

Newcastle LEP 2012- Merewether Golf Club Spot Rezoning

Proposal Title : **Newcastle LEP 2012- Merewether Golf Club Spot Rezoning**

Proposal Summary : **Rezone land on the Ella Street frontage of Merewether Golf Club from RE2 Private Recreation zone to R2 Low Density Residential zone and amend associated development density control maps**

PP Number : **PP_2015_NEWCA_001_00**

Dop File No : **15/01238**

Proposal Details

Date Planning
Proposal Received : **23-Dec-2014**

LGA covered : **Newcastle**

Region : **Hunter**

RPA : **Newcastle City Council**

State Electorate : **NEWCASTLE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **40 King Street**

Suburb : **Adamstown**

City : **Newcastle**

Postcode :

Land Parcel : **Lot 902 DP 1032728**

DoP Planning Officer Contact Details

Contact Name : **Ken Phelan**

Contact Number : **0249042705**

Contact Email : **ken.phelan@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Rob O'Brien**

Contact Number : **0249742889**

Contact Email : **ro'brien@newcastle.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A**

Release Area Name :

Regional / Sub
Regional Strategy : **Lower Hunter Regional
Strategy**

Consistent with Strategy : **Yes**

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.21	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	5
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : This 2056m2 potential infill site lies on the periphery of the private golf course on its Ella Street frontage in Adamstown, about 1.4km from Adamstown centre, 2km from Adamstown Station and 3.2km from Bar Beach. The proposed residential density could yield up to five lots.

External Supporting Notes : **Council Report Extracts:**

- will permit residential development which is considered a suitable use for this site as the planning proposal details.
- consistent with the Newcastle Urban Strategy which promotes urban consolidation and allows infill residential
- peripheral to the Merewether Golf Course, (the site) forms part of the Ella Street residential neighborhood having a direct frontage to Ella Street
- consistent with the strategic planning framework;
- presents no issues with regard to infrastructure servicing;
- is not for a principal LEP, and
- does not reclassify public land.

Extract from Statement of Environmental Effects:

- Merewether Golf Course has advised that the subject rezoning is proposed to assist with ongoing financial sustainability and improvements at the club.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

'The intent of the planning proposal is to:

- enable development of the subject land for low density residential development.
- assist with ongoing financial sustainability and improvements at the Merewether Golf Club.'

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

- Amending the Newcastle LEP 2012 Land Zoning (LZN) map to rezone the land from RE2-

Private Recreation to R2 – Low Density Residential;

- Amending the Floor Space Ratio (FSR) map by imposing a floor space ratio on the subject land of 0.6 where there is currently no maximum floorspace control;
- Amending the Height of Building (HOB) map by imposing a maximum permitted building height of 8.5m where there is currently no maximum height control,
- Amending the Minimum Lot Size (LSZ) map by reducing the minimum lot size over the subject land from 40ha to 400m2.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

3.4 Integrating Land Use and Transport

* May need the Director General's agreement

4.1 Acid Sulfate Soils

4.2 Mine Subsidence and Unstable Land

5.1 Implementation of Regional Strategies

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

e) List any other matters that need to be considered :

• **Section 117 Direction 3.2- Caravan Parks and Manufactured Home Estates**

• **State Environmental Planning Policy 36- Manufactured Home Estates**

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Existing and proposed versions of:

- **LZN 004C- Land Zoning Map**
- **LSZ 004C- Lot Size Map**
- **HOB 004C- Height of Building Map**
- **FSR 004C- Floor Space Ratio Map**

Within the Statement of Environmental Effects these appear at:

- **Figure 3: Existing Land Zoning Map**
- **Figure 4: Proposed Land Zoning Map**
- **Figure 5: Existing Maximum Height of Buildings Map**
- **Figure 6: Proposed Maximum Height of Buildings Map**
- **Figure 7: Existing Maximum Floor Space Ratio Map**
- **Figure 8: Proposed Maximum Floor Space Ratio Map**
- **Figure 9: Existing Minimum Lot Size Map**
- **Figure 10: Proposed Minimum Lot Size Map**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council proposes a 14 day exhibition period which is supported for a development of this small scale and low environmental impact.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Newcastle Standard Instrument Local Environmental Plan was published 15 June 2012

Assessment Criteria

Need for planning
proposal :

The site could make a small contribution of about five dwellings to meeting Newcastle's housing program target in a location accessible to utilities and to a wide range of urban facilities and services.

Consistency with
strategic planning
framework :

Lower Hunter Regional Strategy

As a pocket of some five dwellings in an established urban area, the proposal is not inconsistent, at a strategic level, with the strategy.

The proposal will need to demonstrate consistency with the Regional Strategy's 'Neighbourhood Planning Principles' at the development application stage. If this pattern of street-front infilling were to be repeated around the golf club's land holdings the perimeter it would foreclose opportunities to offer safe and convenient access particularly to pedestrians and cyclists.

