</p> <p><i>(1) Development for the purposes of a manufactured home estate permitted to be carried out by this Part may be carried out only with the development consent of the council.</i></p> <p><i>(2) A council must not consent to any such development unless it imposes, as a condition of the consent, a requirement that an approval to operate a manufactured home estate on the land on which the development is to be carried out must be obtained under Part 1 of Chapter 7 of the Local Government Act 1993.</i></p> <p><i>(3) Nothing in this Part requires a separate development consent to authorise the placing of each manufactured home within a manufactured home estate.</i></p> | <p>The subject application is made pursuant to subsection (1), as development consent is sought for the purposes of a manufactured home estate, which is a land use type that is permitted in the zone.</p> <p>It is therefore anticipated that Council places on the favourable determination of the application a condition relating to <i>an approval to operate a manufactured home estate on the land on which the development is to be carried out</i> as required by subsection (2).</p> <p>The subject application is seeking formal development consent for the enabling/infrastructure works only, where consent for the works to establish the manufactured homes is to be sought on a later development application. Thereby, despite the provision of subsection (3), it is understood that a separate development consent will be sought for the installation of the units.</p> |
| <p>124 Subdivision of manufactured home estates</p> <p><i>(1) Land on which development for the purposes of a manufactured home estate may be lawfully carried out (whether or not because of a development consent granted pursuant to this Part) may be subdivided—</i></p> <p><i>(a) under section 289K of the Local Government Act 1919 for lease purposes, or</i></p> <p><i>(b) under the Community Land Development Act 1989, only with the development consent of the council.</i></p> | <p>The subject application seeks development consent for a subdivision proposal, though only part of the subdivision component relates to land proposed to accommodate the manufactured homes estate. Of the proposed nine (9) new lots to be created, only two (2) are intended to be developed for the purpose of a manufactured home estate. The remaining lots will form part of the wider overall residential subdivision works, designed for integration with the development of land at The Range.</p> <p>The subject proposal is deemed to comply with the considerations of the provisions of the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021, Part 2 Manufactured home estates and manufactured homes</i>. An assessment of the proposal against the provisions of the regulation is provided above, Appendix H. The subject proposal is not considered inconsistent with those provisions, and in-principle support for</p> |

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| <p><i>(2) A council must not grant a development consent for such a subdivision if any of the lots intended to be created by the proposed subdivision would contravene a requirement of the Local Government (Manufactured Home Estates) Transitional Regulation 1993. [superseded by Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021]</i></p> <p><i>(3) Any prohibition or restriction on the subdivision of land imposed by any other environmental planning instrument (whether made before or after this Part) does not apply to such a subdivision.</i></p> <p><i>(4) This Part does not allow the subdivision of land within a Crown reserve.</i></p> | <p>the proposal is sought from the Council to amend the application such that the proposed dwelling floor plan designs are the anticipated outcome.</p> <p>It is not understood that any prohibition or restriction applies to the land that would prevent the proposed subdivision, nor does it involve land that is within a Crown reserve.</p> |
| <p>125 Matters to be considered by councils</p> <p><i>(1) A council may grant a development consent pursuant to this Part allowing development for the purposes of a manufactured home estate only if it is satisfied—</i></p> <p><i>(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</i></p> <p><i>(b) that the manufactured home estate is or will be provided with adequate transport services, and</i></p> <p><i>(c) that sufficient community facilities and services, whether situated within or outside the estate, are or will be</i></p> | <p>The provisions of this subsection are the subject of this proposal.</p> <p>The subject application directly seeks development consent so that unit sites (and newly subdivided standard residential blocks) can be provided:</p> <p>(a) adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity;</p> <p>(b) transport services via a new internal road network;</p> <p>(c) enable community facilities and services, and connection to existing services within Moama;</p> <p>(d) certain measures are proposed to be implemented during the development to minimise adverse effects on surrounding waterways and natural areas. Of particular note is the proposal to integrate with the series of man-made wetlands distributed throughout the development area as a nature-based solution to manage natural siltation and environmental flows throughout the site.</p> |

