

Planning Services

Gateway Determination Report

LGA	Newcastle
RPA	Newcastle City Council
NAME	Harriet Street and Christo Road, Waratah (121 homes)
NUMBER	PP_2017_NEWCA_002_00
LEP TO BE AMENDED	Newcastle LEP 2012
ADDRESS	58-60 Harriet Street & 115 Christo Road, Waratah
DESCRIPTION	Lot 111 and 113 DP 112841, SP 88812
RECEIVED	22 June 2017
FILE NO.	17/08861
QA NUMBER	qA414221
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of Planning Proposal

The planning proposal (PP) would rezone the subject site from R2 Low Density Residential (R2) to R3 Medium Density Residential (R3), as well as increase the floor space ratio (FSR) from 0.75:1 to 0.9:1 and increase the maximum permissible height from 8.5m to 11m. The PP would enable a denser scale of residential development within the existing urban context and provide a consistent zone across the entire block.

Site Description

The subject land includes three separate lots that make up part of the block bounded by Christo Road, Harriet Street, Tinonee Road and Turton Road, Waratah.

The land at 115 Christo Road currently contains a master planned development, including approximately 32 townhouses. The PP is unlikely to result in redevelopment of this site in the near future given it was approved in 2012.

The land at 58-60 Harriet Street currently contains student accommodation including 40 bedsits and 5 townhouses and approximately 30 car parking spaces.

Figure 1 shows an aerial of the subject site and surrounding development.



Figure 1: Aerial of subject site, Six Maps.

Surrounding Area

The remainder of the block is zoned R3 and is developed with a range of health and community facilities, residential accommodation associated with the health services and a special needs school.

The site is well serviced by public transport, being within walking distance of bus stops on Christo Road and Turton Road and within 1.6km of the Waratah Train Station. The site is located within closed proximity to Waratah shopping centre, 3.7km to the University of Newcastle's Callaghan campus and 6.5km to the Newcastle city centre.

The wider area is generally characterised by older, low density residential stock.

Figure 2 shows the site in relation to the wider locality.