Newcastle Urban Strategy (NUS)

The Urban Structure Plan within the Newcastle Urban Strategy (NUS) identifies the principle of Newcastle Urbanism which aims to promote 'greater choices to the community, in terms of housing, employment, transport and social and cultural services, whilst offering reduced travel demand, improved air quality and greater identity for Newcastle and its city centre and its district and neighbourhood centre. The proposal is not inconsistent with this principle however its interpretation at the detailed planning and development application stages will determine the transport choice outcomes.

State Environmental Planning Policies

Two SEPP's apply to the land-

State Environmental Planning Policy No 44 (Koala Habitat Protection)

This SEPP applies to the whole local government area, however as the land is urban and maintained as 'parkland', it does not contain koala habitat.

State Environmental Planning Policy 36- Manufactured Home Estates

This policy aims to identify and preserve opportunities for affordable housing. In the current RE 2 Private Recreation zone caravan parks and manufactured home estates are permissible whereas in the proposed R2 Low Density Residential zone they are prohibited. The proposal is therefore inconsistent with this policy. Council should amend the planning proposal prior to exhibition to address this matter.

Section 117 Directions

Direction 3.1 Residential Zones

This Direction aims for choice, efficiency and low environmental impact in the development of housing. As a small infill site the proposal has potential to meet all requirements under this Direction. The proposal is not inconsistent with this Direction.

Section 117 Direction 3.2- Caravan Parks and Manufactured Home Estates

This Direction aims to provide opportunities for more variety in residential accommodation and for caravan parks and manufactured home estates.

Clause 4(a) of the Direction requires that a relevant planning authority retain provisions that permit development for the purposes of a caravan park on the land.

The proposal is inconsistent with this Direction.

Council should amend the planning proposal prior to exhibition to address this matter.

Direction 3.4 Integrating Land Use and Transport

The site is located within an existing urban area with access to transport and services.

Direction 4.1 Acid Sulfate Soils

The site is Class 5 Acid Sulfate Soils however it is within 500m of class 4 soils to the north. Future development must comply with current Newcastle Local Environmental Plan 2012 provisions for Acid Sulfate Soils. With this the proposal will be consistent with this

Direction.

Direction 4.2 Mine Subsidence and Unstable Land

The site lies within Newcastle Mine Subsidence District and will require referral to the Mine Subsidence Board for assessment. With this the proposal will be consistent with this Direction.

Direction 5.1 Implementation of Regional Strategies

The proposal would make a small contribution to meeting regional and Newcastle housing targets however its detail will need to be controlled by Council to ensure that it meets the transport integration and neighbourhood design provisions of the Regional Strategy. The proposal is not inconsistent with this Direction.

Environmental social
economic impacts :

• **Environmental Impacts**

The land hosts some twenty mature trees which give the golf course and this Ella Street enclave a parkland amenity. Adjacent houses appear oriented to take advantage of the green, open aspects afforded by this incidental green space. This is likely to be lost to the Ella Street neighbourhood due to the development. Ensuring consistency with Regional Strategy 'Neighbourhood Design Principles' rests with Council. Council stormwater drainage infrastructure occupies the southern part of the land and will require relocation. No assessment is submitted of any related local flooding in this area however the land is outside of documented flood-prone areas as indicated on Council's flood mapping.

• **Social Impacts**

Sustainability of Merewether Golf Club could ensure that it continues to provide a green lung and recreation facility between Adamstown and the City Road corridor as well as a public function venue and meeting place used by community groups and service clubs. If further small infill proposals are contemplated by the golf club then a masterplan will better serve transparency, public engagement and information as to longer term intentions, their off-site and cumulative impacts, mitigation measures and infrastructure provision.

• **Economic Impacts**

The economic impacts of this proposal would be minor and largely of private benefit. Sustained operation of the club as a trading entity may secure the small number of associated jobs in hospitality and maintenance including work for external contractors.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	14 Days
Timeframe to make LEP :	9 months	Delegation :	Nil
Public Authority Consultation - 56(2) (d) :			
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal_Merewether Golf C.pdf	Proposal	Yes
Council Report_Resolution 9Dec2014 - Merewether Golf Course - _1.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.2 Mine Subsidence and Unstable Land
 5.1 Implementation of Regional Strategies

Additional Information : **1) Council refer the proposal to the Mines Subsidence Board.**
 2) Council amend the proposal prior to exhibition to demonstrate consistency or justify any inconsistency with State Environmental Planning Policy 36 Manufactured Home Estates and Section 117 Direction 3.2 Caravan Parks and Manufactured Home Estates.

Supporting Reasons : **This small-scale proposal is consistent with the strategic planning framework however further conversions of golf course land for residential development should be subject to a strategic approach. This should consider the overall impact of demand on public infrastructure and services, transport integration and scenic landscape elements of the entire holding.**

Signature:



Printed Name:

KOYLAHERTY

Date:

13/1/15