

**Report to the Hunter and Central Coast Regional Planning Panel on an application for a site compatibility certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

**SITE:** Lots 1, 2 and 3 DP 229558, Lot 4 DP 1223244, Lot 3 DP 515310 and Lot 2 DP 239405, 40 King Street, Adamstown as shown shaded in Figure 1 (below). Lot 3 DP 515310 only includes asset protection zones and alternative/emergency access. The site is part of the Merewether Golf Club.



Figure 1: Site location.

**APPLICANT:** Willow Tree Planning, on behalf of Merewether Golf Club and Third Age Merewether Pty Ltd

**PROPOSAL:** The proposal is for 148 serviced self-care aged housing units within a tower development and associated facilities such as a men's shed, a cinema, a library and golf cart storage for residents. An ancillary wellness centre is also proposed in the application in an adjoining tower that includes aged care facilities (administration, cleaning, meals, storage etc), pools, a gymnasium, consulting rooms and personal services. The wellness centre is considered to be ancillary to both the seniors housing development and the golf club.

The proposal (including the wellness centre) has the appearance of being in four separate towers on two podiums sitting above car parking (Figure 2, next page). The redevelopment of the clubhouse is also proposed as a separate development, as shown in Figure 2.



Figure 2: Proposed development.

**LGA:** City of Newcastle

### PERMISSIBILITY STATEMENT

The site is zoned RE2 Private Recreation and is surrounded by a mix of R2 Low Density Residential, Public Recreation and Special Use (Infrastructure) zones as shown on the zoning map at Figure 3 (next page). The site is within the Newcastle metropolitan core as recognised in the Greater Newcastle Metropolitan Plan and is within an urban area, as indicated in Figure 3.

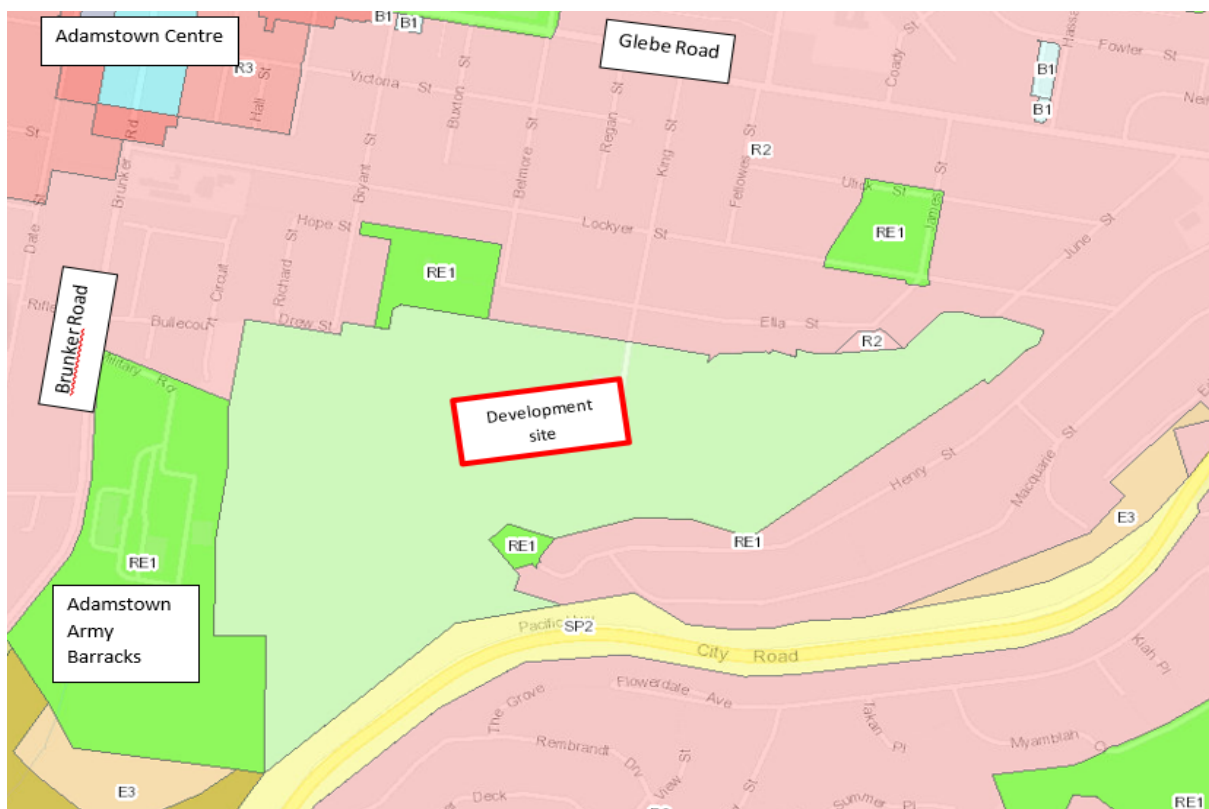


Figure 3: Zoning context.