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| <p><i>available and reasonably accessible to the residents of the manufactured home estate, and</i></p> <p><i>(d) that the development will not have an adverse effect on any—</i></p> <ul style="list-style-type: none"> • <i>conservation area</i> • <i>heritage item</i> • <i>waterway or land having special landscape, scenic or ecological qualities,</i> <p><i>which is identified in an environmental planning instrument applicable to the land concerned.</i></p> <p><i>(2) A council may grant a development consent pursuant to this Part allowing development for the purposes of a manufactured home estate only after it has considered the following—</i></p> <p><i>(a) the cumulative impact of the proposed development and other manufactured home estates in the locality,</i></p> <p><i>(b) any relevant guidelines issued by the Director,</i></p> <p><i>(c) the provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.</i></p> | <p>Further, the Council is encouraged to permit the development based on the matters:</p> <p>(a) the proposal will create no cumulative impact, and no mother manufactured home estates are active in the area;</p> <p>(b) there is no relevant guideline from the Director;</p> <p>(c) the provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 will be considered at a subsequent stage in the development process, once establishing works are complete and the land is prepared for the installation of the manufactured homes. Even so, it is still considered that the proposed designs are consistent with the provisions of this part and introduce no cause for concern that the proposal will contribute a manufactured home estate is designed, constructed, maintained and operated against the provisions of Division 3.</p> |
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Appendix G: DCP Compliance Tables

Murray Development Control Plan 2012

DCP Control

Compliance

Comment

Chapter 2 – Residential

Chapter Objectives

- *To provide for a variety of residential development that caters for the housing needs of local residents.*
- *Encourage dwelling design that has minimal impact on adjoining neighbours.*
- *Ensure that residential buildings offer visual interest and variety in their appearance and style.*
- *Make sure that new development is sympathetic with the established form of an area to ensure that neighbourhoods with distinct character are developed over time.*
- *Ensure that new residential development is consistent and compatible with the desired future form and density of an area.*
- *Encourage residential development that is respectful to the character of areas which are developed over time.*

Higher density component

Higher density being generally but not exclusively groups of two or more dwellings on a single lot (regardless of lot size) or single dwellings on small lots (<450 sqm)

This definition provided by the Murray DCP best applies to the manufactured home estate component of the proposal. The higher density controls are considered in site design. In the case of inconsistency between the plan and a Council control, justification is provided.

2.1 Neighbourhood character

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
|---|------------|---|
| <p>General</p> <p><i>The design of residential development is to suit the existing scale, density, setbacks and character of the neighbourhood.</i></p> | Yes | <p>The proposal creates a new scale within this section of The Range, with a specific intention to increase the density where smaller units are a preferable outcome for the intended market section. The subdivision complies with the design controls of the DCP, and deliver an entirely compatible and suitable scale of development that will be integrated with the existing suburban pattern emerging in the overall The Range subdivision area.</p> <p>The manufactured homes estate will be integrated, though separately managed. Lincoln Place is a lend lease lifestyle estate operator with several active communities in operation across the country. The estate is a separate managed community entity to be administrated through Lincoln Place and, although placed adjacent to the approved Stages 6 & 7, will introduce a distinct neighbourhood character to support new occupants. Density and setbacks are consistent throughout the estate and add value and opportunity to the character of the overall neighbourhood.</p> |
| <p>Higher density</p> <p><i>High density residential development should be located in proximity to public open space areas, public transport routes and commercial centres.</i></p> | Yes | <p>The overall development area is emerging with a generous network of open space characterised by wetlands, parks and gardens, which is well connected with pedestrian access. Street layout and subdivision configuration is designed with the notion of active living and connection to existing centres in mind.</p> <p>The subject proposal will be fully integrated with the existing pedestrian, transport and open space network, expanding on the existing infrastructure to create a vibrant and high amenity community living opportunity for future occupants.</p> |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
|---|------------|--|
| <i>Council will consider any proposal for higher density residential development outside of the area depicted in Figure 2.1 as inconsistent with the objectives for neighbourhood character.</i> | No | The proposed development area is on land outside of the preferred area for higher density housing. It is understood this measure assures a sensible transition from low intensity uses at extent of town limit toward increased activity at the town centre. The design of the manufactured home estate development echoes this sentiment by positioning occupancies well away from existing standard residential allotments and others currently under construction in proximity of the site. Furthermore, the low intensity of residential activity within the new precinct shall not be of a kind to diminish existing residential amenity of those surrounds. The manufactured homes estate is provided road access via the existing, emerging internal street network of the wider development, and seeks to achieve the high quality and high amenity which characterises the built form of the area and achieves high-quality neighbourhood character objectives. |
| <i>Council will consider any proposal for higher density residential development on land zoned R1 or RU5 that adjoins land zoned R2 or R5 as inconsistent with the objectives for neighbourhood character.</i> | Yes | The proposal is not on land adjoining R2 or R5. |

