



## Notice of Strategic Committee Meeting

to be held at the Council Chambers

**4 Breese Parade, Forster**  
**8 November 2017 at 10.00am**

The order of the business will be as detailed below (subject to variation by Council)

1. Apologies
2. Declarations of Pecuniary & Non-Pecuniary Conflicts of Interest
3. Briefing Session
- 3.1 Finance (Manager Finance, Phil Brennan)
  - Finance Section Overview
  - Budget Overview 2017/18
  - Statutory Financial Requirements (including Quarterly Budget Review, Audit and Financial Statements)
  - Investment Overview
- 3.2 Integrated Planning & Reporting (Manager Corporate Strategy and Development, Lynn Duffy)
  - Delivery Program, Operational Plan, Resourcing Strategy (Introduction from IPR Manual for Local Government in NSW March 2013 attached)
- 3.3 Councillor Expenses and Facilities Policy (Manager Governance, Rob Griffiths) - Draft Policy attached
- 3.4 Development Control Unit Review (Director Planning & Natural Systems, Lisa Schiff). Attachments:
  - Determination of Development Applications Policy
  - Development Control Unit Operating Procedure
- 3.5 Manufactured Home Estate - Strategic Planning Framework (Manager Strategic Planning - Roger Busby) See Business Paper report
4. Consideration of Officers' Reports:  
Director Planning & Environmental Services
5. Councillor General Business

(Lunch will be held from 12.30-1.15pm)

Glenn Handford  
**General Manager**

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## **CONSIDERATION OF OFFICERS' REPORTS:**

### **DIRECTOR PLANNING AND NATURAL SYSTEMS**

#### **1 MANUFACTURED HOME ESTATES - STRATEGIC PLANNING FRAMEWORK**

**Report Author** Roger Busby, Manager Strategic Planning

**File No. / ECM Index** Manufactured Home Estates

**Date of Meeting** 8 November 2017

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#### **SUMMARY OF REPORT**

Manufactured Home Estates are a relatively recent phenomenon, which are causing issues for Councils and communities mainly on the NSW coast. This report briefly summarises the issues and recommends that engagement occur with the NSW Department of Planning and Environment on the establishment of a suitable strategic planning approach to respond to the issues.

#### **SUMMARY OF RECOMMENDATION**

- A. That Council engage with the NSW Department of Planning and Environment on Council's and the community's issues and concerns with Manufactured Home Estates with a view to establishing an agreed strategic planning approach to this type of development.
- B. That Council investigate the opportunity to prepare Development Control Plan provisions for Manufactured Home Estates and Caravan Parks to respond to issues not adequately covered by current State legislation and policy.
- C. A report be submitted to Council upon completion of the investigations referred to in recommendation B above.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

A response to the issues will be developed using Council's resources, including the cost of engaging a consultant if necessary.

#### **LEGAL IMPLICATIONS**

Not applicable.

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#### **REPORT**

The current application for a Manufactured Homes Estate (MHE) at Tallwoods Estate has highlighted the issues and concerns associated with this type of development. Future applications will be lodged elsewhere with the MidCoast Council area and it has become apparent that the current state and local planning framework is inadequate and a better approach needs to be established.

#### **What are Manufactured Home Estates?**

MHE's are growing in popularity as a new form of housing throughout Australia. They comprise self-contained dwellings that are constructed off-site and they include a range of ancillary facilities like recreation and community facilities. Often they are seen as de-facto retirement living for people over 55. The number of dwellings in each estate can vary significantly.

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While MHE's can be developed as individual estates, many applications in NSW propose to increase the number of manufactured dwellings in existing caravan parks (e.g., Forster, Red Head, Manning Point).

### **State Government's Position on MHEs**

In 2015 the inadequacies of the current planning approach were recognised when the Department of Planning and Environment, in partnership with the Office of Local Government, produced a discussion paper on a system for regulating how land may be used for caravan parks, camping grounds, manufactured home estates and the installation of manufactured homes currently sits.

In the paper the following fundamental issues were identified with the existing framework:

- The approvals process is over complicated with duplication across instruments;
- Uses are not always in the right locations;
- The lack of appropriate building and safety standards for certain forms of housing; and
- A need to provide a greater diversity of housing.

The paper proposed a new framework that would provide important benefits to the community and stakeholders including:

- Supporting uses in the right locations through better land use and definitions and appropriate land use zonings;
- Providing greater clarity and consistency across NSW by simplifying approvals for manufactured homes, caravan parks and camping grounds under one Act, removing duplication and ineffective policies;
- Promoting a greater diversity of housing choices by providing for residential and tourist uses as well as accommodation for seasonal workers and encouraging ongoing innovation; and
- Improving building standards and safety for manufactured homes.