Clause 4(1) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) provides that the SEPP applies where the subject land adjoins land zoned primarily for urban purposes or if the land is being used for the purposes of a registered club (i.e. clause 4(1)(b)).

A site compatibility certificate (SCC) can be issued for the site because:

- the site immediately adjoins land to the north and east that is primarily zoned for urban purposes, being R2 Low Density Residential, which permits the development of dwelling houses; and land to the west is zoned RE1 Public Recreation and contains houses associated with the Adamstown Army Barracks and defence housing;
- the site is also being used for the purposes of a registered club, identified as Merewether Golf Club Ltd – with licence number LIQC300240789 issued by the Independent Liquor & Gaming Authority;
- land is not identified by any exclusions listed in schedule 1 of the SEPP;
- clause 10 allows, in this case, for seniors housing to be used permanently as self-contained dwellings;
- clause 23 requires that appropriate measures have been provided to separate the club from the residential areas to avoid land use conflict. This is achieved through this proposal; however, residents will have access to club facilities; and
- appropriate protocols are proposed to manage the relationship between the proposed development and the gambling facilities of the club.

An ancillary wellness centre is also proposed in the application in the adjoining tower closest to the clubhouse. The centre includes aged care facilities (administration, cleaning, meals, storage etc), pools, a gymnasium, consulting rooms and personal services. Many of these services are considered to be ancillary to both the seniors housing development and the golf club.

The permissibility of the wellness centre can be considered under two different scenarios:

- related to its ancillary use with the seniors housing proposal and considered with this SCC application; and
- many of these uses are permissible in the current RE2 Private Recreation zone as recreation facilities (Indoor) and other health and personal services suites could be considered as ancillary to the recreation facilities (Indoor) uses.

An SCC can be issued for the site because it satisfies the requirements of clauses 4 and 24 of the SEPP.

#### **CLAUSES 24(2) AND 25(5)**

The panel must not issue a certificate unless the panel:

- (a) has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received from the General Manager of the council within 21 days after the application for the certificate was made;
- (b) is of the opinion that:

- (i) the site of the proposed development is suitable for more intensive development; and
- (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

#### **CLAUSE 25(2)(C)**

A cumulative impact study has not been prepared as there are no existing, approved or lodged SCC applications within 2km of the site.

#### **COUNCIL COMMENTS**

City of Newcastle Council provided comments on 19 November 2019 (**Attachment C**). Council indicated that it does not support the proposal in its current form and identified concerns with certain aspects of the proposal:

- inconsistency with the strategic context and vision for the area, being limited growth. Council also noted the site does not immediately adjoin a renewal corridor as outlined in the application;
- the proposed built form is out of character with surrounding development, i.e. the scale and density of the proposal is inconsistent with the local planning context;
- potential traffic impacts on the street network, including an intersection that has experienced accidents in the past;
- pedestrian access and footpaths; and
- other issues including contamination, shuttle bus destinations, flooding and drainage.

#### DPIE response

The most significant issues raised by Council are the strategic context and impact on local character.

Council's local strategy outlines the vision and objectives for Adamstown (see Figure 4 under and more detailed extract in **Attachment E**). Council confirmed that the 5<sup>th</sup> objective only applies to land within the renewal corridor.

The Department agrees that the site is not within the renewal corridor. However, redevelopment of part of the golf course in the manner proposed is not envisaged by Council's local planning strategy meaning the proposal is not inconsistent with Council's strategy. With regard to character, the proposal has been designed to integrate with its open space surrounds and is set back from the site boundary so will not adversely affect the character of the existing low density residential development.

Other issues such as access (traffic, shuttle, bus, pedestrian), flooding/drainage and contamination are best considered and addressed at the development application stage.



## Vision and Objectives

Vision	Objectives
Adamstown will reinforce and encourage commercial development in the Adamstown Centre and increase in residential densities along the Brunner Road corridor.	<ul style="list-style-type: none"> <li>• Revitalise the Adamstown 'renewal' corridor as an accessible, functional and vibrant area.</li> <li>• Reinforce the Adamstown commercial centre through provision of additional commercial floor space.</li> <li>• Promote a dense urban form along Brunner and Glebe Road while respecting surrounding residential character and heritage items where relevant.</li> <li>• Activate street frontages and provide opportunities for mixed uses and activities.</li> <li>• Maximise redevelopment and infill opportunities for high and medium density housing within walking distance of Adamstown 'commercial core' and public transport.</li> <li>• Improve public parks and the public domain through landscaping, lighting and activation of public and private interfaces.</li> <li>• Encourage increased public transport use through transit oriented development and a pedestrian and cycle friendly environment.</li> <li>• Improve connections across the rail corridor.</li> <li>• Integrate/extend Fernleigh Track into Newcastle's cycleway network.</li> </ul>

Figure 4: Newcastle Local Planning Strategy

### SUITABILITY FOR MORE INTENSIVE DEVELOPMENT

The panel must not issue a certificate unless the panel is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)).