2.2 Streetscape

| Murray Development Control Plan 2012 | | |
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| DCP Control | Compliance | Comment |
| General Dwellings are to ‘face’ the primary street frontage. | Yes | All sites and concept floor plans are designed with street face to primary street frontage. This also includes the proposed standard residential lots. |
| The rear or service areas of a dwelling (bathrooms, laundry, etc.) shall not face the primary street frontage. | Yes | Front facing rooms to be habitable rooms, where unit sites to accommodate two-car garage & parking space at street front. |
| Fences to street frontages are to be designed to complement the character of the area. Fences should be low (less than 1.2 metres in height) or if taller, provided with openings. Solid fences taller than 1.2 metres will fail the objective for streetscape and therefore are unlikely to be supported (see Figure 2.2). | N/A | Front facing rooms to be habitable rooms, where unit sites to accommodate two-car garage & parking space at street front |
| Bulk and scale should be kept in a compatible size with the existing or likely development in the residential precinct. Varying the pitch of | Yes | The proposed unit site development sets a new rhythm in form and scale to the wider The Range precinct. Bulk and scale of building works proposed will likely be lower as the proposed manufactured homes are designed to be compact and installed within a modest building envelope. Nonetheless, the manufactured homes do not introduce a bulk and scale |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <i>the roof and angles of eaves and inserting parapet features is encouraged.</i> | | considered significantly inconsistent with the remainder of the homes proposed to be constructed throughout the wider development area. |
| <i>High quality materials and finishes should be used for residential building exteriors as well as any fences constructed as part of the development.</i> | Yes | Refer to enclosed building plans. Materials and finishes as per the Lincoln Place concept plans will be confirmed on the next application, following the successful completion of enabling works at a subsequent development application. |
| <i>Retain existing trees in the streetscape.</i> | Yes | No existing vegetation in the area to be retained. |
| <i>Retain and enhance heritage items where they make a positive contribution to the streetscape.</i> | Yes | No existing heritage items in the area to be retained. |
| <i>Garages are to be designed to minimise the visual dominance on the streetscape of garage doors.</i> | Yes | Front yard plantings and front building face design elements offset impact of garage doors on streetscape. |
| <i>Higher density</i> | N/A | |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
|---|------------|---|
| <i>Residential flat buildings are to be designed in accordance with the requirements of SEPP 65 – Design Quality of Residential Flat Development.</i> | | |
| 2.3 Landscaping | | |
| General <i>At least 15% of the entire lot area is to remain penetrable to water.</i> | Yes | Permeable stormwater infiltration areas are depicted on enclosed site plans. Deep soil zones retained on unit sites for domestic plantings. Overall pervious total is 30.68% as per the subdivision plans provided by Development Outcomes. |
| <i>Existing mature trees should be incorporated in the development where possible.</i> | N/A | No mature trees to be retained at site. |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <p><i>Where ever possible native plant species are to be utilised in landscaping with preference given to drought tolerant species.</i></p> <p><i>Deciduous species of trees to be used in open space located on the northern side of living areas.</i></p> | N/A | Landscape plans for individual unit sites to be determined for individual occupancies. |
| <p>Higher density</p> <p><i>A landscaping plan detailing the site features, hardstand areas, number and type of plant species and planting locations is to be submitted to the Council's satisfaction prior to the issue of the Construction Certificate.</i></p> | N/A | Landscaped areas adjoining pedestrian walkways and buffer plantings are proposed throughout the development area. Proposed landscaping plans showing local open areas and green spaces are enclosed in support of the application. |