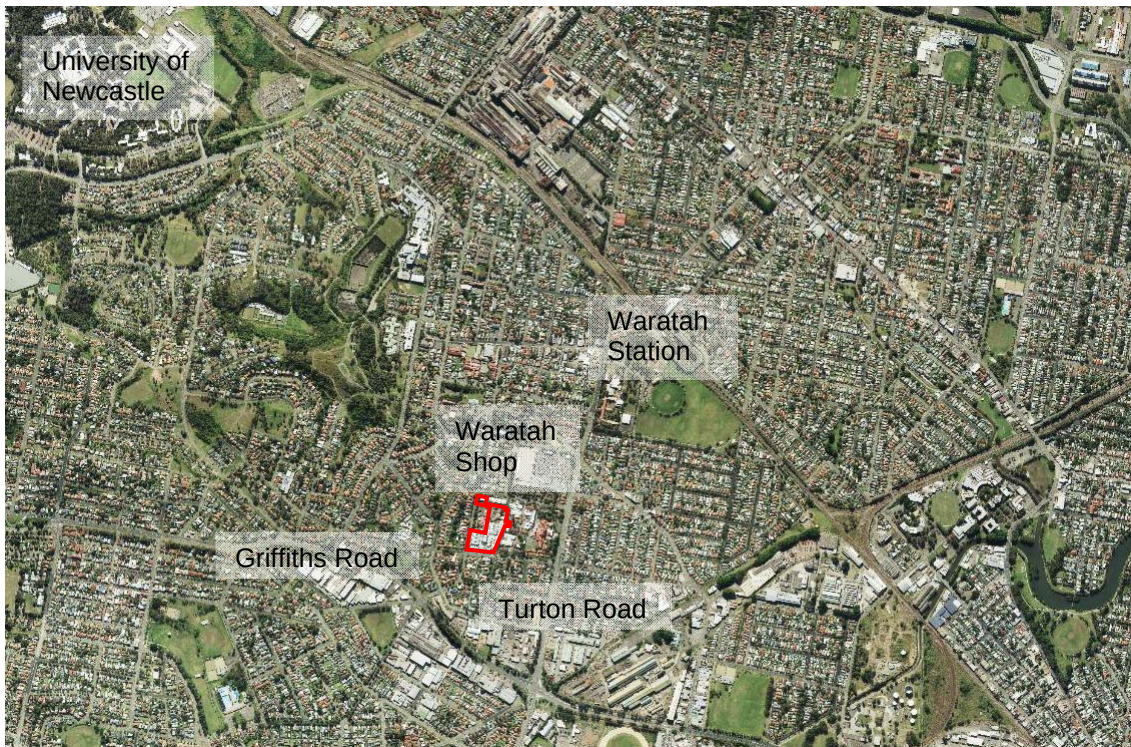


Figure 2: Aerial of locality, Six Maps.

Summary of Recommendation

The PP should proceed with conditions.

PROPOSAL

Objectives

The Objective of the PP is to enable future residential development at an appropriate scale and provide consistent zoning across the entire block, which is mostly zoned R3 Medium Density.

Explanation of Provisions

The Explanation of Provisions states that Council would achieve the objective by amending the:

- Land Zoning Map from R2 Low Density Residential to R3 Medium Density Residential;
- Floor Space Ratio Map from 0.75:1 to 0.9:1; and
- Height of Building Map from 8.5m to 11m.

Figure 3 shows the site within the existing zoning context.

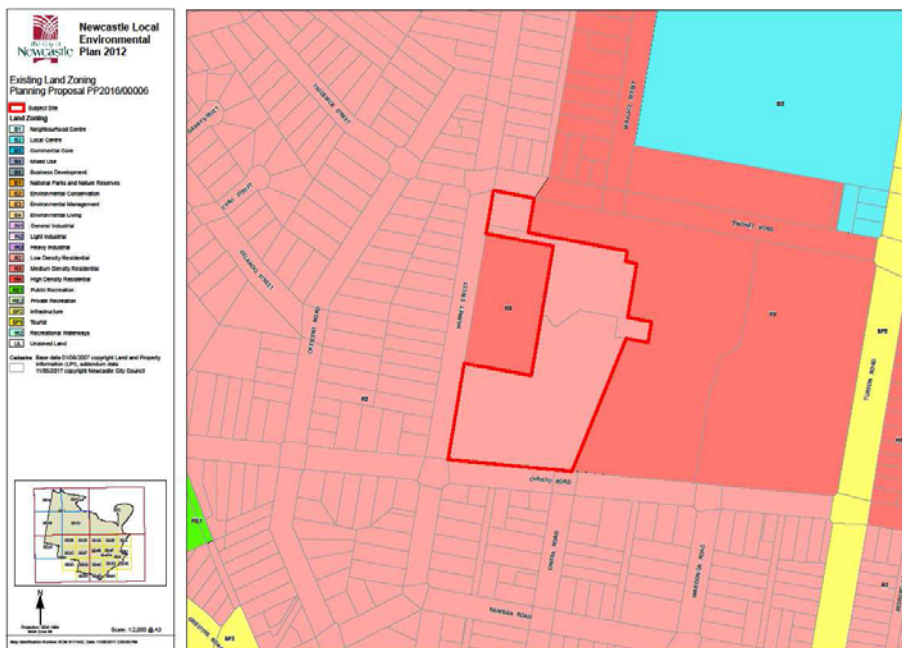


Figure 3: Extract from existing Zoning Map.

Mapping

The mapping provided is considered sufficient for assessment and community consultation.

NEED FOR THE PLANNING PROPOSAL

The PP is not the result of a specific strategy. It was initiated by the land owner of the Harriet Street properties who proposes to redevelop the existing student housing site with approximately 121 one bedroom apartments for student housing (subject to Council approval).

Council included the land at 115 Christo Road in this PP to create zoning consistency across the block. Council consider amendments to the zoning, height and FSR to be the most appropriate means of allowing increased density and enabling intensified development within an existing urban area.

Traffic and transport

The PP would permit an intensification of development which would result in increased traffic movements. The traffic report for the proposed 121 unit student accommodation at 58-60 Harriet Street noted the proposal would not significantly impact the local road network as traffic would be dispersed. The traffic report does not address the potential impact from future development 115 Christo Street, however it is considered this site is unlikely to be redeveloped in the near future.

