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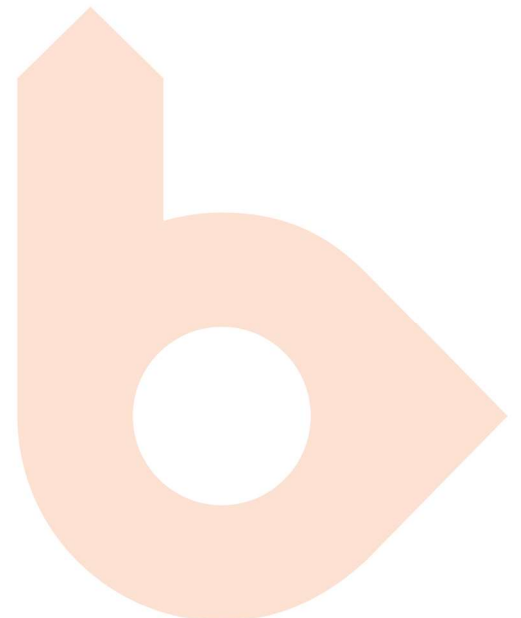
# Statement of Environmental Effects

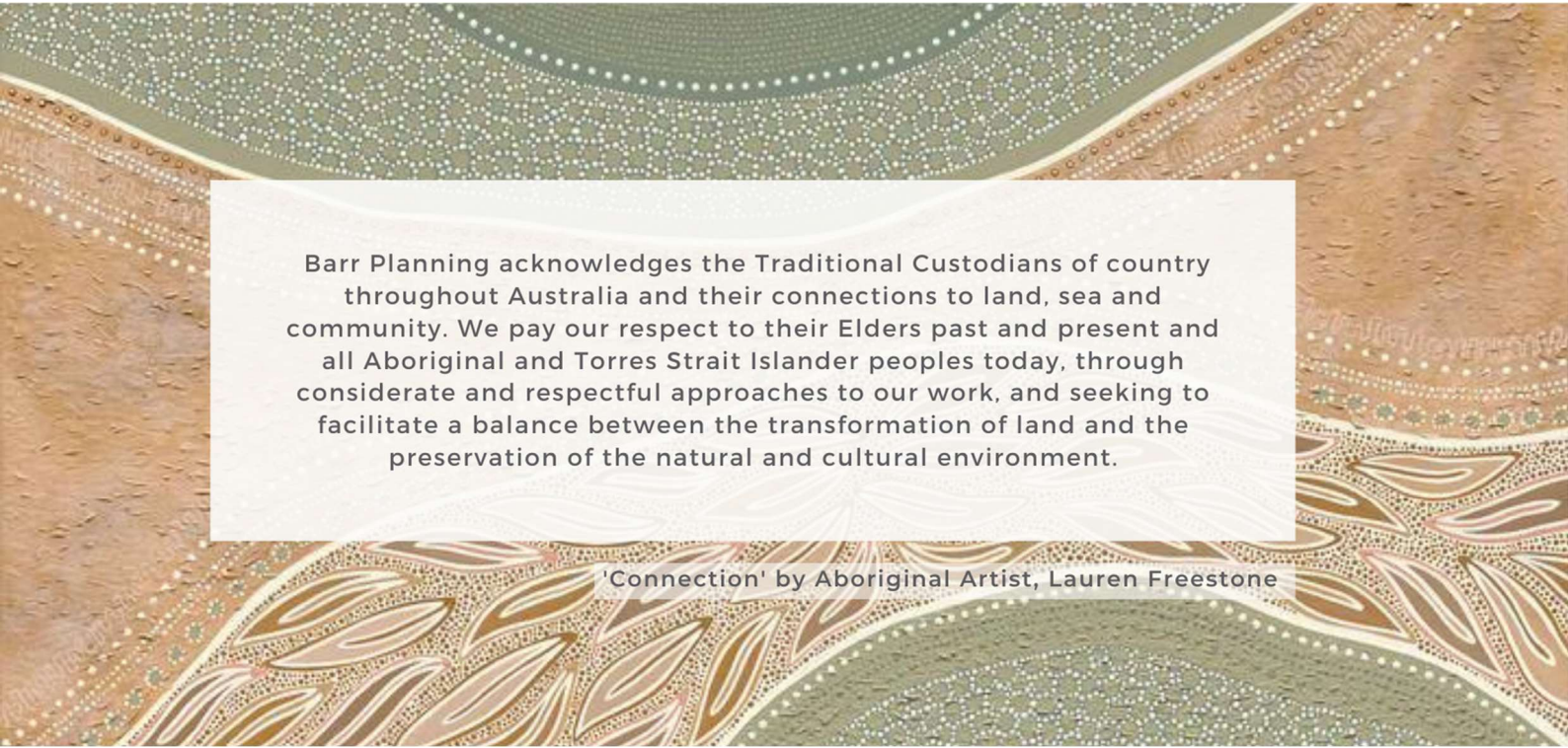
Concept Development Application &  
Stage 1 Development Application  
559 Anambah Road, Gosforth

Prepared by Barr Planning

for Thirdi Group

January 2025





Barr Planning acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and all Aboriginal and Torres Strait Islander peoples today, through considerate and respectful approaches to our work, and seeking to facilitate a balance between the transformation of land and the preservation of the natural and cultural environment.


'Connection' by Aboriginal Artist, Lauren Freestone

## Document Control

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## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Barr Planning on behalf of Thirdi Group to support a Concept Development Application lodged to Maitland City Council pursuant to Section 4.12 and 4.22 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). The Application seeks approval for a Concept Proposal for development of the site for the purposes of a Manufactured Home Estate (MHE) at 559 Anambah Road, Gosforth. Pursuant to s4.22(2) of the EP&A Act, the Application also seeks approval for Stage 1 of the development that comprises:

- Site preparation works and construction of lead in road infrastructure
- Construction of a 291 site Manufactured Home Estate, featuring:
  - Internal road networks and services
  - Community open spaces, community facilities and drainage reserves
  - Caravan storage
  - Site landscaping

### 1.1 Ownership

Table 1 Property Ownership Details

Property	Street Address	Owner
Lot 177, DP 874171	559 Anambah Road Gosforth	Rodney David Bird Caveat #AS489911 by Thirdi Anambah Pty Ltd.
Lot 55, DP 874170	559 Anambah Road Gosforth	Rodney David Bird Caveat by Thirdi Anambah Pty Ltd. #AS489911
River Road		Council Road

A Cadastral Records Inquiry Report prepared by InfoTrack and provided with the application confirms in relation to River Road:

*'In view of Section 8 of the Local Government Amending Act of 1908, this part of River Road is no longer a Crown Road, but now deemed to be a Council Public Road. It is noted that this part of River Road has never been deemed to be a private road.'*

### 1.2 Consent Authority

The proposed development has an Estimated Cost of Development of over \$30 million. Pursuant to Clause 2, Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, the development is classified as Regionally Significant Development, and the consent authority is the Hunter and Central Coast Regional Planning Panel.



### 1.3 Supporting Documentation

This SEE is supported by the following documentation:

*Table 2 Submitted Documentation*

Document	Author	Revision	Date
Aboriginal Cultural Heritage Assessment Report	Heritage Now	4	20/01/2025
Access Report	Purple Apple Access	1	20/01/2025
Agronomist Report	Farmland Co.	-	2024
Biodiversity Development Assessment Report	MJD Environmental	1	22/01/2025
Civil Engineering Plans	MakerEng	1	6/12/2024
Civil Engineering Report	MakerEng	1	6/12/2024
Notification Plan	MakerEng	1	6/12/2024
Flood Impact and Risk Assessment	Northrop Consulting Engineers	B	16/1/2025
Infrastructure Servicing Assessment	Northrop Consulting Engineers	A	15/12/2024
Landscape Plans	Moir Studio	C	13/12/2024
Club House Building Plans	Parkwood Modular Buildings	-	30/08/2024
Visual Impact Assessment	Moir Studio	C	13/12/2024
Bushfire Assessment Report	Bushfire Planning Australia	3	17/01/2025
Waste Management Plan	MRA Consulting	1	15/01/2025
Geotechnical Investigation	EP Risk	V2	11/12/2024
Preliminary Site Investigation	EP Risk	V2	8/01/2025
EDC Report	Aplas Quantity Surveyors	-	14/01/2025
Traffic Impact Assessment	SCT Consulting	2.0	13/12/2024
Cadastral Records Inquiry Report	InfoTrack		24 July 2024

These documents have been uploaded as separate documents to the NSW Planning Portal.

## **2 Site and Context**

### **2.1 The Site**

The site is located on the traditional lands of the people of the Wonnarua Country and is located within the boundary of the Mindaribba Local Aboriginal Land Council.

The site is located at Lot 177 in Deposited Plan 874171 ('Lot 177') and Lot 55 in Deposited Plan 874170 ('Lot 55'), which is commonly referred to as 559 Anambah Road, Gosforth. Lot 177 and Lot 55 have a combined area of approximately 125 hectares and the site is irregular in shape (refer Figure 1). The site is located within the Maitland Local Government Area (LGA) and is approximately 12km northwest from Maitland Town Centre to the south of the existing suburb of Gosforth and to the north of the existing suburb of Windella.

The site holds a 750m frontage to Anambah Road on its eastern elevation. An unformed road known as River Road bisects Lot 177 and Lot 55 and connects the New England Highway (a State classified road) to the south and Anambah Road to the north.

The site is zoned R1 General Residential and RU2 Rural Landscape pursuant to the Maitland Local Environmental Plan (MLEP 2011). The site is mostly vacant, comprising of cleared, pastured and agricultural land with scattered vegetation. Two creek lines are located at the southern edges of the site orientated in an east west direction and water storage dams were also observed on site, constructed in natural drainage depressions. There are no existing dwellings within the proposed site boundaries.

The elevation of the site ranges from approximately Reduced Level (RL) 80m Australian Height Datum (AHD) in the southwestern corner of the site to approximately RL 40m along the ephemeral creeks that cross the site.

The site is bound by rural landscapes to the south, west, and east and rural residential to the north. The surrounding land is comprised of land clearings, roads, rural and agricultural properties.

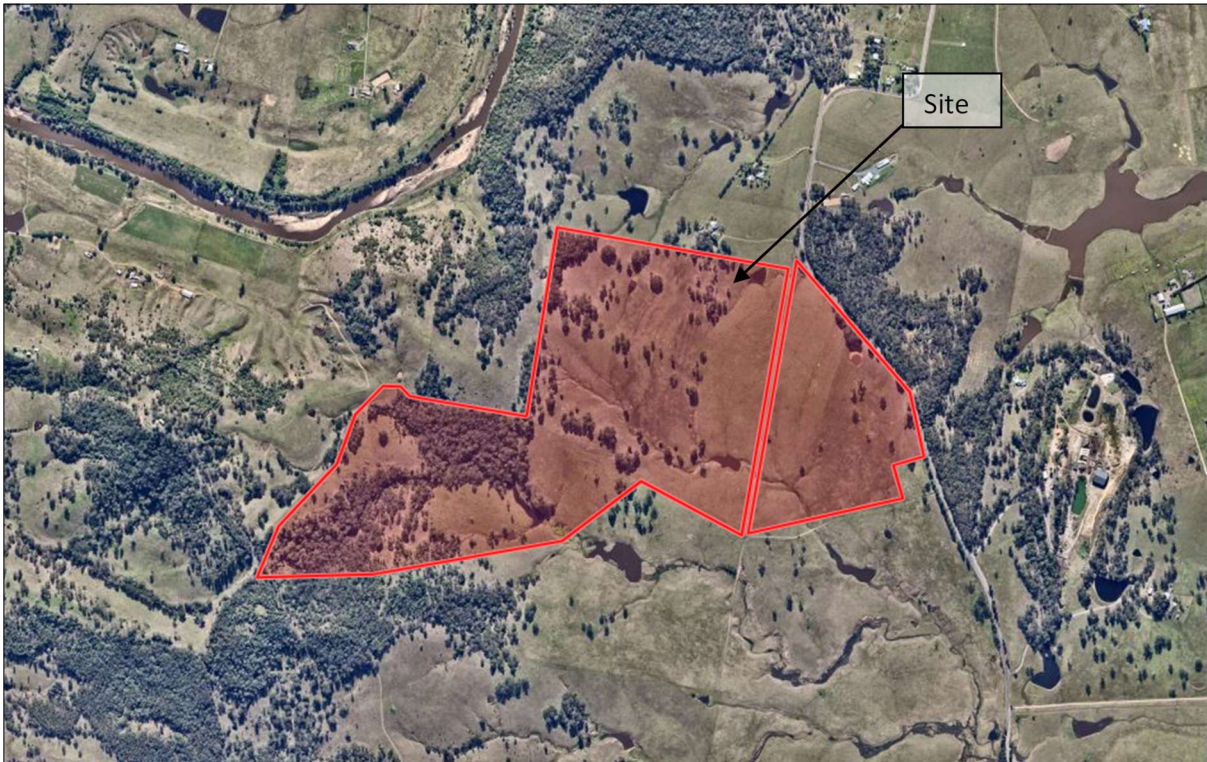


Figure 1 Locality Plan. Source: Nearmap (2024)

## 2.2 Road Network

Anambah Road is a local rural road, which is the only existing road connection to the site. Anambah Road connects to the New England Highway to the south and provides key connections to the Hunter Expressway and the Pacific Highway. River Road is a local road providing access to the nearby suburb of Wyndella and connects to the New England Highway to the south. The formed section of River Road is currently 1.3km in length, after which the unformed section continues north to the southern boundary of the subject site.

## 2.3 Background

The R1 General Residential zoned area is located within the Anambah Urban Release Area (URA) and is part of the Branxton to Anambah Regionally Significant Growth Area identified in the Hunter Regional Plan 2041. The Anambah URA comprises a total area of approximately 490 hectares and is anticipated to deliver approximately 3,000 residential allotments, and will include a small neighbourhood centre, public recreation and environmental conservation areas.

### 2.3.1 Relationship with Adjoining Development Application

The site the subject of this application adjoins a proposed residential subdivision also to be developed by Thirdi. A Development Application (Ref: DA/2024/763) for a *Concept Development Application for Two (2) into Nine Hundred (900) Lot Staged Torrens Title Subdivision, and Stage 1 Torrens Title Subdivision of Two Hundred and Forty One (241) Lots* is currently under assessment by Maitland City

Council. The location and extent of the residential subdivision proposed in that Development Application (DA/2024/763) is shown in Figure 2.

The proponent intends for the MHE to be serviced via lead in infrastructure consistent with the utility and road alignment proposed as part of the residential subdivision, if this application is successful and precedes the determination of the Development Application for the MHE.

However, the proposed MHE DA also proposes the necessary infrastructure to operate independently of, or regardless of the outcome of DA/2024/763, including the entry/exit connection to Anambah Road and connections to River Road flood egress/access road.