2.4 Private open space

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <p>General</p> <p><i>Private open space (i.e. space that is not visible at ground level from a public place or adjoining property) is to be provided at the rate of 30m² per dwelling with a minimum width of 3 metres.</i></p> | Yes | Unit sites typically designed with building footprint to allow rear private open space of approx. 40 sqm. Each unit site typically allows for a deep soil zone, outdoor laundry/drying facility and attached alfresco. |
| <p><i>The principal private open space area must receive a minimum of three hours direct sunlight between 9am and 3pm at the Winter Solstice.</i></p> | Yes | Unit site designs are mindful of passive solar principles to maximise direct sunlight to rear of site. Rear of site ratio provided 69.36%. |
| <p><i>The principal private open space is to be in close proximity to the main living area of the dwelling.</i></p> | Yes | Private open space is directly accessible from the primary living areas of the dwelling unit. |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <p>Higher density</p> <p><i>Private open space in the form of a balcony is to be provided at a rate of 8m² per dwelling with a minimum width of two metres for units that have no ground floor access from the living areas of the unit.</i></p> <p><i>Private open space (i.e. space that is not visible at ground level from a public place or adjoining property) is to be provided at the rate of 20m² per dwelling with a minimum width of 3metres.</i></p> | N/A | <p>Final unit site footprint layout to be considered at dwelling construction stage.</p> <p>Alfresco design typically minimum 8 sqm with internal access provided into a habitable living area.</p> <p>Please refer to designers typical building plan.</p> |
| 2.5 Building setbacks | | |
| <p>General</p> <p><i>An articulation zone is permitted in front of the building line to the primary road for a distance of 1 metre from the foremost edge of the building line and for 25 per cent of the overall building width. The articulation zone</i></p> | Yes | <p>Consistent front setbacks are provided across proposed building footprint and do not encroach the street more than 1.5m from the unit site boundary. No articulation feature protrudes any closer to the public thoroughfare.</p> <p>Attached garages do not extend in front of the main building line.</p> <p>There is no unit site proposed with any outbuilding.</p> |

Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <p><i>allows for building elements, such as porticos, awnings and the like where necessary or which enhance the quality of the building and/or contribute to the visual quality of the streetscape.</i></p> <p><i>In these controls, setbacks are measured to the building line which means the line of an existing or proposed external wall (other than a wall or roof of any building element within an articulation zone) of a dwelling house, closest to a boundary of a lot.</i></p> | | <p>Maintenance yard building provided generous street setback from the corner at Street A.</p> <p>Side boundary setbacks are proposed typically at 1.0 metre or greater to comply with NCC standards for fire separation. Rear setbacks typically propose approx. 2.5 metres.</p> |

2.6 Car parking & access

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| <p>General</p> <p>On-site parking at the following rates:</p> <p>One bedroom dwelling: 1 space</p> <p>Two or more bedroom dwelling: 2 spaces</p> | Yes | <p>Each unit site is proposed with minimum 2 spaces for on-site parking accessed from the front of the unit site, with a clear line of site to either direction to ensure vehicle and pedestrian safety.</p> <p>Carparking is variously proposed as stacked parking, one space in garage one space on driveway crossover.</p> <p>Typical design driveway width proposes minimum 4.81 metre.</p> |
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Murray Development Control Plan 2012

| DCP Control | Compliance | Comment |
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| <p><i>The parking spaces to be located in a safe and convenient location for residents and visitors.</i></p> <p><i>Stacked parking is permissible for one parking space.</i></p> <p><i>Parking, with the exception of stacked parking, is not to be provided within the front building setback.</i></p> <p><i>Driveways must be a minimum of 3 metres wide.</i></p> <p><i>The driveway should be made from attractive and hard wearing surfaces such as pavers, concrete and the like.</i></p> <p><i>All driveways, exposed car parks and manoeuvring areas are to be constructed to provide stormwater drainage.</i></p> <p><i>Minimum dimensions for a single car garage to be 3 metres wide by 6 metres deep.</i></p> | | <p>Driveway surfaces proposed concrete hardstand with connection to kerb to provide drainage.</p> <p>Typical garage design complies with 6.0 metre depth and 5.51 metre width.</p> <p>In the instance of a battleaxe allotment, a hardstand turning area is provided to ensure vehicles enter and exit in forward direction.</p> <p>Guest parking is provided throughout the proposal area.</p> <p>Internal street layout design ensure all vehicle movements throughout the network are in a forward direction. 6.0 metre carriageway widths allow for occurrences of manoeuvring to be contained within the hardstand area.</p> |

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| DCP Control | Compliance | Comment |
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| <p><i>Minimum dimensions for a double car garage is to be 5.5 metres wide by 6 metres deep.</i></p> <p><i>Access and parking on battle-axe allotments must be designed so that vehicles enter and exit part in a forward direction. Higher density</i></p> <p><i>For every four dwellings on the one site: 1 visitor space.</i></p> <p><i>Shared driveways longer than 20 metres in multi-dwelling developments shall be 5 metres wide or provide passing bay(s).</i></p> <p><i>Access and parking within multi-dwelling developments featuring a shared driveway must be designed so that all on-site vehicle movements (apart from manoeuvring) are in a forward direction.</i></p> <p><i>Manoeuvring areas within the site must be designed to minimise the number of vehicle movements, and particularly rearward movements.</i></p> | | |