#### 1. The site of the proposed development is suitable for more intensive development (clause 24(2)(a))

In determining whether the site is suitable for more intensive development, the following matters have been considered:

##### Existing use

The site is zoned RE2 Private Recreation, reflecting the historic use of the site as a privately owned golf course since 1933. The existing operation comprises of an 18-hole golf course, a clubhouse, sheds and car parking spaces. The course includes six water bodies and site border vegetation incorporated in the design of fairway and greens.

The site is accessed from King Street, Adamstown, with secondary and emergency access points at Henry and June Streets. A high-voltage transmission tower is located on the southern boundary of the site and the line runs across the site from the south to connect with the adjoining electricity substation located near the entrance to the club.

There will be minimal impact on the golf course as a result of the development, which will include a redesign of the 18<sup>th</sup> hole.

## Surrounding context

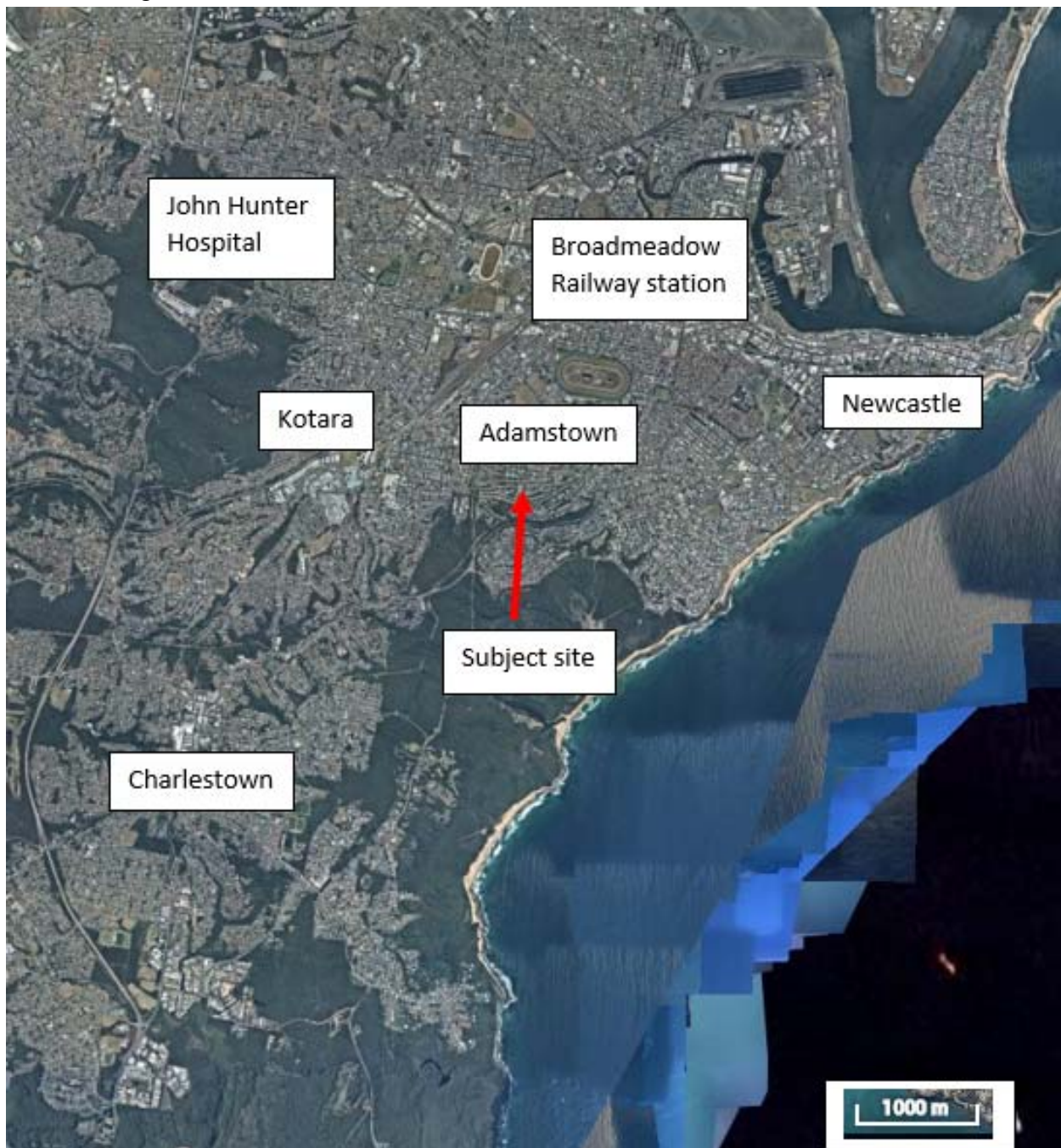


Figure 5: Site context.