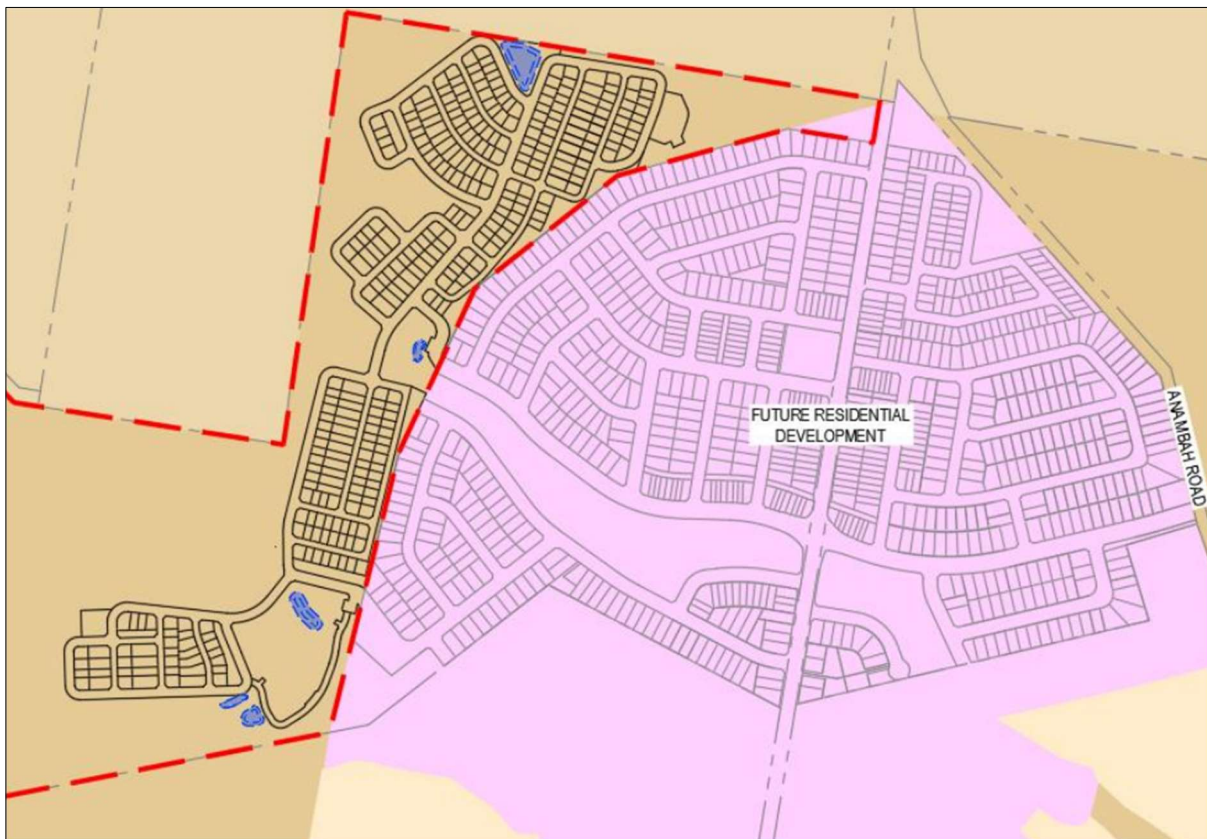


Figure 2 MHE Site (Outlined in Red) and Neighbouring Proposed Residential Subdivision. Source: MakerEng (2024)



### 3 Proposed Development

This section of the SEE provides a detailed description of the proposed development and considers both the Concept Masterplan and the Stage 1 works. Note, per s4.22(5) of the EP&A Act:

*(5) The consent authority, when considering under section 4.15 the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.*

#### 3.1 Summary

The Concept Proposal is for the establishment of a Manufactured Home Estate (MHE) accommodating approximately 332 dwelling sites (subject to further studies and subsequent detailed Development Applications), community open spaces and associated community facilities, internal road network, services, and drainage reserves. The MHE is to be located on the RU2 portion of Lot 177 with an approximate area of 59ha, shown outlined in Red on Figure 3. As above, the lead in roads servicing the development are located to the east in the proposed residential subdivision on the R1 portion of Lot 177 and Lot 55. These roads would be coincident with those in the proposed residential subdivision.

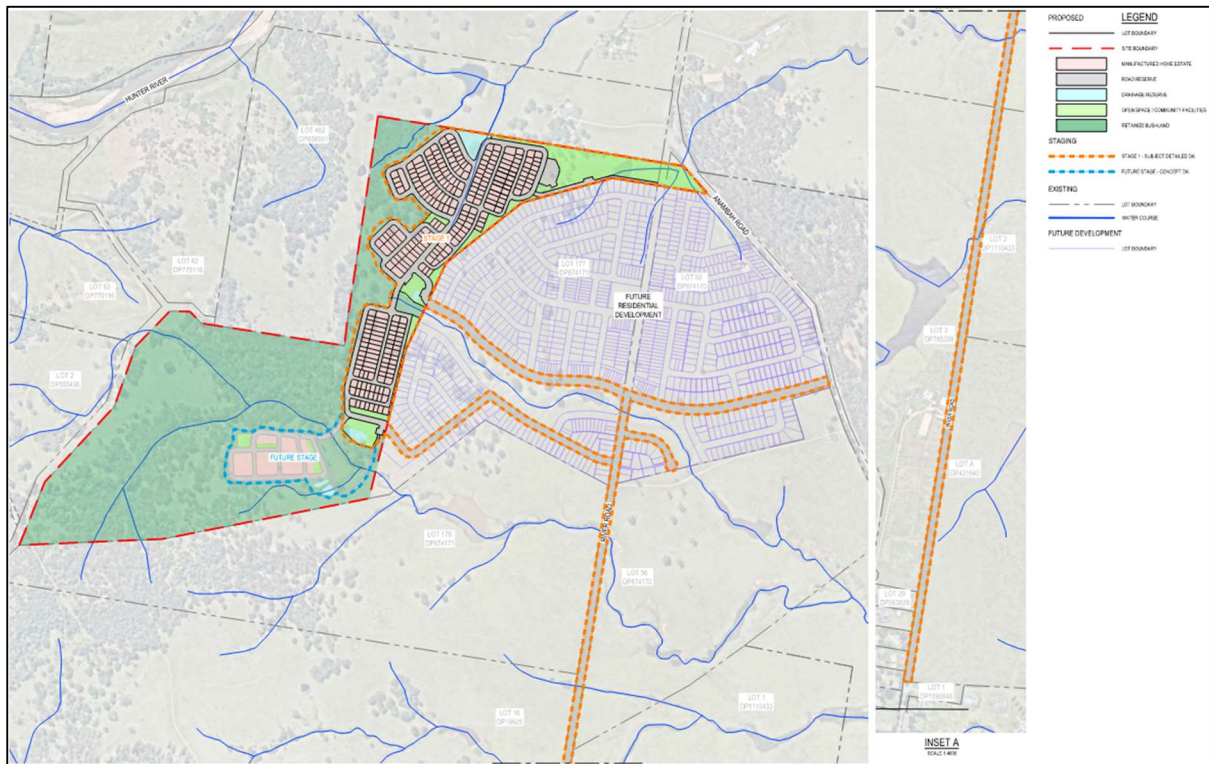


Figure 3 Concept Masterplan. Source: MakerEng (2024)

The Concept Masterplan is proposed to be delivered in two stages. In accordance with Section 4.22(2) of the EP&A Act, this Concept Development Application includes a detailed assessment of Stage 1 of the Development. All stages subsequent to Stage 1 will be the subject of future development applications. Stage 1 of the Concept Proposal is shown shaded in Orange in Figure 4 and will include the following elements:

- Site preparation works including the removal of existing vegetation, decommissioning of farm dams and bulk earthworks to achieve appropriate site and road grading
- Construction of lead in road infrastructure and services including main entry/exit to Anambah Road and connections to River Road flood egress/access road
- Construction of a 291 site Manufactured Home Estate, featuring:
  - Communal open spaces and community facilities
  - Internal road network, visitor parking and shared pathway network
  - Three (3) drainage reserves
  - Caravan parking area
  - Landscaping

Large tracts of bushland are also proposed to be retained along the western boundary and southwestern portion of the MHE site.

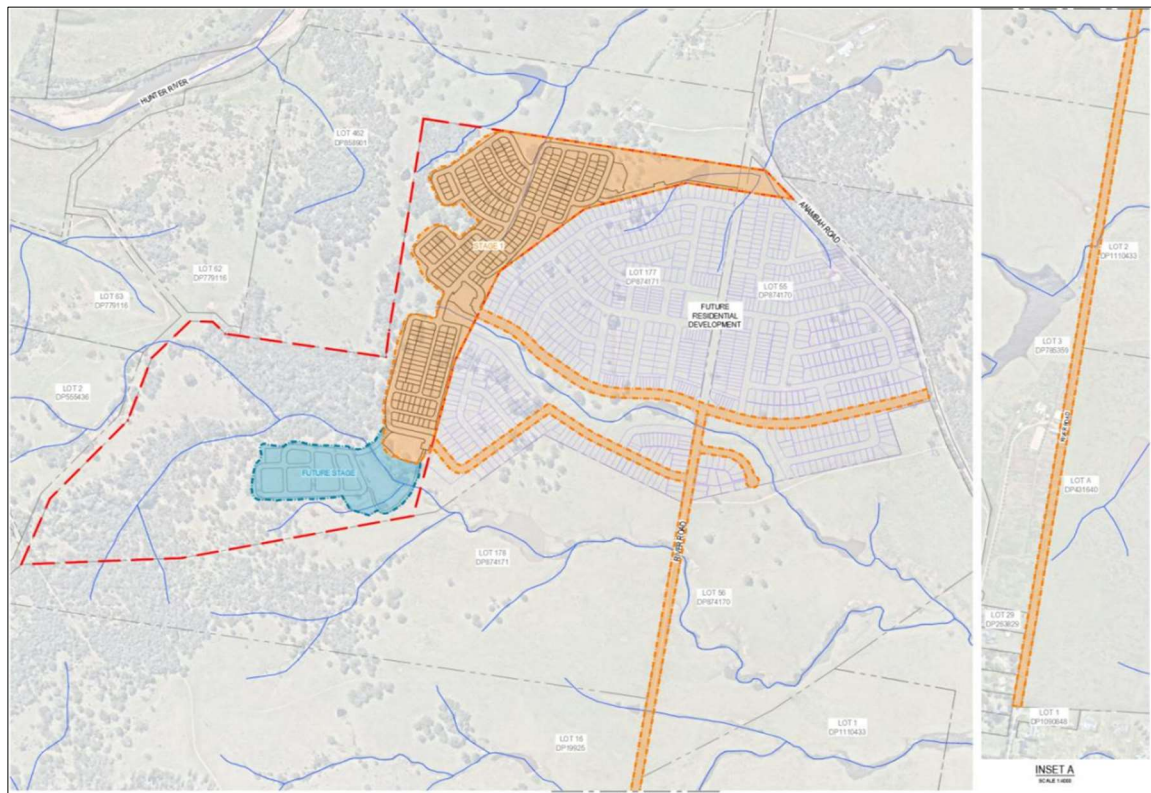


Figure 4 Excerpt from Staging Plan. Source: MakerEng (2024)

Stage 2 is shown shaded in Blue in Figure 4 and includes the southern portion of the site, comprising of approximately 41 additional dwelling sites, private roads and services, open spaces, a community garden and drainage reserve, and an additional emergency access point to Stage 1 of the MHE.

### 3.2 Site Preparation and Earthworks

Site preparation for the proposed development will require the removal of all existing vegetation and trees within the civil extent of works. As part of the proposal, 6.73ha of native vegetation will be removed. Tree felling will be undertaken in accordance with all relevant regulations.

In addition, existing farm dams within the extent of works will be decommissioned and drained with all resulting voids backfilled and compacted to provide a stable and level base for future construction activities.

Bulk earthworks will be undertaken across the site in accordance with the Civil Plans prepared by MakerEng and Northrop submitted in support of the application. The proposed grading strategy utilises a combination of vegetated batters and retaining walls to balance cut and fill throughout the site and achieve appropriate dwelling sites and road grading.

### 3.3 Dwelling sites

The proposal provides for four (4) different sized dwelling sites ranging from 220m<sup>2</sup> to 574m<sup>2</sup>. The breakdown of lots is detailed in Table 3 below.

As above, Stage 1 has a total of 291 dwelling sites. Stage 2 will provide for approximately 41 additional dwelling sites (conceptually proposed as superlots only at this stage), bringing the total to 332 dwelling sites. The site areas and development layout are shown on the plans prepared by MakerEng and provided with the application.

*Table 3 Breakdown of Dwelling Sites*

Dwelling Site Type	Median Area (m <sup>2</sup> )	Number of Lots
Small Site	220	120
Medium Site	260	95
Large Site	300	30
Large Corner Site	340	46

All dwelling sites are accessed via internal private roads. There are multiple dwelling types that can be contained within the MHE sites ranging from 2 to 3 bedroom options, with 1 to 2 Garages and 1 to 2 bathrooms. Detailed dwelling design does not form part of this application – following construction of the dwelling sites, manufactured homes will be installed in accordance with the requirements of Part 2, Division 4 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (LG Regulation).

### 3.4 Access, Roads & Parking

The site will gain access from Anambah Road via the proposed entrance/exit roads. The proposed development also includes the construction of River Road for local emergency access. The road will establish connection with residential areas of Wyndella located approximately 2.2km to the south and provides flood free egress (up to the 1% AEP local catchment flood) in the event of potential inundation of Anambah Road during major local catchment flood events and/or Hunter River flooding.

As per Figure 5 below shown in the Infrastructure Servicing Assessment, Northrop have proposed the following lead in road infrastructure.

Lead in Road	Road Description	Approximate Road Length
Main entry road between Anambah Road and LLC northern entry, including road widening on Anambah Road for intersection works.	8 metre-wide sealed carriageway, kerb and gutter	1,130 m
River Road flood egress / access road	6 metre-wide sealed carriageway	2,710 m
Access track between River Road and secondary LLC entry road	Minimum 4 metre-wide all-weather access track	720 m
Access track from River Road to HWC wastewater pump station	Minimum 4 metre-wide all-weather access track	150 m

Figure 5 Proposed Lead In Road Infrastructure. Source: Northrop (December 2024)

The internal road pattern consists of various road reserve types and widths designed in accordance with the Maitland City Council Manual of Engineering Standards and the LG Regulation. A summary of the proposed road hierarchy is demonstrated in Table 4 below and shown in full detail in the Civil Plans prepared by MakerEng and submitted with the application.

Table 4 Proposed Internal Road Hierarchy

Road Type	Road Reserve Width	Carriageway Width	Features
Entry Road	Varies	Varies	<ul style="list-style-type: none"> <li>Two way in, one way out with gated entry</li> <li>4m travel lanes</li> </ul>
Boulevard	14.75m	8.5m	<ul style="list-style-type: none"> <li>2.5m shared path</li> <li>Centralised median</li> </ul>
Perimeter Road	13.5m	10.5m	<ul style="list-style-type: none"> <li>2.5m external shared path</li> <li>2.5m parking</li> </ul>



Road Type	Road Reserve Width	Carriageway Width	Features
Modified Access Road	11m	8m	<ul style="list-style-type: none"> <li>Centrally drained</li> <li>Edge restraint kerb</li> <li>8m carriageway for internal transition between perimeter roads</li> </ul>
Access Road	9m	6m	<ul style="list-style-type: none"> <li>Centrally drained</li> <li>Edge restraint kerbs</li> </ul>
Access Trail One Way	6m	-	<ul style="list-style-type: none"> <li>4m travel lane</li> </ul>
Access Trail Two Way	11m	-	<ul style="list-style-type: none"> <li>4m travel lanes</li> </ul>

### 3.4.1 Parking

Car parking is proposed to satisfy the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. The MHE includes a combination of on-street parking along the proposed perimeter roads and off-street parking located at the community areas and entry to the site as follows:

- Perpendicular parking at two club houses near the two entrance/exit roads (6 + 9 spaces) including four (4) accessible parking spaces.
- Parallel parking on perimeter road within the site (about 66 spaces).
- Caravan car park (31 spaces)

A designated off-street parking area for caravans is proposed in the northern precinct of the site.

### 3.5 Community Facilities

The proposed development includes the provision of various communal facilities, open spaces and recreational facilities including:

- Clubhouses
- Swimming pool
- Tennis court and pickleball court
- Lawn bowling green
- Dog exercise area
- Men's shed/workshop
- BBQ Picnic Area, picnic tables and shelters, and park benches
- Shared path to around the perimeter of the MHE site

Stage 2 of the proposed MHE will also include provision of a community garden, chicken coop and shared paths.

### **3.6 Landscaping**

Landscaping of the site is proposed as per the Landscape Plan prepared by Moir Studio and submitted with the application. The proposed MHE includes high quality landscaping and comprising of extensive treatment to the proposed MHE entrance, clubhouse/community facility precincts, and basin planting surrounding the drainage reserves. Extensive street tree planting is also proposed throughout the estate.