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| DCP Control | Compliance | Comment |
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| <i>Manoeuvring areas must be designed so that all movements can be contained within the hardstand areas provided for that purpose.</i> | | |
| 2.7 Site facilities | | |
| <p>General</p> <p><i>External storage areas for each unit are to be located within the private open space.</i></p> <p><i>Clothes drying facilities are to be provided within the private open space of each dwelling.</i></p> <p><i>The mail box design and location should be complementary to the front setback landscaping and the dwelling design.</i></p> <p><i>Garbage bins for each unit are to be stored within the building or private open space. If a common bin storage area is proposed, it shall</i></p> | Yes | <p>Site facilities to be contained within the building footprint of the unit site.</p> <p>Clothes drying facilities typically provided within the rear private open space area.</p> <p>Mail boxes to be located at central communal site, within or adjacent to community centre site.</p> <p>Garbage bins to be stored within the unit site area, in an enclosed space away from public view.</p> <p>Rubbish collection to occur via ordinary Council waste collection service.</p> |

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| DCP Control | Compliance | Comment |
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| <i>be located in a screened enclosure central to the development.</i> | | |

2.8 Security

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| <p>General</p> <p><i>The site layout enhances personal safety and minimises the potential for fear, crime and vandalism.</i></p> <p><i>The design of dwellings enables residents to survey streets, public areas and dwelling entries to enable surveillance of the neighbourhood to take place.</i></p> <p><i>Adequate lighting must be provided for all paths, access ways, parking areas and building entries.</i></p> | Yes | <p>The estate is proposed for minimal access allowed to the general public. Public areas within the estate accessible to residents and their guests, minimizing opportunistic crime and vandalism.</p> <p>The front rooms of each unit proposed to be habitable room enabling passive surveillance.</p> <p>Public spaces to be adequately and appropriately illuminated. with an estate lighting plan and detail to accompany construction certificate.</p> |
|--|-----|---|

2.9 Privacy

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| DCP Control | Compliance | Comment |
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| <p>General</p> <p>Window and deck height-privacy controls</p> <p>A detached deck, patio, pergola or terrace or any alterations or additions to an existing deck, patio, pergola or terrace must not have a floor level that is more than 600mm above ground level (existing).</p> <p>For two storey buildings, upper floor walls should be set back from the sides to reduce the amount of overshadowing on adjoining lots.</p> <p>Noise transmission between attached dwellings is to comply with the Building Code of Australia.</p> <p>External lighting (including tennis courts and out door living areas) shall be baffled so there is minimal light spillage onto adjoining properties.</p> | Yes | <p>As per the controls listed under this part of the DCP, there is no requirement for screening to any window or deck of any proposed unit site.</p> <p>No unit site is proposed for more than a single storey at ground level. Nor is any detached deck proposed.</p> <p>Public spaces to be adequately and appropriately illuminated. with an estate lighting plan and detail to accompany construction certificate.</p> |

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2.10 Energy efficiency

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| <p>General</p> <p><i>Buildings should be oriented to make appropriate use of solar energy, be sited and designed to ensure energy efficiency of existing dwellings is not unreasonably reduced.</i></p> <p><i>Living areas and private open space should be located on the north side of development where practicable.</i></p> <p><i>Developments should be designed so that solar access to north facing windows is maximised.</i></p> <p><i>Buildings shall be designed to ensure living areas and private open space of adjoining residences maintain at least three hours direct sunlight between 9am and 3pm at the Winter Solstice. An overshadowing diagram</i></p> | <p>Yes</p> | <p>As discussed elsewhere in the report, the sites are designed to adhere with passive solar design principles. Internal living areas of units shall be placed to maximise sun exposure. Where possible, private open space is located with direct sunlight. There is no existing adjoining residence that would be overshadowed and anticipated overshadowing within the estate is minimal.</p> <p>Typical energy efficiency measures as denoted on typical building plans apply. Final building design to be determined for later stage application.</p> |
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| DCP Control | Compliance | Comment |
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| <i>may need to be provided to demonstrate this development control can be achieved.</i> | | |
| 2.11 Outbuildings | | |
| <p>General</p> <p><i>The use of shipping containers for sheds, excluding the RU1 zone, will be considered by Council to be non-compliant with the objectives of this control.</i></p> <p><i>Outbuildings (except in rural areas) are to be clad in factory pre-coloured metal, timber, brick or masonry material.</i></p> <p><i>The colour of cladding used on outbuildings is to be low-reflective (except in rural areas).</i></p> <p><i>The total floor area of an outbuilding or outbuildings in the R1 zone shall not exceed 100m² in size and 3.8m in height.</i></p> | N/A | <p>There is no outbuilding anticipated to be erected as part of this proposal.</p> <p>The outbuilding design controls shall be considered at later stages of residential development for the proposed subdivision on adjacent allotments.</p> |