Three regional centres are located close to the site at Kotara (< 3km), Newcastle (4-5km) and Charlestown (5km), providing regional-level government services, retail and community needs (Figure 5,). The site is close to public transport, local shops and services at Adamstown (1km) and is centrally located in the Newcastle metropolitan core.

There are no significant environmental constraints associated with the development site as it is located above flood-prone land and is on the fringe of a bushfire asset protection zone. Recognised potential constraints that are considered manageable at the development application stage include potential native vegetation that will require clearing and contamination from previous uses (sheds).

### Adjacent land uses

Figures 2 and 3 (pages 2 and 3) indicate the proximity of the proposed development to residential areas and open-space reserves. Surrounding residential areas are typically low-density single dwellings with some double-storey on the ridge line to the south of the site. The proposal is 160m from homes to the south and 135m from homes to the north.

An electricity substation adjoins the entry to the golf course on King Street.

### Access and public transport

There are three regular bus routes within approximately 1km of the site, with bus routes 14 and 21 being around 600m from the site boundary and route 28 1-1.2km away. The details of these buses and their key routes include:

- route 14 – travels along Glebe Road and links Adamstown Station, Charlestown centre, The Junction and the Newcastle CBD;
- route 21 – provides a link to Broadmeadow Station, Hamilton, Merewether Beach and the Newcastle CBD; and
- route 28 – provides a link to Charlestown centre, Adamstown centre, Broadmeadow Station and the Newcastle CBD.

There are no pathways connecting the closest bus stop to the site; however, this is not an impediment to the development proceeding considering the lengths of the pathways needed (200m) and the relatively flat gradients.

### Summary

The use of the site for seniors housing will not adversely impact on future uses of the land or the surrounding land, therefore the site is suitable for more intensive development.

## **COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES**

The panel must not issue a certificate unless the panel is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

### **1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))**

#### Natural environment

The site is subject to mine subsidence. A mine subsidence assessment was undertaken, which concluded that for buildings of the size proposed, grouting of seams is necessary (**Attachment A, Appendix 11**). A preliminary grouting strategy has been prepared for the development and further design work is necessary, which will be lodged with the development application and referred to Subsidence Advisory NSW for consideration.

The broader golf course site is identified as bushfire prone on certain parts. The proposed seniors housing and wellness centre are located more than 75m from the bushfire-prone land.

The north-western part of the golf course is impacted by local flooding. The site is more than 100m from this area and not affected. There is a minor watercourse/local

drainage line running across the proposed development site, which is not an impediment to the development proceeding. Management of drainage will be a consideration of the development application.

The results of the preliminary site investigation for contamination were considered in the design and location of the proposal, along with the construction methods. The contaminated land site investigation concludes that 'it is considered that the site can be made suitable for the proposed seniors housing and ancillary wellness centre as per clause 7 of State Environmental Planning Policy No 55 – Remediation of Land (**Attachment A, Appendix 19**).

#### Other existing and approved uses in the vicinity

Figures 2 and 3 indicate the proximity of the proposed development to residential areas and open-space reserves. Surrounding residential areas are typically low-density single dwellings with some double storey on the ridge line to the south of the site. The building height controls on adjoining residential land permit development up to 8.5m, noting there are no building height controls over the subject site.

The two-storey clubhouse is the closest building and will be integrated into the holistic design of the development. The clubhouse has a footprint of 700–750m<sup>2</sup> and is the largest and bulkiest building within a 500m radius. Further from the site, many buildings associated with the town centre, army base and the school on Bruncker Road to the north-west are larger than the clubhouse.

The relationship between the proposed development and the existing registered club will be further clarified through the development assessment process. The existing golf course and lined trees between the holes provide a visual buffer to the development area from surrounding areas. Course safety has been considered (e.g. ball-strike incidents) in the design and concluded that these risks would be unlikely due to the design of the course and location of the buildings.

A high-voltage powerline traverses the site and is located east of the proposed seniors housing towers. with a well-screened electricity substation located at the entrance of the site.

The activities associated with the Adamstown army barracks are unknown. The barracks is more than 350m from the nearest proposed building and there are many homes closer to the barracks.