### **3.7 Stormwater and Drainage**

A stormwater drainage plan has been prepared by MakerEng and is submitted with the application. On-site detention (OSD) is proposed to ensure runoff is maintained at a comparable level to existing conditions to reduce any potential strain upon downstream stormwater infrastructure.

Four (4) basins (three in Stage 1, one in Stage 2) are proposed and have been designed in accordance with the hydrological characteristics of the site. Further detail on the characteristics of each basin is provided in the Engineering Report prepared by MakerEng and provided with the application.

The proposed MHE also employs Water Sensitive Urban Design (WSUD) to minimise negative impacts on the natural water cycle and protect the health of aquatic ecosystems. The proposed WSUD treatment measures include Gross Pollutant Traps, Bioretention Basins and soil and water management controls to be deployed at the time of construction.

### **3.8 Servicing**

A preliminary assessment of water, sewer, and electricity has been undertaken by Northrop Consulting Engineers and is provided with the application. It is considered that there is sufficient ability to provide infrastructure to the development either prior to or in conjunction with the adjoining proposed residential development. Servicing is discussed further in Section 6 of this Report.

### **3.9 Waste Management**

Waste management for the development has been allowed for through the provision of dedicated bin bays along the perimeter and internal roads. These bin bays are located between parking bays and within the verge to facilitate convenient bin collection. The road network has been designed to allow for the waste collection vehicles movements. Waste management is discussed further in Section 6 of this Report.

## **4 Strategic Context**

### **4.1 Hunter Regional Plan 2041**

The Hunter Regional Plan (HRP) 2041 is an overarching framework to guide land use planning priorities and infrastructure funding decisions in the Hunter region over the next 20 years. The HRP 2041 sets priorities and provides a direction for regional planning decisions.

The HRP predicts the Hunter's population to increase by 949,850 people by 2041 requiring an additional 101,800 dwellings. Of all Local Government Areas (LGA) within the Hunter Region, Maitland is identified as requiring the greatest number of dwellings to 2041 to meet the growing demand. The HRP promotes diversifying the type and mix of housing supply and increasing the housing provision in accessible parts of the Hunter to address demand and provide more affordable price brackets. The Hunter is also projected to experience substantial growth in its older population that typically seek more manageable homes, allowing them to live independently in their local area as they get older.

The proposed MHE will provide for a suitable and sought after alternative to traditional seniors living within the Maitland LGA and will allow for seniors or anyone seeking to downsize without leaving the area. MHEs are typically attractive to the ageing population for a number of reasons including the perception of safety and security, the desire for a smaller and more management home, the community and social life, and freedom from maintenance tasks. Moreover, increasing supply of alternative or smaller lot housing (such as Manufactured Homes) will indirectly increase supply of traditional large lot, freestanding housing that is typically sought after by young families, as a result of the ageing population moving/downsizing.

### **4.2 Greater Newcastle Metropolitan Plan 2036**

The Greater Newcastle Metropolitan Plan (GNMP) 2036 sets out the strategies and actions that will drive sustainable growth across Greater Newcastle and supports the vision set in the HRP – for the Hunter to be the leading regional economy in Australia.

Goal 4 of the GNMP is for greater housing choice and jobs and is supported by Direction 22 to promote housing diversity; recognising the growth and change in population across the region and the community's desire for greater housing choice. The GNMP recognises discrete sectors of the community that are seeking particular types of housing; for example, students, older people, short term visitors, visitors accessing health services and low income households; and promotes a better understanding of the needs of these groups to inform strategic and infrastructure planning and delivery.

The GNMP highlights the growing number of single and couple-only households in light of three and four bedroom homes dominating housing stock within the Hunter region and encourages more studio and one and two bedroom dwellings to meet growing demand. Furthermore, the GNMP recognises the need for housing that is more affordable. In responding to this issue, it is highlighted that

increasing overall supply of housing will help to reduce pressure on the cost of housing; however, MHEs also serve to increase housing affordability, demonstrated as follows:

- There is no land cost involved which significantly reduces the cost of home ownership
- As the land is being leased, there are no stamp duty fees, body corporate fees or council rates
- Smaller lot housing is cheaper than family homes on large blocks that accounts for the majority of the Housing stock in the Hunter region and will serve to increase overall housing affordability in the LGA
- Residents of MHEs may be eligible for Commonwealth Rent Assistance.

### **4.3 Maitland Local Strategic Planning Statement**

The Maitland Local Strategic Planning Statement (LSPS) provides a 20-year land use vision for the LGA reflecting the community's ideas and aspirations for the future. It recognises and responds to evidence about what types of housing will be needed for future populations and where it is best located, considering environmental constraints, avoiding natural hazards, and protecting important environmental and agricultural land and scenic values.

A key priority identified in the LSPS is to keep housing affordable with diverse options available to meet the different needs of people at different stages of life. The LSPS recognises Maitland City as one of the fastest growing inland cities in Australia, with an annual growth rate consistently above 2%, and the LGA more broadly as a key contributor to the supply of housing in the Greater Newcastle Area.

Notably, the LSPS anticipates the demographic characteristics of the Maitland population to significantly change to 2040, with an expected increase in residents aged over 65 years and lone person households, reflecting aging in place and changing lifestyle choices. Maitland's housing stock is currently dominated by low density freestanding houses, representing 86% of total dwellings – highlighting the need to plan for diverse housing types to contribute to meeting the needs of different people.

This is supported by the findings of the NSW Regional Housing Taskforce that indicates there is considerable mismatch between the housing that is needed and what is provided in Regional NSW. A lack of housing diversity in terms of housing types, size, tenure and price, was raised in submissions to the Taskforce as a serious issue that will worsen over time if the types of housing that are supplied, predominantly large detached houses, do not change to meet changing housing needs.

The proposed MHE will accommodate a range of site sizes and housing typologies not widely available in the Maitland LGA, to meet the changing needs of the population and likely service the growing demand of the ageing population and single person households. MHEs are typically attractive to the ageing population for a number of reasons including the perception of safety and security, the desire for a smaller and more management home, the community and social life, and freedom from maintenance tasks. In this regard, the proposed development will provide opportunities for the

existing aged population in Maitland to downsize and age in place, as well as accommodate retirees migrating from elsewhere seeking a lifestyle change. Furthermore, this will ‘free up’ traditional housing stock in the LGA that is typically sought after by young family households that are another prominent demographic group in the Maitland LGA.

## 5 Statutory Assessment

### 5.1 Environmental Planning and Assessment Act 1979

This report assesses the proposal against the relevant statutory requirements of the EP&A Act, and other legislation, plans and policies as applicable. Section 4.15 of the Act outlines the relevant heads of consideration that must be considered when assessing a development proposal.

The following considerations have been made under section 4.15(1)(a):

- Environmental planning instruments, proposed instruments and development control plans that are relevant to the site or development are considered below;
- There are no known planning agreements applicable to the site; and
- The Environmental Planning and Assessment Regulation 2021 (the Regulation) has been considered below.

The remaining matters for consideration under section 4.15(1)(b), (c), (d) and (e) are considered within sections 6, 7, 8 and 9 of this Statement.

#### 5.1.1 Concept Development Application

Section 4.23 of the EP&A Act states the following:

- (1) An environmental planning instrument cannot require the making of a concept development application before development is carried out.*
- (2) However, if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a concept development application in respect of that land.*
- (3) Any such concept development application is to contain the information required to be included in the development control plan by the environmental planning instrument or the regulations.*

This application is for a concept development application pursuant to Section 4.22 of the EP&A Act and is intended to satisfy the obligations under Clause 4.23(3) of the Act to contain the information required to be included in a development control plan as prescribed by Clause 6.3 of MLEP 2011. Refer Section 5.6 of this Report.

#### 5.1.2 Objects of the Act

The objects of this Act are as follows:

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

The proposed development supports the objects of the EP&A Act, in particular object (b) and (c).

The principles of Ecologically Sustainable Development (ESD) are defined under Clause 193 of the EP&A Regulation 2021 and include the precautionary principle, inter-generational equity, and conservation of biological diversity and ecological integrity. The proposed development supports the precautionary principle and conservation of biological diversity by minimising the threats of serious or irreversible environmental damage. The BDAR concluded that no entities at risk of Serious and Irreversible Impact were identified on the subject land or assessed as having likely habitat within the relevant buffers from the subject land.

The proposed development promotes the principle of inter-generational equity and the orderly and economic use and development of land by supporting the long-term strategic objectives of the HRP, GNMP and Maitland LSPS. In particular, the proposed development will provide for an alternative housing typology not widely available within the Maitland LGA; increasing housing diversity to meet the changing needs of the population and reducing pressure on the cost of housing through increasing housing supply. The proposed MHE will appear as a logical expansion of the Anambah URA and will support the growth of the Branxton to Anambah Regionally Significant Growth Area.

## **5.2 Integrated Development**

Pursuant to Section 4.46 of the EP&A Act, the proposed development is classified as integrated development with respect to the following integrated development referrals:

- Section 100B of the Rural Fires Act 1997: the site is identified as bushfire prone land. A MHE is defined as a Special Fire Protection Purpose (SFPP) – refer Section 5.4.1 of this Report.
- Section 138 of the Roads Act 1993: the proposed development will involve the digging up or disturb the surface of a public road. The proposed development requires approval from Transport for NSW (TfNSW).
- Section 91 of the Water Management Act 2000: the proposed development will involve a controlled activity, namely works within 40 metres of waterfront land and requires approval from Natural Resources Access Regulator (NRAR).
- Section 90 of the National Parks and Wildlife Act 1974: if impact upon AHIMS 37-6-3568 cannot be avoided as a result of the River Road upgrade, then archaeological salvage of the site would be required and conducted under the provision of an Aboriginal Heritage Impact Permit (AHIP). Refer the Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Heritage Now and provided with the application.
- Section 219 of the Fisheries Management Act 1994: the proposed development will involve the construction of River Road which is located on land mapped as key fish habitat and may result in an obstruction to the free passage of fish and requires approval from the Department of Primary Industries.

### **5.3 Environmental Planning and Assessment Regulation 2021**

Part 3 of the Environmental Planning and Assessment Regulation 2021 (The Regulation) contains instruction on procedural matters relating to DAs. The application has been prepared in accordance with The Regulation.

### **5.4 Other Acts Which Require Consideration**

#### **5.4.1 Rural Fires Act 1997**

Under the function of the Rural Fires Act 1997, all land in NSW is assessed to determine whether the land is bushfire prone. The site is mapped as bushfire prone land and is categorised as Vegetation Category 1, 2 and 3 and Vegetation Buffer land (refer Figure 6).

Under Section 100B, a Bushfire Safety Authority is required for development on bushfire prone land for the purpose of a special fire protection purpose (SFPP). A SFPP is defined under Clause 47 of the Rural Fires Regulation 2022 to include a manufactured home estate, within the meaning of State Environmental Planning Policy (Housing) 2021 comprising two or more caravans or manufactured homes, used for the purposes of casual or permanent accommodation, but not tourist accommodation. The proposed development will be for a manufactured home estate comprising two or more manufactured homes for the purpose of casual or permanent accommodation and is a SFPP requiring a Bushfire Safety Authority. A Bushfire Assessment Report has been prepared by Bushfire Planning Australia and is submitted in support of the application, demonstrating compliance with the relevant requirements of Planning for Bushfire Protection 2019 (PBP 2019).



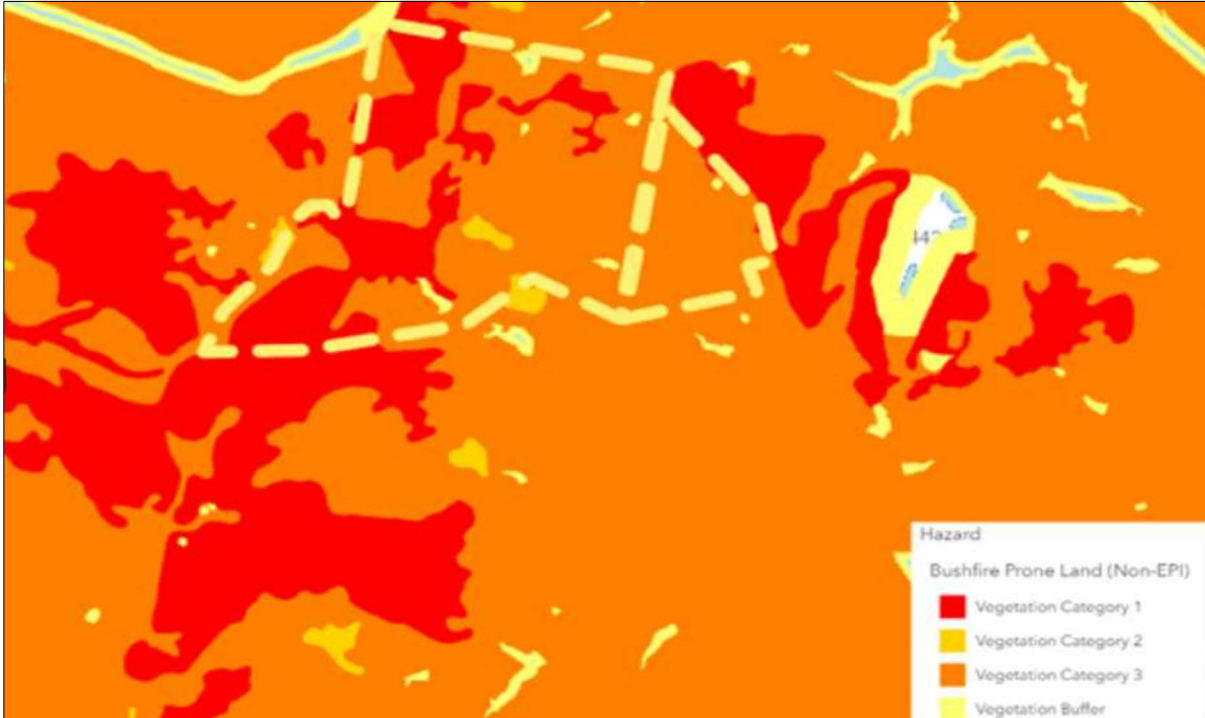


Figure 6 Bushfire Prone Land Map. Source: NSW Planning Portal Spatial Viewer (2024)

#### 5.4.2 Local Government Act 1993

Installation of manufactured homes and the operation of a MHE is subject to separate approvals under section 68 of the Local Government Act 1993 (LG Act). It is noted that exemptions apply where a manufactured home is installed within an approved MHE and meets the provisions of Part 2, Division 4 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (LG Regulation). It is anticipated that compliance with these standards will be achieved.

#### 5.4.3 Biodiversity Conservation Act

The Biodiversity Conservation Act 2016 (BC Act) and associated regulation establishes a framework to avoid, minimise and offset impacts on biodiversity from development. Part 6 of the BC Act relates to the Biodiversity Offsets Scheme (BOS). There are two BOS thresholds pursuant to Section 7.4 of the BC Act, being:

- Proposals on land identified by the Biodiversity Values Map
- Proposals that exceed the area clearing threshold.

Part of the site is identified on the Biodiversity Values Map (refer Figure 7); however, no works are proposed in this area. The area clearing threshold varies according to the minimum lot size (MLS) applicable to the site. The affected lot with the smallest MLS has a minimum lot size of 450m<sup>2</sup> and clearing of more than 0.25 ha of native vegetation is proposed. The development exceeds the area clearing threshold for the MLS thereby triggering entry into the Biodiversity Offsets Scheme (BOS). A

Biodiversity Development Assessment Report (BDAR) has been prepared and is included in the supporting documentation. A detailed assessment of biodiversity impacts is provided in Section 6 of the Report.