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| DCP Control | Compliance | Comment |
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| <p><i>The total floor area of an outbuilding or outbuildings in the R2 and RU5 zones shall not exceed 140m² and 4.0m in height. Larger shed should be offset from the boundary to minimise visual impact.</i></p> <p><i>The total floor area and height of an outbuilding or outbuildings in the R5, E3 and RU1 zones shall be considered on its merit and against the objectives of this section.</i></p> | | |

2.12 Rich River Golf Club

| | | |
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| Not applicable | N/A | Not applicable to the proposed estate area, or the proposed subdivision on adjacent allotments. No unit site or proposed allotment shall front the golf club land. |
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Chapter 7 – Subdivision
The purpose of the chapter is:

- To encourage a diversity of lot sizes for residential, industrial and commercial development that is compatible with the character of an area and appropriate for the proposed use

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| DCP Control | Compliance | Comment |
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| <ul style="list-style-type: none"> <i>To provide lots with areas and dimensions which protect environmental features and take account of site constraints.</i> <i>To have regard to energy conservation principles in the orientation of lots where for residential subdivisions at least 70% of the lots will have favourable solar orientation.</i> <i>To ensure public open space, of appropriate quantity and quality, is provided to meet the recreational and social needs of the community.</i> <i>To ensure all public utilities for the development of new lots are adequately planned as part of subdivision.</i> <i>To ensure the provision of utilities and infrastructure meets minimum standards.</i> <i>To provide a road network that places a high priority upon vehicular and pedestrian connectivity, convenience and safety.</i> <i>To encourage the use of other transport modes as an alternative to motor vehicle transport.</i> | | |

Clause 7.1 – Context

| | | |
|---|------------|--|
| <i>Subdivision shall be consistent with the Murray Shire Strategic Land Use Plan</i> | Yes | Complies. See Section 4.2 of this report. |
| <i>On land to which the Moama North West Masterplan (2008) applies, subdivision shall be consistent with the recommendations of that plan.</i> | N/A | None. The land is adjacent to land <i>to which the Moama North West Masterplan (2008) applies</i> , but is not included within the Masterplan area, thus the directives of that plan do not apply. |

| Murray Development Control Plan 2012 | | |
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| DCP Control | Compliance | Comment |
| Clause 7.2 – Neighbourhood character | | |
| <i>Subdivision to be generally consistent with the theme and character of development relating to the same land use within the vicinity of the subject development.</i> | Yes | Standard residential allotments are proposed consistent with the existing form, scale and character of the existing approvals applying to earlier stages of <i>The Range</i> . The allotments are proposed to be serviced by existing infrastructure once built and linked by transport connectivity and design and site layout to ensure integration across the greater subdivision. |
| <i>On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan.</i> | N/A | Not applicable. |
| <i>Requests to vary minimum lot size on land zoned residential west of Lignum Road will be considered by Council to be inconsistent with the objectives for neighbourhood character.</i> | N/A | Not applicable. |
| <i>Where land zoned R1 or RU5 adjoins land zoned R2 or R5 Council will regard any of the</i> | N/A | Not applicable. |

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| DCP Control | Compliance | Comment |
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| <p><i>following as inconsistent with the objectives for neighbourhood character:</i></p> <p><i>More than two lots in the R1 or RU5 zones adjoining a single lot in the R2 or R5 zones.</i></p> <p><i>A lot with an area of less than 1300m² in the R1 or RU5 zone adjoining a lot in R2 or R5 zone.</i></p> | | |

Clause 7.3 – Staging

| | | |
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| Staging plan | Yes | <p>A staging plan is enclosed in support of this development application.</p> <p>As discussed, all legal access shall be available from when the overall road network throughout Stage 6 & 7 is completed. The creation of these lots shall not be formalised until infrastructure and access can be delivered.</p> |
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Clause 7.4 – Movement Network

| Murray Development Control Plan 2012 | | |
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| DCP Control | Compliance | Comment |
| Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards. | Yes | Subdivision layout complies with <i>the Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> . |
| The use of cul-de-sacs in subdivision design should only be contemplated in circumstances where constraints dictate a through street cannot be accommodated. | N/A | Not applicable – no cul-de-sacs are proposed. |
| On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan. | N/A | None. |
| Clause 7.5 – Activity centres & community facilities | | |
| General | Complies | The land is appropriately zoned for standard residential subdivision, and the proposal generally supports the directives of the <i>Murray Shire Strategic Land Use Plan</i> . |