## **2. The impact that the proposed development is likely to have on the uses that, in the opinion of the panel, are likely to be the future uses of that land (clause 25(5)(b)(ii))**

The subject site is zoned RE2 Private Recreation. Permissible uses relate to a potential recreation or tourism function for the site. The site is not identified for any other use in a strategic document, noting that it is near to the Glebe Road second-stage urban renewal corridor (as outlined in the Greater Newcastle Metropolitan Plan). The continuation of the golf club is envisaged.

The following analysis provides an indication of the likely future uses of surrounding land based on strategic documents and recognises the future stage 2 Glebe Road renewal corridor to the north of the subject site.



## Hunter Regional Plan 2036

The Hunter Regional Plan (HRP) provides regional policies and directions for land use focusing on the economy, the environment, communities, housing and jobs. The following Directions and Actions provide high-level indications of the future use of the surrounding lands and an assessment.

### *Direction 21: Create a compact settlement*

- Action 21.4: Create a well-planned, functional and compact settlement pattern that responds to settlement planning principles and does not encroach on sensitive land uses, including land subject to hazards, on drinking water catchments or on areas with high environmental values.

The proposal is consistent with Action 21.4 as the site is relatively unconstrained by natural hazards. Bushfire and minor flooding impacts are removed from the development site and can be appropriately addressed at the development application stage. The proposed development is well planned as it connects into the local street network, integrates with the existing clubhouse and can satisfactorily interface with the surrounding residential development.

- Action 21.7: Promote new housing opportunities in urban areas to maximise the use of existing infrastructure.

The site is fully serviced with water, wastewater, energy and telecommunications infrastructure. Residents will have access to social infrastructure nearby including health, education and community facilities and public transport, as well as open spaces, civic squares and other gathering places.

### *Direction 22: Promote housing diversity*

- Action 22.1: Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.

The proposed development is consistent with Action 22.1 as it will respond to the demand for housing for the ageing community. Seniors housing is an appropriate housing type for this location, being close to services and the Brunker Road renewal corridor.

### *Direction 23: Grow centres and renewal corridors*

- Action 23.1: Concentrate growth in strategic centres, local centres and urban renewal corridors to support economic growth and a mix of uses.

The proposal is 1.2km from the Adamstown centre which provides local level services. The site is near the Glebe Road Urban Renewal Corridor (stage 2) which was identified as a 1000m wide corridor along the rapid bus route (Glebe Road) (ie. 500 metres each side of the road). The proposal is 600m from Glebe Road, noting the boundary of the Golf Course to Glebe Road is 425m. The proposal seeks to locate greater housing diversity close to the second-stage urban renewal corridor along Glebe Road. The site is also near the strategic centres of Newcastle, Kotara and Charlestown.

### *Local government narratives*

- Provide small-scale renewal and redevelopment of larger sites for infill housing; and

- Investigate new renewal opportunities in centres including The Junction, Georgetown/Waratah, Adamstown, Lambton, New Lambton and Kotara.

The proposal is consistent with regional priorities identified in this section of the regional plan as it provides for infill opportunities of a larger site. While the narrative identifies small-scale renewal, the site proposes 148 units in three towers, resulting in a medium/high-density building outcome, albeit over a large site comprised primarily of open space. This will result in an overall site density less than the nearby low-density residential development. This design outcome is considered appropriate in this context.