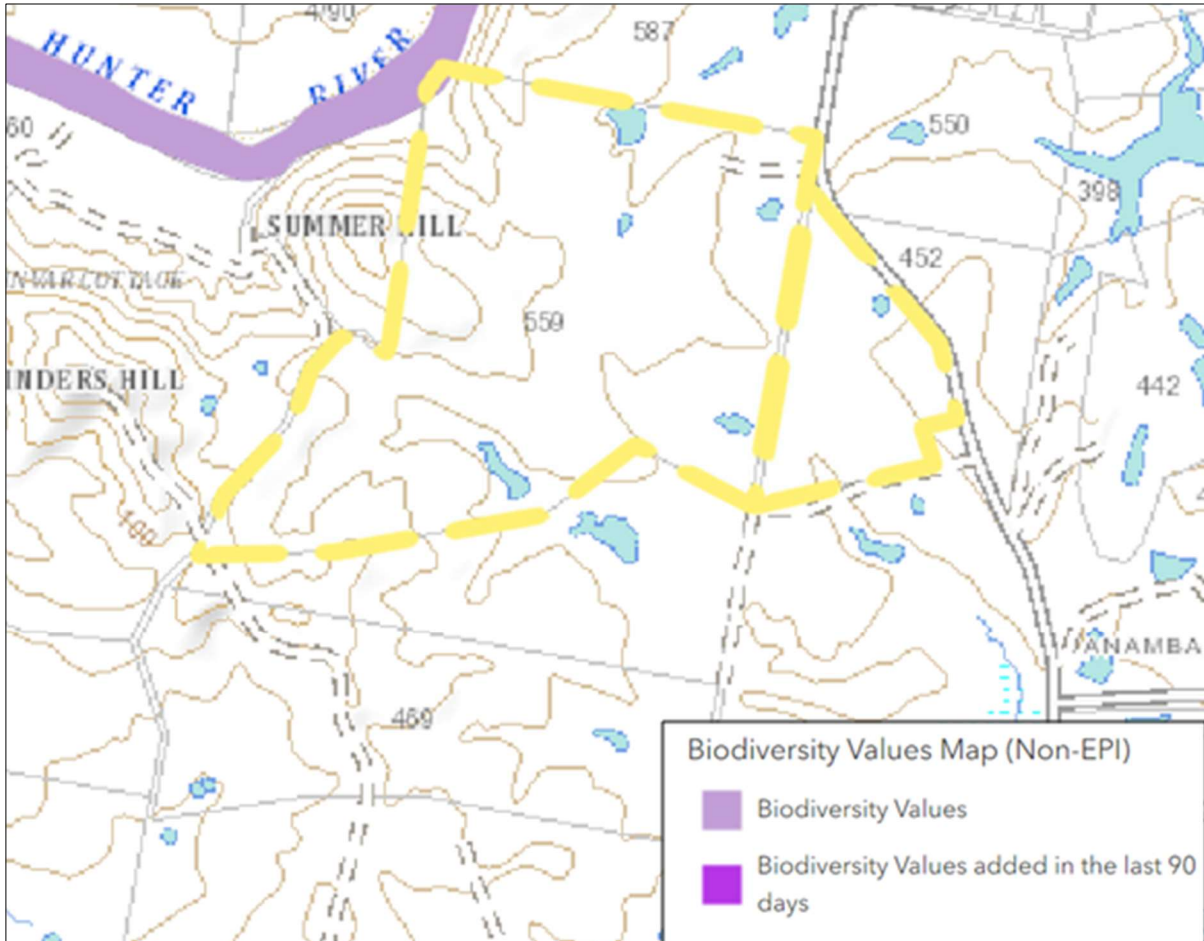


Figure 7 Biodiversity Values Map (Non-EPI). Source: NSW Planning Portal Spatial Viewer (2024)

#### 5.4.4 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulations 2021

The purpose of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (LG Regulation) is to provide opportunities for affordable alternatives in long-term accommodation through appropriate design, and promotion of health, safety and amenity of the occupiers.

##### Part 2 Manufactured home estates and manufactured homes

Part 2 of the LG Regulation applies to the operation of manufactured home estates and the installation of manufactures homes in manufactured home estates. Regulation 6(1) specifies that Council must not grant approval for operation of a manufactured home estates unless satisfied the manufactured home estate will be designed, constructed, maintained and operated in accordance with Part 2, Division 3 of the LG Regulation. Table 5 summarises assessment of the proposed development against the provisions of Part 2, Division 3.

Following construction of the dwelling sites, manufactured homes will be installed in accordance with the requirements of Part 2, Division 4 of the LG Regulation.

Table 5 Assessment Against Part 2 Division 3 - LG Regulation

Clause	Provision	Comment
<i>Subdivision 1 Land and dwelling site requirements</i>		
12 <i>Minimum size of estate</i>	Minimum 1ha	The MHE (excluding areas of retained vegetation and lead in roads) covers an approximate area of 24ha.
13 <i>Community amenities</i>	10% reserved for recreation or other communal activities	The proposal sets aside approximately 18% (4.4ha) of the site for recreation or other communal activities. This includes: <ul style="list-style-type: none"> <li>▪ Clubhouses</li> <li>▪ Swimming pool</li> <li>▪ Tennis court and pickleball court</li> <li>▪ Lawn bowling green</li> <li>▪ Dog exercise area</li> <li>▪ Men’s shed/workshop</li> <li>▪ Communal open spaces</li> <li>▪ Perimeter parks</li> <li>▪ Perimeter trails</li> <li>▪ Parkland</li> <li>▪ Dog Exercise Area</li> </ul>
14 <i>Size of dwelling sites</i>	Minimum 130m <sup>2</sup>	Proposed dwelling sites range from 220m <sup>2</sup> to 574m <sup>2</sup>
15 <i>Site identification</i>	A dwelling site must be clearly numbered or identified with its site boundaries clearly outlined.	All sites within Stage 1 are clearly numbered.
<i>Subdivision 2 Setbacks</i>		
16 <i>Dwelling sites to have road frontage</i>	Dwelling sites must have vehicular access to an access road	All dwelling sites are accessed via internal roads
17 <i>Setbacks of community buildings</i>	10m to the boundary of a MHE or dwelling site	The proposed community clubhouse buildings are setback greater than 10m to the MHE boundaries and nearby dwelling sites.

Clause	Provision	Comment
18 <i>Setbacks of dwelling sites from road frontages</i>	Dwelling sites must be setback: <ul style="list-style-type: none"> <li>10m to a public road</li> <li>3m to another boundary of the MHE</li> </ul>	No dwelling sites are proposed less than 10m to a public road or 3m to a boundary of the MHE.
19 <i>Use of buffer zones</i>	Land within required setbacks may be used for community amenities, access roads, car parking spaces, footpaths or landscaping.	Land that is within required setbacks is utilised for landscaping, shared paths and the like.
<i>Subdivision 3 Roads</i>		
20 <i>Entrance and exit roads</i>	Minimum 8m wide	The proposed entrance road is a two way in one way out with an approximate road reserve width of 15m and 12m wide carriageway.
21 <i>Width of roads</i>	Minimum width of the road reserve must be: <ul style="list-style-type: none"> <li>8.5m for a major access road (at least 6m sealed)</li> <li>6m for a minor access road (at least 4m sealed)</li> </ul>	Typical road sections are provided in the Civil Plan set provided with this application. Proposed major access roads (Boulevard, Perimeter Roads and Modified Access Road) range from 11 – 14.75m in width with at least 8.5m sealed. Minor access roads contain a 9m road reserve width with at least 6m sealed.
22 <i>Speed restrictions as part of road design</i>	Access roads must be designed to limit the speed at which vehicles may travel on the roads to: <ul style="list-style-type: none"> <li>30km/hour for major access roads</li> <li>15km/hour for minor access roads</li> </ul>	The proposed internal road network includes design treatments to naturally control the speed of drivers. A Traffic Management Plan has been prepared by MakerEng and is submitted with the application demonstrating the proposed line markings, traffic control signage and the like. All internal roads will be speed limited to comply with the requirements of this Clause.
23 <i>Visitor parking</i>	MHE containing >105 sites: <ul style="list-style-type: none"> <li>20 spaces plus one additional space for every seven sites above 140</li> </ul>	To service the proposed 332 dwelling sites, a total of 48 visitor parking spaces are required throughout the estate.  The proposed development includes a combination of on-street parking along



Clause	Provision	Comment
	<p>Each parking space must have minimum dimensions of:</p> <ul style="list-style-type: none"> <li>For angle parking—5.4 metres by 2.5 metres, or</li> <li>Otherwise—6.1 metres by 2.5 metres.</li> </ul>	<p>the perimeter roads and off-street parking located at the community areas/entry of the site. A total of 176 spaces are provided across Stages 1 and 2.</p> <p>All visitor parking spaces have been designed to meet the minimum required dimensions.</p>
24 <i>Visitor parking for people with disabilities</i>	<p>MHE containing &gt;100 sites:</p> <ul style="list-style-type: none"> <li>One disabled parking space plus one additional space for every further 100 sites and a remaining part (if any) of 100 sites</li> </ul>	<p>A total of four (4) disabled parking spaces are required. Six (6) disabled parking spaces are provided and are located adjacent to the proposed clubhouse buildings.</p>
25 <i>Road surfaces</i>	<p>All access roads, including all passing and parking bays, must:</p> <ul style="list-style-type: none"> <li>Have an all-weather sealed or other surface finish specified in the approval, and</li> <li>Be adapted to the land to enable adequate drainage and remove excessive grades.</li> </ul>	<p>All road surfaces will be constructed with an all-weather sealed finish with integrated drainage.</p>
26 <i>Lighting</i>	<p>All access roads must be adequately lit between sunset and sunrise.</p>	<p>Street lighting will be provided throughout the development.</p>
<i>Subdivision 4 Utility Services</i>		
Regulations 27-32	<p>Services shall be provided to the MHE and each dwelling site in accordance with Regulations 27-32</p>	<p>Indicative servicing arrangements are demonstrated in the Civil Plans prepared by MakerEng and submitted with the application.</p>
<i>Subdivision 5 General</i>		
33 <i>Garbage removal</i>	<p>Arrangements specified in an approval must be implemented and maintained for the removal of garbage and to keep garbage receptacles in a clean and sanitary condition.</p>	<p>Waste will be collected weekly or twice weekly by private contractor as per the Waste Management Plan provided with the application.</p>
34 <i>Fire hydrants</i>	<p>No part of a dwelling site or community building within a MHE may be located more than 90 metres from a fire hydrant.</p>	<p>Fire hydrants are to be installed throughout the site as required.</p>

Clause	Provision	Comment
35 Buildings	A building must not be erected on a manufactured home estate unless the approval allows the erection of the building.	This application seeks approval for the construction of community buildings and retaining walls where required between adjoining dwelling sites.
36 Use of manufactured home estates	<p>A manufactured home estate must not be used:</p> <ul style="list-style-type: none"> <li>▪ For a commercial purpose other than a manufactured home estate or an associated purpose, or</li> <li>▪ For the manufacture, construction or reconstruction of moveable dwellings.</li> </ul>	No prohibited uses are proposed.

## 5.5 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider these matters pursuant to section 4.15(a)(i) of the EP&A Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

### 5.5.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

#### *Chapter 2 Vegetation in Non Rural Areas*

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP) specifies provisions for the clearing of vegetation in non-rural areas and applies to R1 General Residential zoned land.

Section 2.6(1) of the BC SEPP states that a person must not clear vegetation in a non-rural area of the State to which Part 2.3 of the SEPP applies without the authority conferred by a permit granted by the council under that Part. Development consent is sought for the removal of vegetation on the R1 General Residential zoned land on the site. The removal of vegetation under Chapter 2 of the SEPP primarily relates to the construction of lead in and internal roads for the MHE. An assessment of vegetation proposed for removal has been assessed within the BDAR in the supporting documentation.

#### *Chapter 3 Koala Habitat Protection 2020*

Chapter 3 of the BC SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. Chapter 3 of BC SEPP



applies to RU2 zoned land in the local government areas listed in Schedule 2, which includes the City of Maitland.

Pursuant to Section 3.6 of the SEPP, before Council may grant consent to a development application to carry out development on land to which this Part applies, the Council must be satisfied as to whether or not the land is potential koala habitat. Pursuant to Section 3.7 of the SEPP, if the land is potential koala habitat, before granting consent, Council must be satisfied as to whether or not the land is core koala habitat.

An assessment of the potential for koalas to occur at the site has been undertaken within the BDAR prepared by MJD Environmental. Targeted koala surveys were carried out as part of the preparation of the BDAR including spot assessment techniques, secondary indication surveys and spotlighting night surveys. No recent evidence of koala presence was recorded or observed during the survey efforts. No Koalas were observed during spotlighting and / or opportunistic observation, and no Koala scats were identified around the base of any Koala use trees during the SAT search. It is noted that the site contains trees characterised to be *Corymbia maculata*, *Eucalyptus crebra*, *Eucalyptus fibrosa*, *Eucalyptus tereticornis*, *Eucalyptus punctata*, *Eucalyptus acmenoides* and *Eucalyptus moluccana* which are considered under Schedule 3 of the SEPP to provide a 'highly suitable' koala habitat due to greater than 15% of the trees present being listed as regionally relevant to koalas. However, the Study Area is not considered to be 'Core Koala Habitat' as there are no recent records (within 18 years) of the species within 2.5 km of the Study Area. Additionally, no individuals or secondary indications of koalas were observed during targeted surveys across the Study Area.

Therefore, pursuant to Section 3.7(3)(a), Council is not prevented from granting consent to the development application.

#### *Chapter 4 Koala Habitat Protection 2021*

Chapter 4 of the BC SEPP applies to the whole of each local government areas listed in Schedule 2, excluding land zoned RU1, RU2 or RU3. As above, Schedule 2 identifies the City of Maitland. The site is located in the Central Coast Koala Management Area, however, there is no approved Koala Plan of Management applying to the land.

Pursuant to Section 4.9 of the SEPP, before Council may grant consent to a development application for consent to carry out development on the land, Council must assess whether the development is likely to have any impact on koalas or koala habitat. If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application. If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development. It is noted that pursuant to Section 4.9(5)(a)(ii) of the SEPP, Council may grant consent to the development application if it is satisfied that the land is not core koala habitat.

As above, an assessment of the potential for koalas to occur at the site has been undertaken within the BDAR prepared by MJD Environmental. The Koala Assessment Report concluded that the development is not located on core koala habitat and that it was unlikely the proposal would cause adverse impacts to Koalas. On this basis, Council may grant consent for the proposed development application.

### **5.5.2 State Environmental Planning Policy (Housing) 2021**

Chapter 3, Part 8 of the Housing SEPP aims to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development in suitable locations having regard to the protection of landscape, scenic and ecological qualities and the provision of adequate services and community facilities.

Per Section 122, development for the purposes of a MHE may be carried out on any land on which development for the purposes of a caravan park may be carried out, except—

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

Per, subclause 6 of Schedule 6, the following category of excluded land (emphasis added):

*Land which under any environmental planning instrument is within an area or zone identified in that instrument by the description—*

- *open space, other than open space (private recreation)*
- *environmental protection*
- *scenic protection*
- *rural (where the land is not adjacent to or adjoining land zoned for urban use).*

In accordance with Section 122, the following is noted:

- The site is zoned RU2 Rural Landscape and permits development for the purpose of a caravan parks per MLEP 2011
- The subject site adjoins land for urban use (R1 General Residential)
- The land is not located within one or more of the categories described in Schedule 6, is not dedicated or reserved under the National Parks and Wildlife Act 1974 and is not within a Crown reserve.

Accordingly, the proposed development is permissible.



Section 125 specifies the matters that must be considered by Council in granting development consent for the purpose of a MHE. An assessment against the provisions of Section 125 is set out in Table 6 below.