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| DCP Control | Compliance | Comment |
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| <p><i>Subdivision shall be consistent with the Murray Shire Strategic Land Use Plan. Residential</i></p> <p><i>On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan.</i></p> | | |
| Clause 7.6 – Public Open Space | | |
| N/A | N/A | Not applicable – no public open space as defined under this part of the DCP is proposed as part of the subject development application. The subject land is not identified in the Murray Shire Strategic Land Use Plan as containing land set aside for public open space. |
| Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards. | N/A | Not applicable as Public Open Space is not proposed to be provided. |
| Applications for residential subdivision are to address the provision of Public Open Space (POS). All proposed residential subdivisions seeking consent for 25 lots or more are to | Yes | The proposed Torrens allotments do not themselves trigger a public open space requirement. Though it is noted that the proposed pedestrian and vehicle network that integrates the unit site development areas shall similarly connect the proposed Torrens allotments to the open |

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| DCP Control | Compliance | Comment |
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| <p><i>provide POS on the subject site to the satisfaction of Council, unless Council is satisfied of an alternative solution which does not require additional POS to be provided. Requirement to provide POS will be assessed by Council on the merits of the application based on the following:</i></p> <p><i>Proximity of the proposed subdivision to existing POS - No additional POS will be required if the application can suitably demonstrate that the following is safely and easily accessible to the proposed subdivision:</i></p> <p><i>District parks, consisting of 3 ha minimum area and containing a range of recreation settings, are provided within 2 km of all dwellings within the proposed subdivision; and/or</i></p> <p><i>Large local parks consisting of 0.4-1.0 ha minimum area provided within 500 m safe walking distance of all dwellings within the proposed subdivision; and/or</i></p> | | <p>space network, wetlands and pedestrian access in accordance with the <i>Landscape Plan</i> previously approved and now under construction.</p> |

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| DCP Control | Compliance | Comment |
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| <p><i>Small local parks consisting of 0.2 ha minimum area provided they are located within 300 m safe walking distance of all dwellings within the proposed subdivision.</i></p> <p><i>Access to Council's recreation reserves is available within 1km of all the dwellings within the proposed subdivision</i></p> | | |
| <i>Connectivity of the proposed subdivision to existing POS via walking and cycling paths;</i> | N/A | Not applicable. |
| <i>Capacity of the existing POS (detailed above) to cater for incoming development (or incapacity).</i> | N/A | Not applicable. |
| <i>The requirement to provide new POS as part of new residential subdivisions will be at the discretion of Council.</i> | N/A | Not applicable. |

| Murray Development Control Plan 2012 | | |
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| DCP Control | Compliance | Comment |
| <i>On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan.</i> | N/A | Not applicable. |
| Clause 7.7 – Landscaping | | |
| <i>A Landscape Plan is required to be submitted to Council detailing proposed landscaping</i> | Noted | A <i>Landscape Plan</i> is established and under construction as <i>The Range</i> development progresses. Individual allotments shall be landscaped as a key element of the establishment of the manufactured homes on the land, and once the later residential development of the standard residential allotments is engaged. |
| <i>On land to which Council's Roadside Vegetation Management Plan (2000) applies, consistency with the recommendations of that plan.</i> | Noted | Will be taken into consideration as part of the development the landscape plan. |
| <i>On land to which the Local Environmental Study – 2040 Perricoota Road, Moama (2008) applies, consistency with the recommendations of that study</i> | N/A | Subject land is not located at 2040 Perricoota Road. |

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| DCP Control | Compliance | Comment |
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| <i>On land to which any Local Environmental Study has been prepared for Murray LEP 2011 or subsequent amendment, consistency with the recommendations of that study.</i> | Noted | Any relevant plan will be taken into consideration as part of the development the landscape plan. |
| <i>On land identified on the Natural Resources Sensitivity Map in the LEP as 'Remnant Vegetation Cover', an assessment of that vegetation for biodiversity value and retention if necessary in any future development.</i> | N/A | Not applicable – land is not identified on the subject mapping. |
| Clause 7.8 – Lot Design | | |
| <i>Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards.</i> | Complies | Subdivision layout complies with <i>the Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> . |
| <i>For battle-axe allotments a minimum width of the access handle is to be:</i> | N/A | Not applicable. |