#### Greater Newcastle Metropolitan Plan 2036 (GNMP)

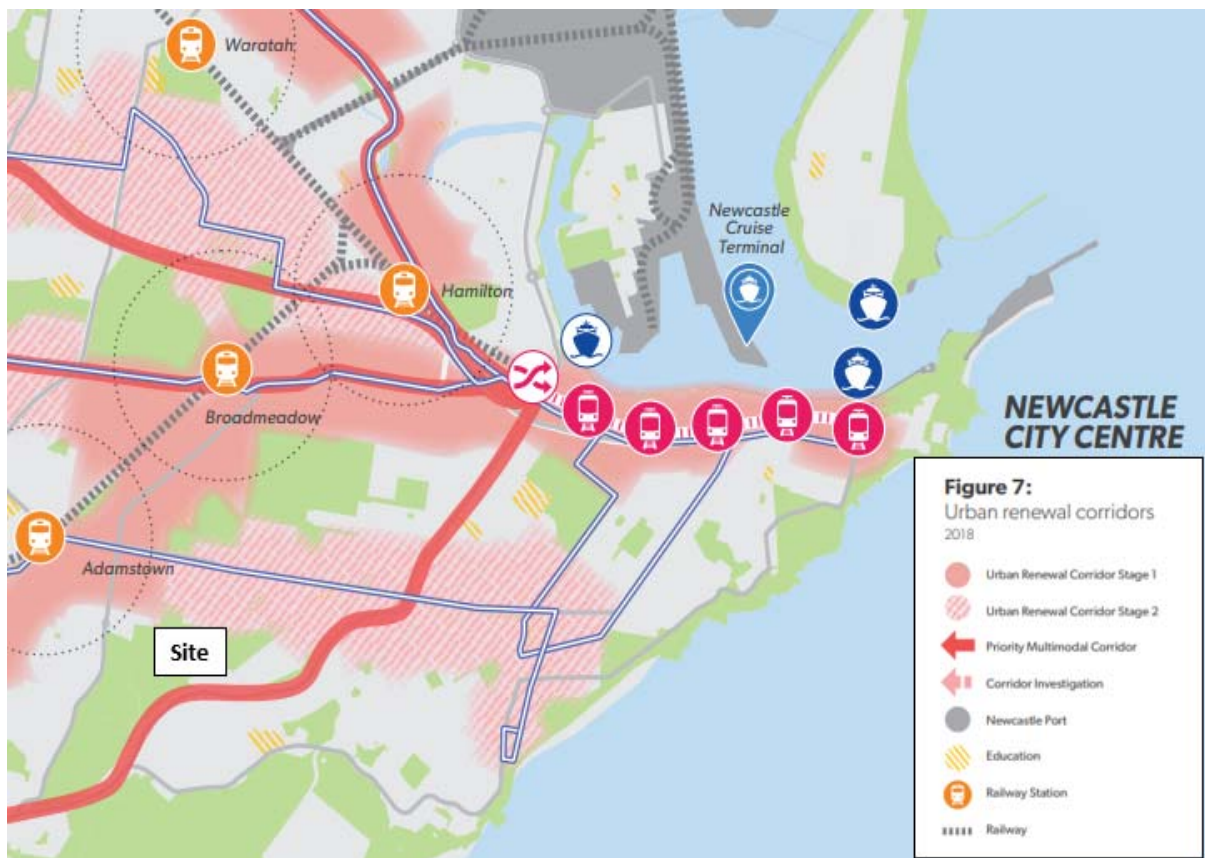


Figure 6: Greater Newcastle Metropolitan Plan renewal corridor extract.

*Strategy 16: Prioritise the delivery of infill housing opportunities within existing urban areas.*

Actions 16.1 and 16.3 identifies:

*16.1 Greater Newcastle Council's will focus new housing in existing urban areas, particularly within strategic centres and along renewal corridors.*

The site is within an existing urban area and close to the stage 2 urban renewal corridor along Glebe Road as identified in Figure 6 (above).

*16.3 For the Stage 2 urban renewal corridors, Newcastle City Council and Lake Macquarie City Council will undertake an investigation of renewal potential and ensure proposals do not prevent future redevelopment opportunities.*

Council's response to the proposal did not address this action as the land does not fall within the renewal corridor, however the development will not prevent future redevelopment opportunities within the corridor.

#### Newcastle Local Planning Strategy

Council's local strategy categorises land use zones according to walkability and accessibility to transport and services. Council advised that the site is within a 'limited growth precinct', which "is intended to be limited and, as such, the type of development envisaged is to be more suburban in nature but may also include housing types such as town houses and villas".

The strategy identifies general aims for residential and open-space lands that includes the following themes and directions:

- ensure sufficient housing diversity to meet community needs;
- enable people to age in place;
- concentrate housing around transport and centres; and
- ensure the community has equitable access to recreational land.

The strategy's visions and objectives for Adamstown are identified in full in **Attachment E**, which include:

- to recognise the golf course as being a significant feature in the area;
- that the largest increase in population is expected to be couples without dependents; and
- to reinforce and encourage commercial development in the Adamstown centre and increase in densities along the Brunner Road corridor, including an action to:
  - maximise redevelopment and infill opportunities for high-density and medium-density housing within walking distance of Adamstown's commercial core and public transport. (Council confirmed that this objective only applied to land within the renewal corridor.)

#### Assessment

The strategic plans applying to the subject site and surrounding lands identify change along the Glebe Road corridor through renewal. This is expected to result in a similar urban outcome to that being experienced along the Brunner Road renewal corridor that has been in place for many years.

Renewal within the Brunner Road renewal corridor has included medium-density housing on 1-2 residential lots and the consolidation of 3-6 lots and construction of office and residential towers of varying heights of 14-20m. The consolidated sites are typically between 1000m<sup>2</sup> and 2000m<sup>2</sup> with building lengths of 40-60m.

Council in its submission stated: "Concern is raised that, whilst the proposal may be consistent with higher densities encouraged along the Adamstown Renewal Corridor of the Newcastle Development Control Plan 2012, the site is not within that renewal corridor, which is located to the north of the subject land".

Land to the east, south and west is not identified for major change. If the golf course site was not used for private recreation purposes (golf course), it would likely be considered for residential uses of various dwelling types.