Since 2015 no further action has been taken by the state government to progress the discussion paper.

MHE's are a form of more affordable housing and can contribute to housing diversity. In relation to housing diversity and affordability, the Hunter Regional Plan gives some specific directions and actions, including:

***Direction 21:*** *Create a compact settlement - Council's should identify new medium to longer term development opportunities through their local planning strategies.*

- *Focus development to create compact settlements in locations with established services and infrastructure.*
- *Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield locations.*

***Direction 22:*** *Promote housing diversity – Weekend and seasonal visitors will continue to influence local housing markets in coastal locations, driving demand for short term accommodation and holiday homes. More studio and one and two-bedroom dwellings will be required to meet growing demand to cater for the growing number of single and couple-only households.*

- *Social and affordable housing will be necessary to meet the needs of people on low incomes*
- *Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.*
- *Encourage housing diversity, including studios and one and two-bedroom dwellings, to match forecast changes in household sizes.*
- *Development of local housing strategies to respond to housing needs, including social and affordable housing, and support initiatives to increase supply of affordable housing.*

### **MCC Current LEPs and MHE's**

The way in which MHE's are dealt with under the three MidCoast Council local environmental plans is inconsistent and confusing. This is partly caused by other associated planning legislation i.e. standard instrument LEP, SEPP 36 Manufactured Home Estates and SEPP 21 Caravan Parks.

Depending on the zone, MHE's can be defined in three different ways; multi-dwelling housing, caravan park or innominate use. The definition also depends on whether the MHE also includes caravans. If it does not then it cannot be defined as a caravan park.

In response to numerous enquiries for establishment of MHE's, Council in July 2017 adopted a Policy to give direction to where they should be located.

Council is also in the early stages of preparing a Housing Diversity and Affordability Strategy (HDAS) which, amongst many matters, will consider the role that MHE's play in housing diversity. The HDAS will underpin a future single LEP for all of MidCoast Council and will respond to some key Directions and Actions from the Hunter Regional Plan

A proper strategic framework for MHEs should await the completion of the HDAS but some interim actions could be taken, preferably in conjunction with NSW Department of Planning and Environment, to address the issues.

While a position is being established with DPE, work could commence on the investigation of some draft development control (DCP) provisions for MHEs and caravan parks. A DCP could cover such matters as:

- Location
- Amenity
- Design
- Density
- Presentation to residential streets
- Compatibility with nearby development
- Parking and internal streets
- Land use conflicts

Lake Macquarie and Wollongong Councils both have DCPs for MHEs and caravan parks that address the above issues.

A DCP cannot be inconsistent with the LEP and can only facilitate development that is permitted. Legal advice should be obtained on whether such provisions could be applied under a DCP

### **CONCLUSION**

The ability of Council to respond to the MHE issue is constrained by the current planning framework in NSW and, in particular, the limited definitions available under the standard LEP template. Presently, MHE's can fall into one of three definitions; multi-dwelling housing, caravan park or innominate use, depending on the circumstances and inclusions in the estate.

Improved and updated guidelines/controls to better address the current form of manufactured home estate are also needed.

It is therefore recommended that that Council engage with the NSW Department of Planning and Environment on Council's and the community's issues and concerns with Manufactured Home Estates with a view to establishing an agreed strategic planning approach for this type of development. At the same time, investigation can be undertaken into the preparation of DCP provisions for MHEs and caravan parks.

### **CONSULTATION**

Community engagement will be undertaken on any proposed planning controls that may be considered for MHEs.

### **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

Development of a strategic approach to MHE's will be consistent with actions from the Community Strategic Plan and Operational Plan relating to growth and urban development.

### **TIMEFRAME**

Any approach will take 6- 12 months to implement.

### **BUDGET IMPLICATIONS**

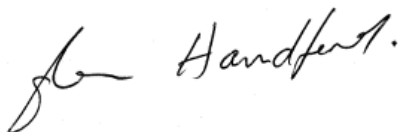
The work will be undertaken with the Strategic Planning Department with assistance from a consultant if necessary.

### **RISK CONSIDERATION**

There is a risk to Council and the community in not having in place a proper strategic approach to the location and development of manufactured home estates.

### **RECOMMENDATION**

- A. That Council engage with the NSW Department of Planning and Environment on Council's and the community's issues and concerns with Manufactured Home Estates with a view to establishing an agreed strategic planning approach to this type of development.
- B. That Council investigate the opportunity to prepare Development Control Plan provisions for Manufactured Home Estates and Caravan Parks to respond to issues not adequately covered by current State legislation and policy.
- C. A report be submitted to Council upon completion of the investigations referred to in recommendation B above.



Glenn Handford  
**GENERAL MANAGER**