The subject site is close to a classified road and a signalised intersection and consultation with the Roads and Maritime Services (RMS) may be required at a development application stage.

Planning context

Council propose this is the best way of achieving the objective as it will facilitate increased density on the site which is well located close to services, public transport and the University of Newcastle.

The PP is supported in its current form as the R3 zone and proposed height and FSR controls are considered appropriate for the urban context of Inner Newcastle. The site is

compatible with the zone objectives as it meets the needs of the local community, provides housing near existing services and increased populations near commercial centres.

The proposal is consistent with Council's local strategy which aims to encourage development which is capable of catering for additional population, particularly for seniors and students.

STRATEGIC ASSESSMENT

Regional

HUNTER REGIONAL PLAN 2036 (HRP)

Council's assessment notes the proposal is consistent with Goal 4 of the HRP which aims to provide a greater range of housing in the Hunter region. The proposal will contribute to this goal by meeting the following Directions:

- Direction 21 – Create a compact settlement; and
- Direction 22 – Promote housing diversity.

The proposal will contribute to the HRP goal of providing a greater range of housing choice, particularly housing appropriate for students, as well as identifying an opportunity for urban renewal within walking distance of services and public transport. The associated proposed development responds to a demand for student housing near the University of Newcastle Callaghan campus, as well as affordable housing options near the John Hunter Hospital and other community service providers.

Local

NEWCASTLE 2030 COMMUNITY STRATEGIC PLAN

Council's assessment notes the PP aligns with the strategic direction as it contributes to objectives to provide greater diversity of housing stock to meet the needs of residents at different life stages.

The proposed redevelopment will provide student accommodation, which also has the potential to free up larger housing stock for families.

LOCAL PLANNING STRATEGY

Council's assessment notes the PP contributes to the vision and objectives for Waratah as it caters for additional populations, especially for students.

The PP is consistent with the Strategy as it will facilitate increased student housing supply in Waratah.

Section 117(2) Ministerial Directions

Council has identified that the proposal is consistent with the following Section 117 Directions:

- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulphate Soils
- 5.10 Implementation of Regional Plans (incorrectly labelled as 5.1)

- 6.1 Approval and Referral Requirements

The Department raises concern with Council's assessment of Section 117 Direction 4.1 Acid Sulphate Soils.

Inconsistency with the following Direction is considered to be of minor significance:

4.1 ACID SULPHATE SOILS

The subject site is identified as being class 5 Acid Sulphate Soil as such this direction applies to the PP. Council has not provided an acid sulphate management plan. However, given the site is class 5 and Council's development control plan provides guidance for development any issues can be addressed at the development application stage. The inconsistency with this Direction is considered to be of minor significance.

Council should update the PP to show consistency with the following Direction:

5.10 IMPLEMENTATION OF REGIONAL PLANS

Council should update the PP to remove reference to 5.1 Implementation of Regional Strategies include Direction 5.10 Implementation of Regional Plans.

State Environmental Planning Policies

There are no SEPPs considered to be relevant to this PP.

SITE SPECIFIC ASSESSMENT

Social

Council's assessment does not address the potential social impacts.

The indicative plan for the site at 58-60 Harriet Street would provide appropriate housing for students and potentially an affordable housing option for a growing cohort of single resident households. The PP may also result in improved housing options by freeing up larger rental dwellings for families.

Heritage

Council notes the site is near a heritage item however the PP will not have any adverse impact on the heritage significance of the item.

It is considered the proposed density is unlikely to have a negative impact on the heritage item as it is a working health care facility, within an existing urban context and has the same zoned, height and FSR controls as the proposed site.