While the site is identified as limited growth in the Newcastle Local Planning Strategy, the proposal aligns with the aims of the HRP and GNMP regarding infill and housing diversity in infill locations, and does this balancing the development impacts on the adjoining area and the desire to retain the operation of the golf course.

**3. The services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision (clause 25(5)(b)(iii))**

Three regional centres are nearby at Kotara (< 3km), Newcastle (4-5km) and Charlestown (5km), providing regional-level government services, retail and community needs.

Retail, community and medical services

The site is 1.2km from the local centre of Adamstown where a range of retail, community and medical services are provided. Recreation and community facilities are available in the area including access to the golf course and Adamstown Park, which contains a variety of community facilities and open space.

The John Hunter and Mater hospitals are 5.5km and 6.5km respectively from the site and Lingard Private Hospital is 2.7km.

Infrastructure

Reticulated water, sewer, electricity, gas and telecommunications services are available to the site. While there are no known capacity or network impediments to these services, the proponent will need to provide adequate details in a development application.

A traffic analysis has been undertaken, which concluded that “the subject site and the surrounding road network have sufficient capacity to accommodate the additional traffic demands associate with the proposed seniors housing and ancillary wellness centre” (**Attachment A, Appendix 6**). Council noted that based on the traffic information, several intersections onto Glebe Road would be affected by the proposal, citing crash data in this area.

Intersection upgrades may be necessary as a result of this development and this can be considered in greater detail at the development application stage. A requirement to address this issue is included in the SCC.

There appears to be adequate on-site car parking associated with the clubhouse and golf course; however, this can be confirmed at the development application stage and considered by Council.

Council also raised local drainage issues, which are also best addressed at the development application stage.

Accessibility and public transport

Access complies with clause 26(2)(b) if there is a transport service available to the residents who will occupy the proposed development:



*(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway*

The proponent intends to provide a shuttle bus to service the development, which satisfies this requirement.

The closest connections to local bus services (routes 14 and 21) are provided around 600m from the site near Henderson Park and provide transport to the Newcastle CBD and Broadmeadow Station. The proposal is also 600m from Glebe Road which is identified as a future rapid bus route.

There is an opportunity to use the existing footpath network (which is generally flat) to connect the site to the nearest bus stop. It is considered reasonable to request the applicant to construct a footpath link from the site to the existing network given the relatively short distance and gradients. Linking to the existing footpath network will be a 750m walking journey to the bus stop. While this distance to existing bus stops is further than the requirement of the SEPP (400m), there are likely to be many residents who may find this a reasonable distance given the active recreation setting of the golf course, noting that a private shuttle bus option is proposed.

#### Car parking

The proposal includes up to 400 car parking spaces across the whole site to accommodate the seniors housing development, wellness centre and golf course activities. The development application will provide a thorough assessment of car parking needs, noting that there do not appear to be any issues associated with car parking in relation to this proposal.

#### **4. In the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development (clause 25(5)(b)(iv))**

The site is near existing parks:

- Ella Street Reserve (400m) – open space and playground;
- Henderson Park (600m) – open space, formal gardens, community facility and playground; and
- Adamstown Park (900m) – a district-level park that caters for the broader population and includes tennis courts, a playing field, a velodrome, a bowling green and clubhouses.

There are other parks and open space near the site such as Darling Street Oval, Henry Park and West Park. It is not anticipated that the development of an additional 148 units will have a significant impact on the demand for these open-space lands. Council's section 7.12 local infrastructure contributions plan 2019 does not identify any upgrades associated with demand from anticipated development for open space in this locality.

The loss of some private open-space land as a result of the proposed development is not considered significant as the golf course will continue to function.

#### **5. Without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing**

### **uses, approved uses and future uses of land in the vicinity of the development (clause 25(5)(b)(v))**

The two-storey clubhouse is the closest building and has a footprint of 700-750m<sup>2</sup> and is the largest and bulkiest building within a 500m radius.

Given the setbacks to existing residential areas, the general building height and scale of the proposal is appropriate. The built form design reflects the current large contiguous area of open space and is more than 100m from its nearest neighbours (Figure 2). The design balances building footprint and height to allow the golf course to continue as an 18 hole facility.

The proposed buildings are around 20m in height or five storeys, including a rooftop terrace and plant room for the four towers. The application states that:

The proposed building height has been designed to respond to the topography of the site and its surrounds, particularly given the strategic planning identification of land immediately adjacent to the site as being suitable for urban renewal and higher densities in the future. The proposed height also responds to existing mature tree canopy heights within the site, and is therefore considered to be a suitable urban design response to the site's existing natural features.

The proposal provides a visual impact analysis of the proposed built form across the visual catchment (**Attachment A – Appendix 16**).