Table 6 Matters for Consideration s125 Housing SEPP

Matters for Consideration	Assessment
<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>	
<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>	The MHE will be provided with all necessary services and utilities as set out in Section 3.8 of this Report and the Servicing Assessment provided with the application.
<i>(b) that the manufactured home estate is or will be provided with adequate transport services, and</i>	<p>The closest bus stop is on Anambah Road before Cagney Road where Route 178 (Loop service Rutherford to Anambah Road) is running at 11 services per day. Other bus stops on New England Highway are 600m to the west of the Anambah Road roundabout where Routes 179 and 180 follow a similar route (Maitland and Stockland Green Hills). Furthermore, the provision of public transport services in proximity of the site is anticipated to grow substantially in parallel with the growth of the Anambah URA.</p> <p>Notwithstanding, it is proposed that the MHE Operator will offer a community bus service providing residents with transport to and from the site to access retail premises, community facilities and other essential services.</p> <p>It is also important to note that the site is adjacent to the Anambah URA. The Department of Planning, Housing and Infrastructure (DPHI) Report which was prepared in 2016 to support the rezoning for the site, identified that the release area would support public transport in the form of buses in the future. As a result, it is anticipated that this area will be serviced by</p>

Matters for Consideration	Assessment
	public transport as other development proceeds in the URA.
<p><i>(c) that sufficient community facilities and services, whether situated within or outside the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and</i></p>	<p>Adequate community facilities are provided with the estate and will be accessible to all residents of the MHE, including:</p> <ul style="list-style-type: none"> <li>▪ Clubhouses (including communal kitchen, library, billiards table and gym)</li> <li>▪ Swimming pool</li> <li>▪ Tennis court and pickleball court</li> <li>▪ Lawn bowling green</li> <li>▪ Dog exercise area</li> <li>▪ Men’s shed/workshop</li> <li>▪ BBQ Picnic Area, picnic tables and shelters, and park benches</li> <li>▪ Shared pathways</li> <li>▪ The site will be supported by a community bus until such time as adequate public transport is provided. At such time the community bus may be utilised for community outings.</li> </ul>
<p><i>(d) that the development will not have an adverse effect on any—</i></p> <ul style="list-style-type: none"> <li>▪ <i>Conservation area</i></li> <li>▪ <i>Heritage area</i></li> <li>▪ <i>Waterway or land having special landscape, scenic or ecological qualities,</i></li> </ul> <p><i>Which is identified in an environmental planning instrument applicable to the land concerned.</i></p>	<p>The land is not specified in any EPI as a conservation area or heritage area and is not identified as containing special landscape, scenic or ecological qualities.</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>No other MHEs currently exist within the locality.</p>
<p><i>(b) any relevant guidelines issued by the Director,</i></p>	<p>N/A</p>

Matters for Consideration	Assessment
<p><i>(c) The provisions of the Local Government (Manufactured Home Estates) Transitional Regulation 1993.</i></p>	<p>The proposed development is consistent with the provisions of the Local Government Regulation as demonstrated above in Section 5.4.4 of this Report.</p> <p>Following construction of the MHE, manufactured homes shall be installed in accordance with the requirements of the Local Government Regulation.</p>

**5.5.3 State Environmental Planning Policy (Planning Systems) 2021**

The State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) aims to identify development that is regionally and state significant. Pursuant to Clause 2, Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021, development that has an estimated development cost (EDC) of more than \$30 million is classified as regionally significant development.

The development has an EDC of \$42,376,017 and is therefore classified as regionally significant development.

**5.5.4 State Environmental Planning Policy (Resilience and Hazards) 2021**

The State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP) specifies provisions related to coastal management, hazardous and offensive development, and remediation of land.

Chapter 4 Remediation of Land

Chapter 4 of the Resilience and Hazards SEPP seeks to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health and the environment. The Chapter applies to the whole of the State. Pursuant to Clause 4.6 of the SEPP:

- (a) A consent authority must not consent to the carrying out of any development on land unless—*
  - (a) it has considered whether the land is contaminated, and*
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A Preliminary Site Investigation (PSI) has been prepared by EP Risk and is included in the supporting documentation. Based on review of historical information, the site was found to be used as cleared farmland/grazing land and surrounding uses generally comprised rural/agricultural land uses. Based

on site inspection and review of historical records, two Areas of Environmental Concern (AECs) were identified being:

- AEC 1 – Rural agricultural land use, clearing of land with potential use of herbicides and pesticides
- AEC 2 – Potential fly tipping/uncontrolled filling

The collection of 12 soil samples from test pits advanced to a maximum depth of 3.0m below ground level was undertaken. The results of analytical testing reported total concentrations below the adopted criteria for residential land use. Overall, the site is considered to present a low risk of contamination and is considered suitable for the proposed residential land use, subject to the implementation of an unexpected finds protocol during site preparation and construction works.

#### **5.5.5 State Environmental Planning Policy (Transport and Infrastructure) 2021**

The State Environmental Planning Policy (Transport and Infrastructure) 2021 specifies provisions related to transport and infrastructure including educational establishments, childcare facilities, major infrastructure corridors and ports. Chapter 2 Infrastructure of the SEPP is relevant to the proposed development and the relevant provisions have been assessed below.

##### Chapter 2 Infrastructure

Chapter 2 of the Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the state. Section 2.122 of the TI SEPP specifies provisions for traffic-generating development identified in Schedule 3 of the SEPP. Schedule 3 identifies development for the purpose of residential accommodation for 300 or more dwellings or any development generating more than 200 vehicle trips per hour as traffic-generating development. However, per the Standard Instrument – Principal Local Environmental Plan 2006, *residential accommodation*, does not include manufactured home estates or manufactured homes. Moreover, the Traffic Impact Assessment prepared by SCT Consulting indicates the proposed development will generate 76 trips at PM Peak Hour Traffic.

Accordingly, formal referral to Transport for NSW under Section 2.122 of the TI SEPP is not required in this instance.

## **5.6 Maitland Local Environmental Plan 2011**

### **5.6.1 Clause 2.3 Zone Objectives and Land Use Table**

The site is zoned R1 General Residential and RU2 Rural Landscapes under Maitland LEP 2011 as shown in Figure 8 below.

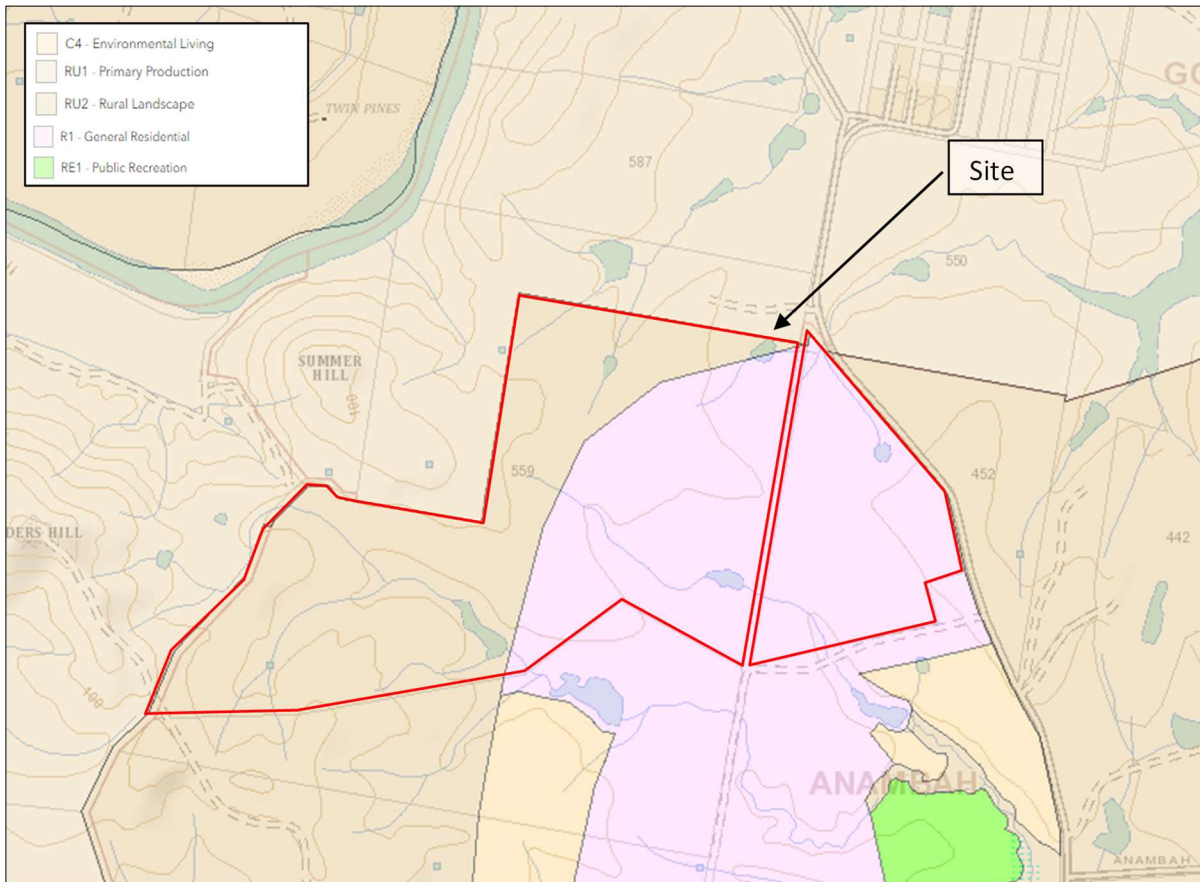


Figure 8 Zoning Map. Source: ePlanning Spatial Viewer (2024)

As identified in Section 5.5.2 of this Report, the proposed development is permissible in accordance with Chapter 3, Part 8, Section 122 of the Housing SEPP, noting that the RU2 land permits caravan parks with consent and the MHE site adjoins land zoned for urban use. Roads are permitted with consent in R1 General Residential Zone.

The objectives of the R1 General Residential zone are as follows:

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

The proposed lead in roads are consistent with the objectives of the R1 Zone in that they provide access to the MHE that delivers a variety of housing types and densities to meet the housing needs of Maitland LGA population. The proposed roads are critical to the day to day needs of the future MHE residents in providing access to the public road network and broader community.

The objectives of the RU2 Rural Landscape zone are as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide for a range of non-agricultural uses where infrastructure is adequate to support the uses and conflict between different land uses is minimised.*

The proposed development will not be inconsistent with the objectives of the RU2 zone, demonstrated as follows:

- The proposed MHE adjoins the Anambah URA which seeks to deliver a total of 3000 residential allotments. In this regard, the proposed MHE will present as a logical extension of the Anambah URA and is unlikely to result in the fragmentation of rural zoned land nor significantly interrupt the rural landscape character of the land. This is elaborated on within the attached Visual Impact Assessment which concluded that it would be low visual impact and would be acceptable within the existing surrounding landscape character.
- The footprint of the proposed MHE is largely contained directly adjacent to the URA and residential zoned land, and large tracts of retained bushland separate the proposed MHE from neighbouring rural zoned allotments; meaning potential for land use conflict with existing or future agricultural land uses is minimised
- The subject site is not considered high-value agricultural land nor suitable in its present state for primary industry production or extensive agriculture. An Agronomist Report prepared by Farmland Co and provided with the application demonstrates that the subject site has been extremely overgrazed for some time and continues to be stocked at unsustainable levels – indicating livestock on the property are unlikely to access sufficient pasture without supplementary feeding. Per the Agronomist Report, whilst it is possible to make good improvements on the current pasture, the costs, risk and long-term nature associated with improving pasture on this area would need to be carefully considered. The proposed Manufactured Home Estate (MHE) development over this land could be a suitable enterprise to consider, given the current poor state of the land and that it is not ideal pasture. Any development over this land, in its current condition, would not be impacting the regions current primary industry production.
- The Infrastructure Servicing Assessment prepared by Northrop Consulting Engineers and provided with the application demonstrates there is sufficient ability to provide infrastructure to the development either prior to or in conjunction with the adjoining proposed residential development.

### **5.6.2 Clause 5.21 Flood Planning**

The objectives of Clause 5.21 are to minimise the flood risk to life and property associated with the use of land and enable the safe occupation and efficient evacuation of people in the event of the flood.

A Flood Impact and Risk Assessment (FIRA) has been prepared by Northrop Consulting Engineers and is provided with the application. The FIRA aims to review the impacts the proposed development has on existing flood behaviour within the subject site, adjacent properties and downstream areas. As above, the proposed development includes construction of River Road for local emergency access. The road will establish connection with residential areas of Wyndella located approximately 2.2km to the south and provides flood free egress (up to the 1% AEP local catchment flood) for the development in the case of potential inundation of Anambah Road during major local catchment flood events and/or Hunter River flooding.

An assessment against the matters for consideration outlined in Clause 5.21 is demonstrated below in Table 7.

Table 7 Assessment against Clause 5.21 MLEP 2011

Matters for Consideration	Assessment
<i>(1) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</i>	
<i>(a) is compatible with the flood function and behaviour on the land, and</i>	The subject site is located outside the Hunter River floodplain, and function of the local drainage gullies has been considered in the riparian corridor design. The proposed development is compatible with the flood function of the land.
<i>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</i>	Consideration has been given to changes in flood levels and behaviour. It is determined the changes in level are localised and do not affect the flood hazard.
<i>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</i>	The provision of River Road at the 1% AEP facilitates a higher level of access immunity for the proposed development.
<i>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</i>	The provision of River Road is a suitable measure to manage the risk to life in the event of a flood.
<i>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</i>	Standard engineering responses to water quality treatment and riparian corridor design have been documented in the civil design to respond to this requirement.



Matters for Consideration	Assessment
<i>(2) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</i>	
<i>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</i>	The 1 in 500 AEP has been considered as a proxy for climate change.
<i>(b) the intended design and scale of buildings resulting from the development,</i>	The scale of the development does not result in significant adverse impacts and is acceptable from a floodplain risk management perspective.
<i>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</i>	The development incorporates the construction of River Road for emergency access and is flood free in both the Hunter River and local catchment 1% AEP events.
<i>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</i>	There is potential to remove development; however, it is deemed unnecessary due to location of the works outside of the Hunter River floodplain, and proximity to the coastline.

### 5.6.3 Clause 6.2 Public Utility infrastructure

Clause 6.2 specifies that Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. A detailed assessment of water, sewer and electricity servicing requirements has been provided in Section 6 of the Report.

### 5.6.4 Clause 6.3 Urban Release Areas

Part 6 of the MLEP 2011 specifies provisions for development within Urban Release Areas. As above, the proposed development includes works within the adjacent Anambah Urban Release Area including entry/exit roads from Anambah Road and development of River Road for Flood Free Egress.

Per Clause 6.3(2) of the MLEP 2011, development consent must not be granted for development on land in an urban release area unless a development control plan has been prepared for the land. To date, no site specific DCP has been prepared for the Anambah URA. Notwithstanding, Clause 6.3(4) states the following:

- (4) Subclause (2) does not apply to any of the following development—*
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*
  - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,*
  - (c) a subdivision of land in a zone in which the erection of structures is prohibited,*



*(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

Pursuant to Subclause (4)(d), Subclause (2) does not apply to the development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

The proposed development on land mapped within the URA will be limited to the provision of services and lead in road infrastructure. The development for roads and services is considered development of a minor nature, and will be consistent with the objectives of the R1 General Residential zone, specifically the third objective to ‘to enable other land uses that provide facilities or services to meet the day to day needs of residents’. The proposed development will provide day to day access and services to the residents of the MHE, and on this basis, no further consideration of Clause 6.3 is required.

**5.6.5 Clause 7.1 Acid Sulfate Soils**

The objective of Clause 7.1 is to ensure that development does not disturb, expose or drain acid sulfate soils (ASS) and cause environmental damage.

The site is identified as containing Class 5 ASS and is not located within 500m of any land identified as containing Class 1-4 ASS. Accordingly, the risk of disturbance or exposure as a result of site works is considered minimal and further detailed assessment is not deemed necessary.

**5.6.6 Clause 7.2 Earthworks**

The objective of Clause 7.2 is to ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Bulk earthworks are required across the site to establish dwelling sites, construct roads, and provide the necessary infrastructure as shown in the Civil Plans prepared by MakerEng and Northrop and provided with the application. The earthworks volumes for Stage 1 of the proposed development are shown in Table 8 below.