| Murray Development Control Plan 2012 | | |
|--|-------------------|---|
| DCP Control | Compliance | Comment |
| <ul style="list-style-type: none"> – 3.5m for a maximum length 20 metres; – 4m for a maximum length 30 metres; and – 5m for lengths greater than 30 metres. | | |
| Subdivisions are to be designed to maximise solar access and the number of rectangular shaped allotments | Complies | The subdivision has been designed to maximise solar access and ensure a number of rectangular shaped lots. All proposed Torrens allotments are rectangular shaped and consistent with the layout and configuration of adjacent and adjoining allotments in Stage 6 & 7. |
| On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan. | N/A | Not applicable. |
| Subdivisions must demonstrate a building envelope measuring 10 metres by 15 metres on each lot or display a dwelling to be constructed on the lot(s) consistent with the objectives and controls of Chapter 2- of this DCP. | Yes | Please find enclosed subdivision plans demonstrating building envelope in compliance with this control. |

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| DCP Control | Compliance | Comment |
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Clause 7.9 – Infrastructure & Services

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| <i>Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards.</i> | Yes | Subdivision layout complies with <i>the Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> . The new allotments are proposed to be serviced by new infrastructure installed at time of completion of Stage 6 & 7. |
| <i>On land to which the Moama West Infrastructure Strategy (2005) applies, consistency with the recommendations of that strategy</i> | Deemed to comply | As demonstrated elsewhere in this report, the proposal is consistent with the recommendations of the <i>Moama West Infrastructure Strategy (2005)</i> . |
| <i>On land to which the Moama North West Masterplan (2008) applies, consistency with the recommendations of that plan.</i> | N/A | Not applicable. |

Clause 7.10 – Natural hazards

| | | |
|---|------------------------|--|
| <p><i>On land mapped as bushfire prone, compliance with the NSW Rural Fire Service document Planning for Bushfire Protection (2006).</i></p> <p><i>On land identified as flood prone in the Moama Floodplain Management Study (1999), compliance with clause 7.8 of the LEP and the State Government's Floodplain Development Manual (2005).</i></p> <p><i>On land to which the Moama Floodplain Management Study (1999) applies, consistency with the recommendations of that study.</i></p> <p><i>On land that is, or has previously been used for viticulture, an investigation of the land for potential contamination in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government's Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998).</i></p> <p><i>A chemical spray drift buffer is to be provided between existing viticulture activity and residential lots. The applicant is to submit information prepared by a suitably qualified</i></p> | <p>Complies</p> | <p>The land is not mapped for any of the aforementioned hazards. In a bushfire event that should occur on adjacent lands, the proposed local road network is considered capable of handling emergency vehicle access to the hazard. <i>The Range Boulevard</i> and <i>Beer Road</i> are considered capable to handle local traffic as the nominated evacuation route away from the hazard.</p> |
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| | | |
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| <i>person with the development application that demonstrates an appropriate buffer distance.</i> | | |
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Clause 7.11 – Site Management

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| <p><i>Compliance with the Murray Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p> <p><i>The Blue Book – Managing Urban Stormwater: Soils and Construction (2004).</i></p> | Complies | A sediment and erosion control plan shall be submitted to the satisfaction of Council prior to the commencement of any subdivision and earthworks in accordance with the provisions listed in the <i>Murray Shire Engineering Guidelines for Subdivisions and Development Standards</i> . |
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Chapter 11 - Flood prone land

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| <p>Low hazard flood storage</p> <p>i. Floor levels will be at least the height of the FPL.</p> <p>ii. Any part of the new dwelling or addition below that floor level shall be constructed from flood compatible materials</p> <p>iii. Non-habitable and minor additions may be permitted on flood liable land provided any</p> | Deemed to comply | <p>As discussed elsewhere in this report, the FPL maps have been repealed. It is noted that the development area is located outside of the Flood Planning Area.</p> <p>Flood planning has been discussed elsewhere in this report, please refer to above tables - Table 5: Strategic Planning Policies & Table 7: LEP Assessment.</p> |
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| DCP Control | Compliance | Comment |
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| part of the new building or structure below that level is built from flood compatible materials. | | |
| Chapter 12 – Notification policy | | |
| 12.2 Development applications requiring notification | Noted | The proposal is not of a type listed on Table 12.1, though it is noted that Council staff will determine that the application may detrimentally affect the amenity of persons who own or occupy adjoining or neighbouring land, in terms of the matters listed in 12.3 of this chapter. It is expected that the application shall be placed on notification. |