The established trees and vegetation on the boundary of the golf course and in between fairways will soften the visual dominance of the proposal, noting that much of the vegetation does not appear to have reached full maturity and height.

The proposal is set back 135-160m from the nearest residential areas and will be in the middle ground of views and therefore does not dominate the landscape from significant viewpoints.

On-site inspections from the public viewpoints in the report and from other locations confirm the conclusion from the visual assessment that the proposal when viewed from these points has low to moderate visual sensitivity, with most impacts being low and negligible. Two homes at 49 and 51 Ella Street are the most impacted due to the lack of boundary planting in this location and unimpeded views to the clubhouse (and no fairway trees). While the visual impacts are not significant, boundary landscaping could be considered as a measure to address these impacts at the development application stage.

Figures 1 and 2 (pages 1 and 2) indicate the existing character of the area. The surrounding neighbourhood to the proposed development consists of a mixture of:

- one and two-storey single dwellings in a low-density setting;
- a golf course and a clubhouse;
- a high-voltage power line and electricity substation; and
- local and district-level open space with community and recreation facilities.

The proposed bulk, scale and built form will be complementary to the existing and future character of the golf course, being a large area of open space.

Furthermore, the subject site has sufficient setback distances to manage visual and character impacts on the adjoining residential land. The character will be maintained as the golf club will continue to function as it does now, albeit with some modifications to the course. The proposal will be integrated into the existing operations of the golf course.

There is no overshadowing of adjoining residential properties due to extensive setbacks. While no overshadowing assessment has been undertaken of the units from the development itself, the solar access site analysis indicates that some southern-facing units may not receive an adequate level of winter sun. Further analysis and detail can be provided at the development application stage and modifications to the design and alignment of buildings can be made if necessary.

The proposed development can be integrated into the context of the private recreation and adjoining residential areas. The size, scale, bulk and mass of the proposal can be further refined at the development application stage.

**6. If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the *Native Vegetation Act 2003*—the impact that the proposed development is likely to have on the conservation and management of native vegetation (clause 25(5)(b)(vi))**

The *Native Vegetation Act 2003* was repealed and replaced with the *Local Land Services Act 2013*. As this Act does not apply to land zoned RE2 (Private Recreation), the *Biodiversity Conservation Act 2016* applies.

The proposal includes the clearing of trees as set out in the table below:

Impacted vegetation	Area in hectares	Area in m2
Mixed exotic planting	0.096	960
Possible native remnant	0.075	750
Mixed native planting	0.701	7,010

The area of the native vegetation proposed to be cleared is under the threshold set in the Act, therefore, the proposed development does not trigger the need for approval under the Act.

The areas of potential native vegetation are highly disturbed, associated with maintaining the golf course and assigning a 'plant vegetation community' to these areas will be difficult. Further investigation will be undertaken at the development application stage to clarify the community types.

**7. The impacts identified in any cumulative impact study provided in connection with the application for the certificate (clause 25(5)(b)(vii))**

Not applicable.

**CONCLUSION**

The Greater Newcastle Metropolitan Plan identifies the over-65 age demographic to increase by 63,000 people by 2036 and the need for housing diversity and choice to cater for this demand.

Newcastle City Council does not support the proposal in its current form (**Attachment C**). Council's main concern relates to the proposal's inconsistency with

the strategic context and vision for the area, being limited growth. The Department acknowledges Council's comments however considers current strategic planning does not specifically deal with this site and that an opportunity exists for a development that takes advantages of the large site to minimise offsite impacts while allowing for the continued use of the golf course.

The site is considered suitable for more intensive development to accommodate seniors housing, having regard to the criteria set out in clause 25(5)(b) of the Seniors Housing SEPP because:

- there are no major environmental constraints or hazards on the site;
- adequate and suitable services are available, including access to public transport and the provision of a community bus;
- the provision of suitable pathways that comply with the SEPP requirements can be required to be considered by Council in its assessment of the proposal;
- the proposed development does not prevent the longer-term development objectives for the nearby Glebe Road renewal corridor;
- the visual impacts are addressed through existing vegetation on-site; and
- concerns over bulk and scale can be addressed through design.

Additional requirements recommended to be imposed on the SCC include:

- consideration of extending the footpath network to the bus stop near Henderson Park/James Street;

Other issues such as traffic/intersection upgrades, the bulk and scale of the proposal, and solar access and ventilation can be addressed at development application stage

## **RECOMMENDATION**

It is recommended that an SCC be issued for 148 seniors housing self-care units subject to the requirements listed above to address:

- access to public transport;

## **ATTACHMENTS**

Attachment A – SCC application package

Attachment B – Site map

Attachment C – Council comments

Attachment D – Draft SCC

Attachment E – Newcastle Council Local Planning Strategy (extract)

Contact officer: James Shelton  
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