*Table 8 Earthworks Volumes*

Stage 1 Earthworks Volumes	
Cut Volume	123,600m <sup>3</sup>
Fill Volume	94,200m <sup>3</sup>
Balance	29,900m <sup>3</sup> (Cut to River Road)

### 5.6.7 Clause 7.4 Riparian Land and Watercourses

Clause 7.4 applies to land identified as ‘watercourse land’ on the watercourse map and all land that is within 40m of the top of the bank of a watercourse. The third order creek line separating Stage 1 and Stage 2 of the proposed MHE is identified as ‘watercourse land’ on the watercourse map and development will occur on land mapped as ‘watercourse land’ for the MHE and lead in road construction.

The objective of Clause 7.4 is to protect and maintain water quality within watercourses, the stability of the bed and banks of watercourses, aquatic riparian habitats and ecological processes within watercourses and riparian areas. Pursuant to Clause 7.4(3), before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development is likely to have an adverse impact on the watercourse or increase water extraction from the watercourse. An assessment to the Clause 7.4(3) criteria is provided in the Table below.

Table 9 Assessment of Clause 7.4

Clause	Assessment
<i>(3) Before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development—</i>	
<i>(a) is likely to have any adverse impact on the following—</i>	-
<i>(i) the water quality and flows within the watercourse,</i>	As assessed in the BDAR, it is expected that the development will result in some reduction in water quality during construction. However, the long term water quality of the riparian habitat will be managed by the long term revegetation in accordance with the landscape plans.
<i>(ii) aquatic and riparian species, habitats and ecosystems of the watercourse</i>	As assessed in the BDAR, temporary reduction in the availability of aquatic habitat will occur during construction. The existing disturbed nature of the site including its waterbodies limits the reach of potential consequences for threatened species. Revegetation in accordance with an approved landscape plan has the potential to increase habitat quality of waterbodies for some species relative to current condition.
<i>(iii) the stability of the bed, shore and banks of the watercourse</i>	The proposal will utilise culverts for the River Road construction across the third order stream

Clause	Assessment
	and will be designed to maintain the integrity of the banks of the watercourse. Stage 2 of the MHE and any resulting impacts to the mapped watercourse land will form the subject of a separate development application.
<i>(iv) the free passage of fish and other aquatic organisms within or along the watercourse</i>	The proposal will utilise culverts for higher order watercourse crossings, maintaining aquatic habitat passage and allowing terrestrial fauna to remain mobile through the riparian corridor following completion of construction.
<i>(v) any future rehabilitation of the watercourse and its riparian areas, and</i>	The long term water quality of the riparian habitat will be managed by the development via long term revegetation of the riparian corridor in accordance with the landscape plans.
<i>(b) is likely to increase water extraction from the watercourse.</i>	NA. The proposed development will not involve water extraction activities.

## 5.7 Proposed Environmental Planning Instruments

This section addresses the development in accordance with section 4.15(1)(a)(ii) of the Act in respect of any proposed instruments that is or has been the subject of public consultation under the Act.

### 5.7.1 Draft Amendments to Maitland Local Environmental Plan 2011

A planning proposal (PP-2023-2724) is currently under assessment seeking to amend MLEP 2011 to allow for the ‘implementation of Maitland Local Housing and Rural Land Strategies’. PP-2023-2724 seeks to remove ‘caravan park’, and subsequently MHEs, as a permitted use within the RU2 Zone. PP-2023-2724 was exhibited between 5 June 2024 and 18 July 2024.

PP-2023-2724 intends to prohibit MHEs on rural zoned land where it may result in fragmentation of rural zoned land, land use conflicts with agricultural activities on adjoining land or where it may interrupt the scenic landscape and character of rural lands, as supported by the Visual Impact Assessment.

In considering this issue it is highlighted that the proposed MHE adjoins the Anambah URA which seeks to deliver a total of 3000 residential allotments. In this regard, the proposed MHE will present as a logical extension of the Anambah URA and is unlikely to result in the fragmentation of rural zoned land nor significantly interrupt the scenic landscape and character of rural lands. Furthermore, the footprint of the proposed MHE is largely contained directly adjacent to the URA and residential zoned land, and large tracts of retained bushland separate the proposed MHE from neighbouring rural zoned allotments; meaning potential for land use conflicts with existing or future agricultural land uses are minimised.

An Agronomist Report prepared by Farmland Co and provided with the application demonstrates that the subject site has been extremely overgrazed for some time and continues to be stocked at unsustainable levels – indicating livestock on the property are unlikely to access sufficient pasture without supplementary feeding. Per the Agronomist Report, the amount of degradation that can be done to a pasture ecosystem in just one year of overgrazing is immense. In this regard, the subject site is not considered high-value agricultural land nor suitable for any agricultural use without significant capital expenditure.

PP-2023-2724 also proposes to introduce a new LEP clause for essential services; specifying that development consent must not be granted to development for urban purposes unless the consent authority is satisfied that the services that are essential for the development are readily available or that adequate arrangements have been made to make them available when required. In considering this issue, the Infrastructure Servicing Assessment prepared by Northrop Consulting Engineers and provided with the application demonstrates there is sufficient ability to provide essential services to the development either prior to or in conjunction with the adjoining proposed development.

#### **5.7.2 DPHI Review – Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings**

The NSW Government is currently working to improve the planning framework for caravan parks, camping grounds, manufactured home estates, and moveable dwelling with a comprehensive review. Phase 1 of the review was exhibited from 17 November 2023 to 19 January 2024 and set out changes to:

- Flooding standards
- Installation of caravans, tents and campervans outside of caravan parks and camping grounds
- Installation of manufactured homes within caravan parks
- Improvements to community map requirements
- Updates to the standards for fire hydrants and hose reels
- Structural changes to the layout of the LG Regulation.

Phase 1 included proposed amendments to the LG Regulation, Housing SEPP and the EP&A Regulation. The proposed amendments were reviewed in respect of the MHE and are considered to have no material impact to the development as proposed. If gazetted, the proposed development remains capable of compliance with the amended EPI's.

#### **5.8 Maitland Development Control Plan 2011**

Pursuant to section 4.15(1)(a)(iii) of the EP&A Act, consideration must be given to any development control plan. The Maitland Development Control Plan 2011 (MDCP 2011) is the relevant development control plan and supports the MLEP 2011. It provides general controls within the LGA that should be considered in the preparation of a development application. The MDCP 2011 does not contain specific

design requirements for a manufactured home estate, noting the design of MHEs is principally governed by the LG Regulation. An assessment against the LG Regulation has been undertaken in Section 5.4.4 of this Report.

The relevant sections of the MDCP 2011 in relation to the site and proposed development are identified in Table 10 below.

Table 10 MDCP 2011 Compliance Table

Provision	Comment
<b>B.3 Hunter River Floodplain</b>	
<p><i>Maitland LEP 2011 clause 5.21 Flood planning, associated Flood Planning Map and also any additional mapping that may be adopted by the Council for the purposes of defining the flood planning area specifies the land to which this section applies.</i></p> <p><i>This section also applies to critical infrastructure and facilities within the Probable Maximum Flood (PMF) area.</i></p>	<p>N/A</p> <p>The proposed development is located outside the Hunter River floodplain. All dwelling sites shall be located outside the flood planning areas.</p> <p>Notwithstanding, a Flood Impact and Risk Assessment has been prepared by Northrop Consulting Engineers and is provided with the application.</p>
<b>B.5 Tree and Vegetation Management</b>	
<p><i>This section does not apply where clearing of vegetation forms part of the consideration of impacts associated with a development application under Part 4 of the Environmental Planning and Assessment Act 1979 for which approval by the Native Vegetation Panel is required under the BOS. In this circumstance, clearing of vegetation will be assessed under the Biodiversity Conservation Act 2016. No separate approval under this DCP section is required.</i></p>	<p>Tree removal is sought which triggers the BOS and assessment under the Biodiversity Conservation Act 2016 will be required. Refer to assessment of biodiversity impacts under Section 6 of the Report.</p>
<b>B.6 Site Waste Minimisation and Management</b>	
<p><i>All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like.</i></p>	<p>A Waste Management Plan has been prepared by MRA Consulting and is provided with the application.</p>

Provision	Comment
<b>B.7 Environmentally Sensitive Land</b>	
<p><i>This plan section applies to land that is any or all of the following:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Within 40m of the top of the bank of a watercourse that is a 3rd or 4th order stream based on the Strahler method</i></li> <li>▪ <i>Within 40m of the top of the bank of a watercourse identified as 'Watercourse land' on the Maitland LEP Watercourse Map</i> <ul style="list-style-type: none"> <li>• <i>Vegetated Riparian Zone, as defined by NRAR's "guidelines for controlled activities on waterfront land"</i></li> </ul> </li> </ul>	<p>Section B.7 applies to the site as works are proposed over 'watercourse land' and within 40m of the top of the bank of a 3<sup>rd</sup> order stream. The proposed development will involve the construction of River Road extension over the watercourse land. An assessment of Riparian Corridors has been undertaken with respect to Clause 7.4 of the LEP.</p>
<b>C.1 Accessible Living</b>	
<p><i>Access Reports shall be prepared by an accredited access consultant for the following uses:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Manufactured home estate/caravan park</i></li> </ul>	<p>An Access Report has been prepared by Purple Apple Access and is provided with this application.</p>

## 5.9 Planning Agreements

In accordance with Clause 4.15(1)(a)(iii) a consent authority is required to take into consideration 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.

In this regard, the applicant is willing to enter into a Voluntary Planning Agreement in relation to the site.

## 5.10 Development Contributions

### 5.10.1 State Development Contributions

The Housing and Productivity Contribution applies to the Lower Hunter region which includes the site of the Project. A contribution rate of \$6,000 per new dwelling site for manufactured home estates is specified for the Lower Hunter and will apply to the development.



## 6 Likely Impacts of the Development

### 6.1 Environmental Impacts

This section addresses all the likely impacts of the development in the locality, including impacts arising from the development, and impacts on the development in accordance with Section 4.15(1)(b) of the EP&A Act.

#### 6.1.1 Traffic and Parking

A Traffic Impact Assessment (TIA) has been prepared by SCT Consulting and is provided with the application to assess traffic impacts of the proposed MHE. For the purposes of the TIA, the assessment has been prepared on the basis that the target occupants and expected future users of the site will be the over 55s senior living community.

##### *Traffic Impact*

As above, the proposed MHE includes a major access road through the proposed adjacent residential subdivision and connecting to Anambah Road. SIDRA modelling undertaken in the TIA is based on the adjacent residential subdivision and consultation undertaken with TfNSW in relation to those works. The worst-case has been selected to form the future year (2038) base case for this study, including:

- A total of 900 dwellings within the adjacent residential subdivision with an urban release of 300 lots per annum in Lochinvar Urban Release Area (including a window of 14 years from now)
- 3% of annual traffic growth on New England Highway on top of the above cumulative residential development
- Guide to Transport Impact Assessment states that for senior style housing, peak travel generally does not coincide with morning network peak but there is a closer correlation between evening site peaks and network peak. Hence, only PM peak hour on a weekday is considered
- The modelling for the residential subdivision confirms that a 70%(west): 30%(east) distribution of the residential development traffic on New England Highway is the worst-case scenario

It is noted that under a 2038 future year base case scenario (excluding the subject development), accounting for the 559 Anambah Road residential subdivision (subject to separate application) and the Lochinvar URA, intersection upgrades would be required at the intersection of New England Highway and Anambah Road. The upgrades would include:

- Signalisation of the intersection
- Duplication of the west approach and exit
- Additional eastbound left and right turn bay of the New England Highway
- High angle slip lane for left turners on the southbound Anambah Road and additional southbound right turn bay of Anambah Road
- High angle slip lane for left turners on the westbound approach of the New England Highway and additional westbound right turn bays of the New England Highway.

The traffic impact assessment has been prepared on the basis that these works are completed in the 2038 base case scenario. According to the Guide to Transport Impact Assessment, the vehicle trip rates for seniors housing in regional NSW is 0.23 trips per lot per hour. On that basis the proposed MHE is anticipated to generate 76 vehicle trips during the PM peak hour.

The TIA indicates that the future base case + development will maintain the Level of Service (LOS) D of the New England Highway / Anambah Road intersection with minimal delays to performance or degree of saturation (DOS). Similarly, the SIDRA traffic modelling indicates that the access road to 559 Anambah Road will continue to perform at LOS A in a future base case + development scenario indicating no adverse traffic impacts.

#### *Car Parking*

The proposed development will provide the following visitor car parking:

- Perpendicular parking at two club houses near the two entrance/exit roads (6 + 9 spaces) including four (4) accessible parking spaces.
- Parallel parking on perimeter road within the site (about 66 spaces).
- Caravan car park (31 spaces)

The NSW Local Government Regulations specifies that for MHE over 105 sites, 20 spaces plus 1 additional space every 7 sites above 140 is required. This results in a total of 48 visitor parking spaces required. The provision of visitor parking is considered sufficient, and the four (4) accessible parking spaces has been assessed in the TIA to satisfy the required number of spaces to be provided.

#### **6.1.2 Servicing**

An Infrastructure Servicing Assessment has been prepared by Northrop Consulting Engineers and is provided with the application. The Assessment provides an overview of the servicing requirements for sewer, water and electrical. The proponent intends for the MHE to be serviced via lead in infrastructure consistent with the utility and road alignments proposed for the adjoining subdivision.

However, if this infrastructure was not available at the time of construction of the MHE, consideration has been given to following servicing arrangements.

#### *Water*

The site is currently remote from water infrastructure with the nearest supply infrastructure at Wyndella Estate, approximately 2km to the south. The Wyndella Estate network is supplied from trunk mains along the New England Highway which supply a booster pump station, known as WPS Wyndella 1, located on River Road. A water servicing strategy has been prepared for the broader Anambah URA (AURA). Due to varying elevation within the AURA, two supply zones are proposed, a low-level zone (LLZ) below RL 41.0 and a high-level zone (HLZ) for higher elevations. To ensure adequate pressure for the HLZ, the existing WPS Wyndella 1 is to be replaced.

Dependent on timing of development within the broader Anambah URA, an interim servicing arrangement is proposed to service the adjoining residential subdivision. Under this arrangement, dual water mains will be constructed along the River Road corridor, supplying the LLZ and HLZ. All proposed dwelling sites are located above RL 41. Therefore, if the HLZ supply main has been completed under this interim arrangement, the MHE may be serviced directly from that main.

In the event that the HLZ main has not been constructed, a lead in watermain will need to be extended along River Road, supplied from the existing DN150 water main at the River Road cul-de-sac. Noting the length of lead in required and potential difficulties managing water age it has been assumed that this connection will be a reduced size main utilised for potable water only. Onsite tanks would then be utilised for firefighting and would be required until a dedicated fire connection to the subdivision supply network can be made.

The proposed dwelling sites are located in the HLZ and will require boosting to meet Hunter Water Corporations (HWC) minimum servicing pressures. Therefore, in this event WPS Wyndella 1 has not been completed, onsite boosting measures will be required.

#### *Wastewater*

The site is currently remote from sewer services. A wastewater servicing strategy has been prepared for the broader Anambah URA. Ultimately, the URA will be serviced via a network of five (5) wastewater pump stations pumping to a barometric loop and gravity main near the intersection of Anambah Road and Cagney Road, Rutherford. Completion of these works are dependent on significant development occurring within the URA and as such, an interim servicing arrangement has been developed for the Thirdi owned land. The interim arrangement involves construction of two of the five wastewater pump stations (WWPS) within the Thirdi site. In the absence of a downstream wastewater network, the downstream pump station will pump along River Road via a temporary rising main, discharging to existing trunk gravity sewer mains near the intersection of River Road and the New England Highway.

Lead-in gravity sewer mains to the MHE will extend from the proposed WWPS to a point of connection along the east-west entry road. Individual relocatable home sites will be serviced via a private sanitary sewer network. All sub catchments within the MHE are proposed to discharge to a single point of connection to the proposed subdivision sewer network.