Environmental

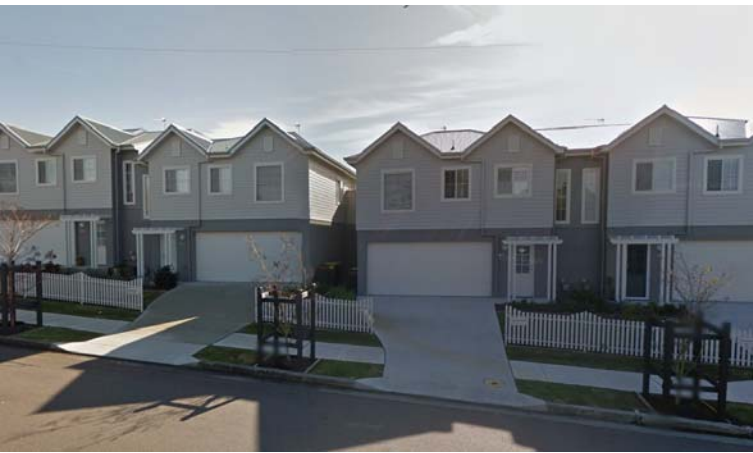
Council's assessment notes the site is currently developed for urban purposes and the PP has no potential to adversely affect critical habitat or threatened species, populations or ecological communities or their habitats.

The Council's assessment is supported as the site is within urban area. The proposed increase to height and FSR would permit development that is consistent with that permissible on surrounding land and is not unreasonable in the urban context of Inner Newcastle. Increased zoning and densities should be considered in future local planning strategies for Waratah and the Inner Newcastle area.

Photographs 1 to 5 show the subject site and the surrounding development.



Photograph 1: Existing 5 student accommodation townhouses, corner 58 Harriet Street, Waratah.



Photograph 2: Townhouse development on subject site, 115 Christo Road Waratah.



Photograph 3: William Lyne Day Hospital, Harriet Street, Waratah.



Photograph 4: Residences associated with Hunter Area Health Service, Christo Road Waratah.



Photograph 5: Medium density residential development adjacent on Tinonee Road, Waratah.

Economic

Council's assessment does not address economic impacts.

The site is located within an existing urban area serviced by water, sewer and power connections. The PP should be referred to Hunter Water Corporation to determine servicing capacity in the area. The subject site is well located near public transport, being within walking distance of bus and train networks, and takes advantage of existing economic and community services.

CONSULTATION

Community

Council has proposed 14 day community consultation period. A minimum 14 day exhibition period is supported.

Agencies

Roads and Maritime Services

Council propose to consult with the Roads and Maritime Services (RMS) as the site is close to a classified road and a signalised intersection. Consultation with RMS is not supported as the proposal will not substantially increase the development potential of the site and will only have minor increases in traffic and pedestrian movements in the locality. It may be appropriate for Council to consult with the RMS at the time of assessing the development application to determine if there are any infrastructure improvements needed.

Hunter Water Corporation

The proposal will result in an increased demand on water and sewer services. The proposal could be referred to Hunter Water at the development application stage for comment to determine whether there is sufficient capacity to service the additional density within the area.

Subsidence Advisory NSW

The site is located adjacent to an area identified as being within a mine subsidence area and Council has not identified the site as unstable land therefore the Section 117 Directions does not apply.

TIMEFRAME

Council's projected timeline suggests the PP would be finalised by June 2018, providing a twelve (12) month timeframe. This is generous given limited state agency consultation or studies are required. A nine (9) month completion timeframe is sufficient.

DELEGATION

Council has previously not accepted plan making delegations, and has not specifically requested these delegations for this matter.

CONCLUSION

The PP is supported to proceed with conditions for the following reasons:

- Consistency with Hunter Regional Plan 2036 by providing infill housing, close to transport and services that meets the changing needs of the community;
- Consistent with Newcastle Council's Local planning strategy and the Newcastle 2030 Community Strategic Plan by providing for the needs of students;
- Being within an existing urban footprint the site makes the most of existing infrastructure and services and would permit development of scale consistent with the urban context and character.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. Agree the proposal is consistent with the following section 117 Directions:
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 5.10 Implementation of Regional Plans
 - 6.1 Approval and Referral Requirements
2. Agree any inconsistencies with Section 117 Directions 4.1 Acid Sulphate Soils are minor.

It is recommended that the delegate of the Minister for Planning, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 14 days.
2. Consultation is not required with any public authorities
3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Council have chosen not to exercise their delegation to make this plan.
5. Council is to update the planning proposal prior to community consultation to remove reference to Section 117 Direction 5.1 Implementation of Regional Strategies and correct the reference to refer to Section 117 Direction 5.10 Implementation of Regional Plans.



18/7/2017

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