#### *Electricity*

Gosforth and Anambah are currently serviced by the Rutherford Zone Substation. There are two 11kV feeders from this substation that approach the subject site. Feeder 29878 extends along the New England Highway, via Lochinvar and then along Windermere Road. From there the feeder crosses the Hunter River in two locations, before looping back around and following Anambah Road, terminating just south of 559 Anambah Road. Preliminary advice from Ausgrid has indicated this feeder has no spare capacity and is unable to facilitate new connections. A second feeder, 29876 extends north along Anambah Road and is approximately 2km south of the MHE site. The Servicing Assessment

indicates that it may be possible to supply up to 850 residential lots with this supply. An N-1 connection will still be required to “loop in” the new connection to the existing 11kV network. Preliminary enquiry responses from Ausgrid recommends installing a new 11kV U/G feeder from Rutherford Zone Substation to supply the development and involves installing 5.5km of 11kV cable from Rutherford to the development site.

### **6.1.3 Visual Impact**

A Landscape and Visual Impact Assessment (VIA) has been prepared by Moir Studio and is provided with the application to provide a qualitative and quantitative assessment of the project’s visibility and potential visual impacts.

The existing landscape character of the locality is predominantly rural featuring a small number of residential dwellings. The topography of the locality is typically undulating, rising to the north and west of the site and the locality is hemmed in from the north, east and west by the Hunter River. The scenic quality of the locality is classified as Low. A Zone of Visual Influence (ZVI) has been prepared to analyse the theoretical extent of visibility for the project and identify areas of potentially high visibility to inform viewpoint analysis. The ZVI assumes an overall building height of 8.5m, which is typically greater than the anticipated dwelling heights of manufactured homes to represent the worst-case scenario.

Due to the topographic character and undulating hills of the locality, the proposed development may be visible to the west along Anambah Road and from the Gosforth residential area; however, it is likely that intervening vegetation will screen or filter views from surrounding areas. A viewpoint analysis has also been undertaken to consider the likely visual impacts on existing landscape character and visual amenity from prominent sites. A total of nine (9) viewpoints were selected to represent a range of views and include the areas from where the proposal would appear most prominent, either based on the degree of exposure or the number of people likely to be affected (refer Figure 9).



Figure 9 Viewpoint Locations - Visual Impact Assessment. Source: Moir Studio (2024)

A summary of the visual sensitivity, magnitude and potential visual impact from each viewpoint is shown in Table 11 below.

Table 11 Summary of Viewpoint Analysis

Viewpoint	Viewing Direction	Visual Sensitivity	Visual Magnitude	Potential Visual Impact
VPA01	South	Low	Nil	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is nil, resulting in a nil visual impact.</li> </ul>
VPA02	Southwest	Low	Nil	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is nil, resulting in a nil visual impact.</li> </ul>
VPA03	Southwest	Low	Negligible	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is negligible, resulting in a negligible visual impact.</li> </ul>
VPA04	West	Moderate	Moderate	<ul style="list-style-type: none"> <li>Due to the proximity to the viewpoint, the proposed development will be</li> </ul>

Viewpoint	Viewing Direction	Visual Sensitivity	Visual Magnitude	Potential Visual Impact
				<p>viewed in the context of the adjacent proposed residential development</p> <ul style="list-style-type: none"> <li>The visual magnitude of change is moderate, resulting in a low visual impact.</li> </ul>
VPA05	West	Moderate	Moderate	<ul style="list-style-type: none"> <li>Due to the proximity to the viewpoint, the proposed development will be visible to motorists travelling along Anambah Road through clearings in vegetation</li> <li>The visual magnitude of change is moderate, resulting in a low visual impact.</li> </ul>
VPA06	Northwest	Low	Negligible	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is negligible, resulting in a negligible visual impact.</li> </ul>
VPA07	Northwest	Low	Nil	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is nil, resulting in a nil visual impact.</li> </ul>
VPA08	Northwest	Low	Nil	<ul style="list-style-type: none"> <li>From this location, intervening vegetation will screen the proposed development</li> <li>The visual magnitude of change is nil, resulting in a nil visual impact.</li> </ul>
VPA09	West	Low	Negligible	<ul style="list-style-type: none"> <li>From this location, a small portion of the proposed development will be viewed. The majority of the proposal will be screened by intervening vegetation. Vehicle receptors may experience potential visual impacts, but the duration is limited.</li> <li>The visual magnitude of change is negligible, resulting in a negligible visual impact.</li> </ul>



As demonstrated above, the proposed development is anticipated to, on balance, result in negligible or low potential visual impact. The proposed development is most likely to be viewed along Anambah Road, predominantly by motorists travelling from Maitland and Rutherford to Gosforth. Existing vegetation within the locality and dense vegetation that aligns the carriageway provides a separation from the proposal and Anambah Road allowing for filtered views toward the proposed development when travelling along the road. It is noted that these opportunities are likely to be available for a short period of time and are unlikely to dominate the view and disrupt the key existing landscape features. With regard to the proposed adjacent residential development, the MHE will be a visual extension in the landscape by vehicle receptors.

### 6.1.4 Bushfire

A Bushfire Assessment Report (BAR) has been prepared by Bushfire Planning Australia and is provided with the application. The BAR has been prepared to assess the bushfire hazard and outline minimum mitigation measures required in accordance with Planning for Bushfire Protection 2019 (PBP 2019). The development for a purpose of a MHE is classified as a special fire protection purpose (SFPP) under the Rural Fires Regulation 2022.

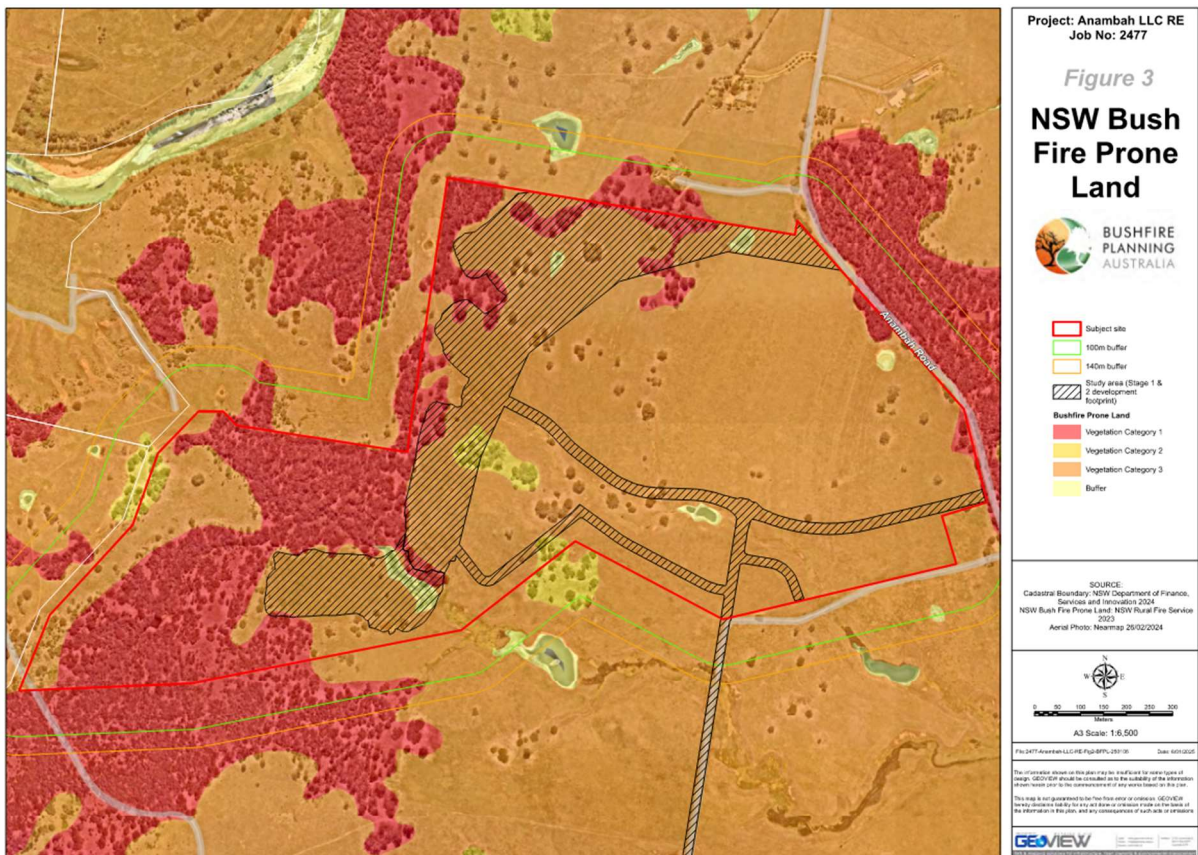


Figure 10 Bushfire Prone Land Map. Source: Bushfire Planning Australia

The entire site is mapped as bushfire prone land. There are multiple isolated sections of Vegetation Category 1 bushfire prone land within the subject site which extend to the west within and beyond 140m of the site, particularly in the south-west corner of the site identified as the primary bushfire

hazard. There are isolated sections of Vegetation Buffer within the site restricted namely to dams, whilst an isolated portion of Vegetation Category 2 bushfire prone land exists within the mid-east section of the site. Apart from this, the majority of the site is mapped as Vegetation Category 3 bushfire prone land.

The BAR assessed the bushfire hazard vegetation and effective slope across 29 transects across the site. Bushfire hazard vegetation was identified to comprise of grassland, forest, freshwater wetland and managed land with varying slopes varying from 12.6-degrees downslope to 5.4-degrees upslope across the assessed transects.

#### *Asset Protection Zone*

Pursuant to Section 6.8 of the PBP, SFPP developments must not experience radiant heat levels of greater than 10kW/m<sup>2</sup> for any part of the buildings. To achieve compliance with the performance criteria for APZs (Table 6.3a), the Acceptable Solutions outlined in Table A1.12.1 of PBP 2019 may be adopted as a deemed-to-satisfy solution. Alternatively, appropriate APZ setbacks may be determined to achieve the Performance Criteria by adopting a performance-based solution. Based on the unique site characteristics identified by the BAR, the intensity of a bushfire event presented as the radiant heat exposure was calculated at several locations throughout the development site using the NBC Bushfire Attack Assessor V4.1. To ensure the APZs achieved the intent of Section 6.3 of PBP 2019, the APZs were determined to ensure all lots are able to accommodate a dwelling that will not be exposed to radiant heat levels exceeding 29kW/m<sup>2</sup>. The recommended APZs sought as a performance-based solution are detailed in Table 3 of the BAR. The areas within the site identified as an Asset Protection Zone shall be managed as an Inner Protection Area (IPA).

#### *Access*

As part of the Stage 1 development, two (2) new roads will be constructed within Lot 55 DP874170 to provide direct access to the proposed sites within Lot 177 DP874171. Both of these roads will connect to the existing Anambah Road. A third emergency access will be constructed along River Road to provide flood free access from the site to the south. A network of internal perimeter and non-perimeter roads will be provided along the site boundaries to provide defensible space between the site and the hazard vegetation to the west. All internal roads are minimum 8m wide, with the perimeter road widened at several sections along the perimeter road to facilitate unobstructed carriageway use by firefighting appliances. The BAR concluded that the proposed access arrangements will be capable of satisfying the relevant PBP performance criteria for access.

#### *Services*

All lots within the proposed development will be serviced by internal reticulated water supply and electricity and will be capable of satisfying the requirements of the PBP 2019. The detailed design for the development will ensure that fire hydrant spacing, sizing and pressure comply with AS 2419.1-2005.

### Construction

Whilst it is noted that no dwellings will be constructed as part of this application, all forthcoming habitable buildings shall be required to satisfy the requirements of Part 3.7.4 of the BCA. The Deemed-to-Satisfy (DTS) provision of the BCA can be achieved if dwellings in bushfire prone areas are constructed in accordance with AS3959-2018 or if the habitable building is constructed in accordance with the NASH Standard ‘Steel Framed Construction in Bushfire Areas’. The BAR used the Detailed Method (Method 2) outlined in AS3959-2018 to calculate the Bushfire Attack Level (BAL) to inform material and building design required for future dwellings. All sites with the development layout were assessed to be exposed to BAL-29 or less thereby being capable of satisfying the construction requirements for residential dwellings.

The BAR concluded that that the proposed development, including Stage 1 and Stage 2, is capable of satisfying the specifications and requirements of the NSW Rural Fire Service (RFS) document Planning for Bushfire Protection 2019 (PBP 2019) including Special Fire Protection Purpose (SFPP) developments.

### 6.1.5 Biodiversity

The subject land is not mapped on the OEH Biodiversity Values Map, however the proposal exceeds the area clearing threshold for the relevant minimum lot size (MLS) and triggers entry into the Biodiversity Offset Scheme (BOS). Specifically, over 0.25 ha of native vegetation is proposed to be cleared on the affected lot which has a minimum lot size of 450m<sup>2</sup>. As the area proposed to be cleared exceeds the threshold and triggers entry into the Biodiversity Offsets Scheme (BOS), a BDAR has been prepared MJD Environmental and is provided with the application.

### Existing Site Conditions

The land forming the subject of the BDAR assessment has an area of approximately 36.01 ha. The forest and woodland margins, paddock trees and timbered patches on the site have been assessed as being best represented by the Plant Community Types (PCTs) shown in the Table below.

Table 12 Assessed PCTs on the Subject Site

PCT ID	PCT Name	Vegetation Formation	Vegetation Class	Subject Land Area (ha)
3446	Lower North Foothills Ironbark-Box-Gum	Dry Sclerophyll Forests (Shrub/grass sub formation)	Hunter-Macleay Dry Sclerophyll Forests	1.94
3433	Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest			4.79
			<b>Total</b>	<b>6.73</b>

The PCTs on the subject land include vegetation that were assessed as representative of BC Act Threatened Ecological Communities are identified as follows:

- BC Act Endangered: Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions
- BC Act Endangered: Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions

As part of the BDAR, field surveys were conducted which ruled out the presence of candidate credit species with the exception of the following species requiring an offset for assessed impacts of the proposal:

- *Litoria brevipalmata* (Green-thighed Frog)
- *Myotis macropus* (Southern Myotis)
- *Ninox connivens* (Barking Owl)
- *Petaurus norfolcensis* (Squirrel Glider)
- *Phascogale tapoatafa* (Brush-tailed Phascogale)

It is noted that no entities at risk of Serious and Irreversible Impact (SII) were identified on the site or assessed as having likely habitat within the relevant buffers from the subject land as per the Threatened Biodiversity Data Collection (TBDC).

#### *Impact Assessment*

The proposed development is situated adjacent to an urban release area and within a mosaic of intact forest and woodland, scattered trees and grazed pasture and has focused on avoiding remnant forest and woodland by constraining development to paddock areas with scattered canopy trees to minimise impacts to threatened ecological communities and threatened species. The development has been sited in a location with limited habitat connectivity to the wider landscape for less mobile species. Early versions of the development impacted two (2) trees considered vital in maintaining connection to the large remnant vegetation to the west of the site for arboreal fauna. To avoid and mitigate the impact of the proposal, the development was redesigned to retain these trees and maintain a buffer from the site boundary to maintain connectivity of habitat.

The development avoids significant riparian features, however, it is noted that the project will cross watercourses and have temporary impacts on habitat and water quality during construction. The overall and ongoing riparian condition, however, will be managed under the proposal. The impacts of the crossings over the watercourses will be minimised by utilising culverts for higher order watercourse crossings to maintain aquatic habitat passage and to allow terrestrial fauna to maintain mobile through the riparian corridor. The development will retain aquatic habitat by replacing farm dams with water quality basins, and by doing so, minimise the downstream impacts to water quality.

The development will result in direct impacts by removing 6.73ha of native vegetation comprising 1.94ha of PCT 3446 Lower North Foothills Ironbark-Box-Gum and 4.79ha of PCT 3433 Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest which will include the removal of hollow bearing trees

as identified in the BDAR. This will result in the removal of habitat for the five (5) candidate credit species identified above previously.

The development has a moderate likelihood of indirect impacts on the identified five (5) candidate credit species listed above associated with altered fauna breeding, roosting and movement behaviour. The development also has a moderate likelihood of indirect impacts associated with the degradation of adjacent retained vegetation from transportation of pathogens from the site to the adjacent vegetation.

The BDAR identified a number of mitigation measures which may be implemented to reduce the direct, indirect and prescribed impacts of the proposal:

- Mitigate direct loss of individuals of threatened species associated with removal of habitat through pre-clearance survey of trees to be removed, sequencing tree removal outside core breeding periods, sequencing tree removal with under scrubbing of vegetation and removal of non-habitat trees prior to removal of fauna habitat and soft felling of trees.
- Mitigate indirect impacts to retained vegetation adjacent to site by establishing tree protection zone around retained trees, developing and implementing a weed management protocol to be included in the Construction Environmental Management Plan (CEMP) for construction, developing a Vegetation Management plan (VMP) to address impacts to retained native vegetation, payment of credits to offset loss of habitat due to fragmentation of vegetation in study area.
- Mitigate indirect impacts to threatened species habitat retained on adjacent land by limiting construction works to daylight hours to reduce impact from light and noise, ensuring correct operation of machinery to avoid excessive noise, observing vehicle speed limits on site to reduce dust.
- Mitigate prescribed impacts to threatened species and their habitat by implementing erosion and sediment controls in accordance with a CEMP for construction and establish speed limits during construction.

The BDAR concluded that no impacts associated with the proposal are likely to be serious and irreversible. The residual impacts of the proposed development will be offset through the retiring of the following ecosystem and species credits:

*Table 13 Impacts that require an offset – ecosystem credits*

Vegetation Zone	PCT	Impact Area (ha)	Number of ecosystem credits required
VZ1: 3446_Intact	3446	1.94	48
VZ2: 3433_Intact	3433	1.25	29
VZ3: 3433_Grassland	3433	3.51	45



Table Impacts that require an offset – species credits

Scientific Name	Common Name	Loss of Habitat (ha)	Number of species credits required
Litoria brevipalmata	Green-thighed Frog	0.03	1
Myotis Macropus	Southern Myotis	2.63	64
Ninox connivens	Barking Owl	3.19	77
Petaurus norfolcensis	Squirrel Glider	3.19	77
Phascogale tapoatafa	Brush-tailed Phascogale	3.19	77

This BDAR concluded that no actions associated with the proposal are likely to have a significant impact on a Matter of National Significance. The proposal therefore does not require referral under the EPBC Act.

### 6.1.6 Aboriginal Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been undertaken by Heritage Now Pty Ltd and is submitted in support of the application.

The site contains a previously recorded artefact and potential archaeological deposit site AHIMS 37-6-4427 (Anambah AFT-03) and a further 14 sites are registered within 1km. Approximately 220m south of the site is an Aboriginal Ceremony and Dreaming site AHIMS 37-6-2777 (Anambah SAC 3). Part of the purpose of the survey was to confirm whether this site extended into the Project Area boundary.

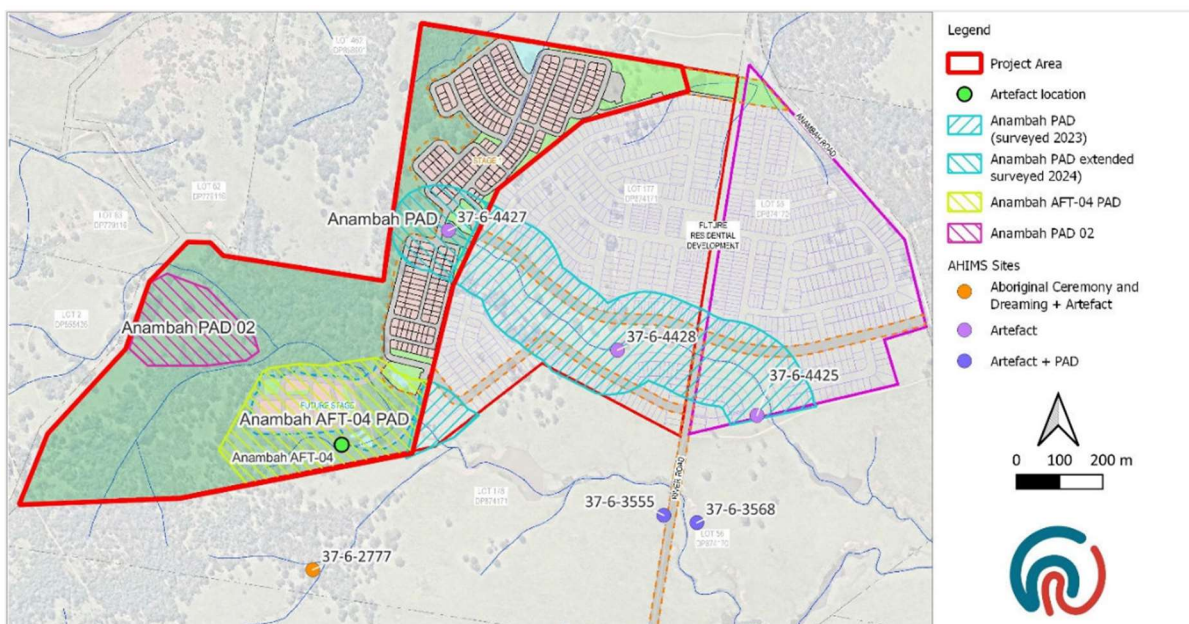


Figure 11 Locations of AHIMS Sites in Proximity to Site. Source: Heritage Now (2024)

An archaeological survey was undertaken by Heritage Now and Steven Hickey of Widescope Indigenous Group on 29 October 2024. Steven, who is listed as a knowledge holder on the site card for AHIMS 37-6-2777 was able to confirm that the site is located outside of the boundaries of the



Project Area. The location of Anambah AFT-03 was inspected and it was agreed that the area of potential archaeological deposit (Anambah PAD) likely extends into the Project Area, as the gently sloped elevated land next to a creek line would have been a favourable place to camp.

An isolated silcrete core (Anambah AFT-04) was also identified during the survey, on elevated land above the 2nd order stream toward the southern boundary of the site. The surrounding area was identified as an area of potential archaeological deposit (Anambah AFT-04 PAD). An additional area of potential archaeological deposit (Anambah PAD 02) was identified on a flat elevated area between the two 2nd order streams along the western boundary in the southern portion of the site.

The River Road access route is in proximity to two artefact sites with potential archaeological deposit. AHIMS 37-6-3568 is an artefact and PAD site, that extends into the proposed impact zone of the new River Road access route to the south of the proposed MHE. Part of the PAD extent may be impacted by the proposed River Road access route, which will require vegetation clearance, widening and sealing. The ACHAR indicates that AHIMS 37-6-3568 can likely be avoided by the roadworks; however, if it cannot be avoided, then archaeological salvage of the site would be required and conducted under the provision of an Aboriginal Heritage Impact Permit (AHIP). AHIMS 37-6-3555 is approximately 6m west of the proposed impact zone. It will not be directed impacted by the proposed River Road access route.

It is noted that the surface artefacts identified (Anambah AFT-03 and Anambah AFT-04) are within the riparian zone and will not be impacted by the proposed development. Further, Anambah PAD 02 is located outside of the proposed development footprint within retained bushland and will not be impacted. However, the proposed development may impact some areas of the wider PAD associated with Anambah AFT-03 and Anambah AFT-04.

Accordingly, the following strategies have been developed to mitigate harm and/or loss of Aboriginal cultural values as a result of the proposed works:

- Prior to the commencement of ground disturbing works, archaeological testing under the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 is to be undertaken within the areas of PADs proposed to be disturbed by the works
- Prior to the commencement of works, hazard fencing be placed around the surface artefact sites with a 5m buffer zone. The southern boundary of the site is also to be clearly demarcated to prevent access from the Project Area to Aboriginal Ceremony and Dreaming site AHIMS 37-6-2777
- AHIMS 37-6-3568 partially extends into the River Road Access Route. It can likely be avoided by the roadworks, but if it cannot be avoided, then an AHIP is required
- All on-site personnel are to be made aware of their obligations under the National Parks and Wildlife Act 1974. This includes protection of Aboriginal sites and the reporting of any new, or suspected, Aboriginal heritage sites. This may be done through an on-site induction or other suitable format.

### 6.1.7 Stormwater Management

A Civil Engineering Report has been prepared by Maker ENG Pty Ltd and is submitted in support of the application.

Stormwater from the proposed development will be directed to four (4) onsite detention basins which corresponds with the existing scenario of detention basins located on the site. A comparison of pre-development and post-development flows is shown in the Table below.

Table 14 Pre-Development and Post-Development Flows

Catchment	Average Recurrence Interval Event	Pre-Development Flow (m <sup>3</sup> /s)	Post Developed Flow (m <sup>3</sup> /s)	Peak Detention Volume (m <sup>3</sup> )
North (Stage 1)	1EY	0.338	0.332	682
	10 ARI	1.810	1.630	1,632
	100 ARI	3.580	3.530	2,224
Central (Stage 1)*	1EY	0.176	0.143	52
	10 ARI	0.858	0.615	-
	100 ARI	1.700	1.100	-
South A (Stage 1)	1EY	0.173	0.169	33
	10 ARI	0.844	0.714	692
	100 ARI	1.670	1.660	875
South B (Future)	1EY	0.320	0.318	62
	10 ARI	1.710	1.710	352
	100 ARI	3.390	3.350	537

\*As per the Civil Engineering Report, due to reduced post-development catchment area, the central catchment does not require stormwater detention for storms between the 10 year and 100 year ARI.

The stormwater management strategy for the site has been designed to ensure that a comparable level to existing conditions has been maintained in order to reduce any potential strain upon downstream stormwater infrastructure. Post-developed flows will remain less than or equal to the existing pre-development flows for the site.

The proposed MHE will employ Water Sensitive Urban Design (WSUD) to minimise negative impacts on the natural water cycle and protect the health of aquatic ecosystems. The proposed WSUD treatment measures include Gross Pollutant Traps, Bioretention Basins and soil and water management controls to be deployed at the time of construction. The Civil Engineering Report indicates that the development can satisfy Council's water quality reduction targets:

- Total Suspended Solids (TSS) 80% yearly reduction
- Total Phosphorus (TP) 45% yearly reduction
- Total Nitrogen (TN) 45% yearly reduction
- Gross Pollutants (GP) 70% yearly reduction

On this basis, stormwater quality and quantity can be adequately managed to address Council's requirements.

### 6.1.8 Waste Management

A Waste Management Plan (WMP) addressing demolition, construction and operational waste management has been prepared by MRA Consulting and is submitted in support of the application.

Demolition waste will be minor and will be associated with the removal of existing structures including removal of some feed troughs, paddock fence posts and wire. Construction waste will be primarily associated with excavated waste from net cut activity from bulk earthworks and concrete/asphalt waste from road construction. Source separation and stockpiling will occur on site to separate waste streams for reuse, recycling and offsite disposal. It is noted that the installation of the Manufactured Homes themselves forms the subject of a separate application, and no construction waste will be generated by their installation as part of this application.

Operational waste from the MHE (332 homes) has been estimated as shown in the Table below.

Table 15 Operational Waste Generation Summary

Dwelling Units	Waste Stream	Generate Rate	Weekly Volume (L)
332	General Waste	100L/unit/week	33,200
	Recycling	100L/unit/week	33,200
	FOGO	25L/unit/week	8,300

Operational waste from dwellings will be managed via shared bin bays located at the ends of proposed streets and other key points to ensure efficient access for residents. 36 bin bays are proposed to be spread across the MHE to manage operational waste, with each bin bay servicing between 8-13 dwellings, and on average each bin bay servicing 10 dwellings. Each bin bay will comprise of the following bins:

Table 16 Proposed Waste Capacity

Waste Stream	Bin Bay Allocation	Collection Rate	Weekly Collection Capacity (L)	Total Weekly Collection Capacity (L) (36 bins bays)
General Waste	1 x 660L	Up to 2x weekly	1,320	47,520
Recycling	1 x 660L	Up to 2x weekly	1,320	47,520
FOGO	1 x 240L	Up to 2x weekly	480	17,280

Waste will be collected from bin bays up to twice weekly, as required and is expected to provide more than adequate waste collection capacity to accommodate the expected MHE operational waste generation. Bins will be collected by a private waste contractor from within the site directly from each bin bay. The site has been designed to accommodate a 10.5m length rear-lift waste collection. Swept

paths have been included in the Civil Engineering Plans demonstrating that the site can accommodate the swept paths for the required heavy rigid vehicle.

A site wide centralised bulky waste storage area will be provided in a maintenance shed. Residents will be responsible for the transferring of bulky waste items from their dwellings to the bulky waste storage area. Site management can observe the storage area capacity and organise bulky waste collections via a licensed waste contractor as needed. The operational waste management requirements can be adequately accommodated within the site.

## **6.2 Social Impacts**

The proposed development will contribute to an increase in housing stock and housing diversity to meet the needs of the growing and ageing population of the Maitland LGA. As per the Hunter Regional Plan 2041, Maitland LGA is projected to require an additional 101,800 dwellings by 2041, of which, a growing portion will be an ageing population. The proposed MHE will provide a suitable and sought after alternative to traditional seniors living within the Maitland LGA and will allow for seniors or anyone seeking to downsize without leaving the area. The increased supply of alternative or smaller lot housing (such as Manufactured Homes) will also indirectly increase supply of traditional large lot, freestanding housing that is typically sought after by young families, as a result of the ageing population moving/downsizing. The increase in housing stock and housing diversity is expected to place down pressure on prices and thereby support housing affordability.

The proposed development will support residential amenity and quality of life through the provision of community facilities and recreation areas such as club houses, swimming pools, tennis and pickleball courts, lawn bowling greens and perimeter parks. The community facilities will support and foster social interaction and promote active lifestyles.

## **6.3 Economic Impacts**

The proposed development is anticipated to create short-term business and employment activity during the construction phase. Ongoing operation of the proposed MHE will also create long term employment opportunities. Moreover, the proposed development will increase overall housing supply within Anambah, driving demand for local services and generating flow on business and employment activity in the locality and wider LGA.

The MHE development type directly supports housing affordability through the reduced cost of its financing arrangements:

- There is no land cost involved which significantly reduces the cost of home ownership
- As the land is being leased, there are no stamp duty fees, body corporate fees or council rates

- Smaller lot housing is cheaper than family homes on large blocks that accounts for the majority of the Housing stock in the Hunter region and will serve to increase overall housing affordability in the LGA
- Residents of MHEs may be eligible for Commonwealth Rent Assistance.

## **7 Suitability of the Site**

This section addresses the development in accordance with section 4.15(1)(c) of the Act. The site is considered suitable for the development for the following reasons:

- The proposed development is permitted with consent and encouraged under the Housing SEPP as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements
- The proposed development will appear as a logical extension of the Anambah URA and supports the growth of the Branxton to Anambah Regionally Significant Growth Area
- The proposed development will not be inconsistent with the relevant standards and controls as contained in the MLEP 2011 and MDCP 2011
- The proposed development will not result in any significant adverse impact upon the environment, neighbouring uses or rural landscape character of the locality.

## **8 Submissions**

This section addresses the development in accordance with section 4.15(1)(d) of the Act. It is acknowledged that any submissions arising from the public notification of this application will be considered by Council.

## **9 Public Interest**

This section addresses the development in accordance with section 4.15(1)(e) of the Act. This development is considered to be in the public interest, demonstrated as follows:

- The proposed development provides for an alternative form of residential development not widely available within the LGA and improves housing diversity to meet the changing needs of the Maitland population. In particular, the proposed development is suitable to meet the growing demand of the ageing population and single and couple only households
- The proposed development reduces pressure on the cost of housing through increasing housing supply in the locality
- The proposed development subject to the mitigation measures detailed throughout this report will not result in any significant adverse impact upon the environment, surrounding uses or rural landscape character of the locality.

## **10 Conclusion**

This Statement has assessed the development against the requirements of Clause 4.15 of the EP&A Act and found that the development is consistent with the applicable policies and plans and is permissible with consent. The proposed development is recommended for approval.