

**CM13.1. Development Application 10.2021.38334.1 Hume Country Retirement Resort - Stage 4 (Earth Works) & Stage 5 (Thirty (30) Additional Unit Sites, Earthworks & Civil Works)**

<b>DATE</b>	5 July 2021	<b>FIL REFERENCE</b>	AF21/01700
<b>CONFIDENTIAL</b>	No		
<b>FURTHER ENQUIRIES</b>	David Christy City Development	<b>PHONE</b>	6023 8111
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**Summary**

This report is presented for Council's determination of Development Application 10.2021.38334.1 regarding land situated at 690 Logan Road, Glenroy and described as Lot 1006 in DP1111083. The Development Application was lodged in the NSW Planning Portal on 24 March 2021 and proposes 30 additional dwelling sites, associated earthworks and civil works related to Stage 5, and establishment earthworks (filling of land) related to Stage 4 of Hume Retirement Resort. It is noted that the application also includes a Masterplan for these and future stages, as required by previous Development Consent 10.2017.35401.1 (Stage 3).

Following initial assessment, Council staff identified issues that required further information, and requested such on 21 May 2021. The applicant supplied the additional information and clarification on 16 June 2021, adequately addressing the issues raised.

The application was publicly notified between 14 April 2021 and 28 April 2021. During this period Council received 17 submissions.

The report recommends approval of Development Application 10.2021.38334.1 for 30 additional dwelling sites, associated earthworks and civil works related to Stage 5, and establishment earthworks (filling of land) related to Stage 4 of Hume Retirement Resort, subject to conditions.

**People**

Habitat Planning on behalf of Coral Rain Pty Ltd.

**Cost**

\$995,500.00.

**Development Description**

The development application proposes 30 additional dwelling sites as Stage 5 of the Hume Retirement Resort, as well as associated earthworks and civil works. Furthermore, the application proposes establishment earthworks (filling of land) associated with Stage 4 of Hume Retirement

Resort (anticipated to be 20 dwellings, as per the proposed Masterplan). The application is made under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the Seniors Housing SEPP).

It is important to note that the application does not propose subdivision, but rather the allocation of land for multi dwelling purposes – Stage 5 Hume Country Retirement Resort.

The lots and street layout are designed to achieve pedestrian and vehicular permeability, legibility, safety and long-term urban design flexibility and integrated transport and land use planning outcomes, sustainability objectives (during construction and post-construction), water and energy efficiency design initiatives, including orientation, dimensions and configuration of lots to maximise solar access. The proposed development is judged to be consistent with the relevant layout objectives and controls.

### **History and Masterplan requirement**

Stage 1A of the Hume Retirement Resort was approved on 22 June 2007 (Development Application 10.2007.27608.1). The proposal included a Masterplan for all future stages. Subsequent stages were approved on 18 January 2008 (Stage 1B – DA10.2007.28245.1) and 11 March 2013 (Stage 2 – DA10.2012.32012.1). However, by the time Development Application 10.2017.35401.1 was lodged for Stage 3, the incremental variation of each stage required the realignment of the Masterplan. As a result, a Condition of Consent was imposed requiring a new Masterplan prior to Development Consent being issued for any further stages. Therefore, this Development Application includes an amended Masterplan, included in attachment 1. An extract is included in Figure 1 below.

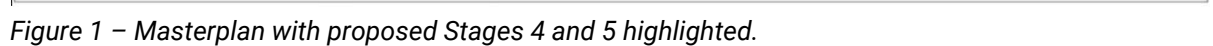




Figure 2 – Property locality and current site conditions – Logan Road, Glenroy

## Development Plans

The proposal is shown in the Development Plans (included as attachment 1) and described in the Statement of Environmental Effects (included as attachment 2). It is reiterated that the application seeks 30 additional dwelling sites, associated earthworks and civil works associated with Stage 5 of Hume Retirement Resort; and establishment earthworks (filling of land) associated with Stage 4. The application also seeks endorsement of the Masterplan submitted with the application for the whole site, also included in attachment 1.



An extract of the proposed development plan is included below:

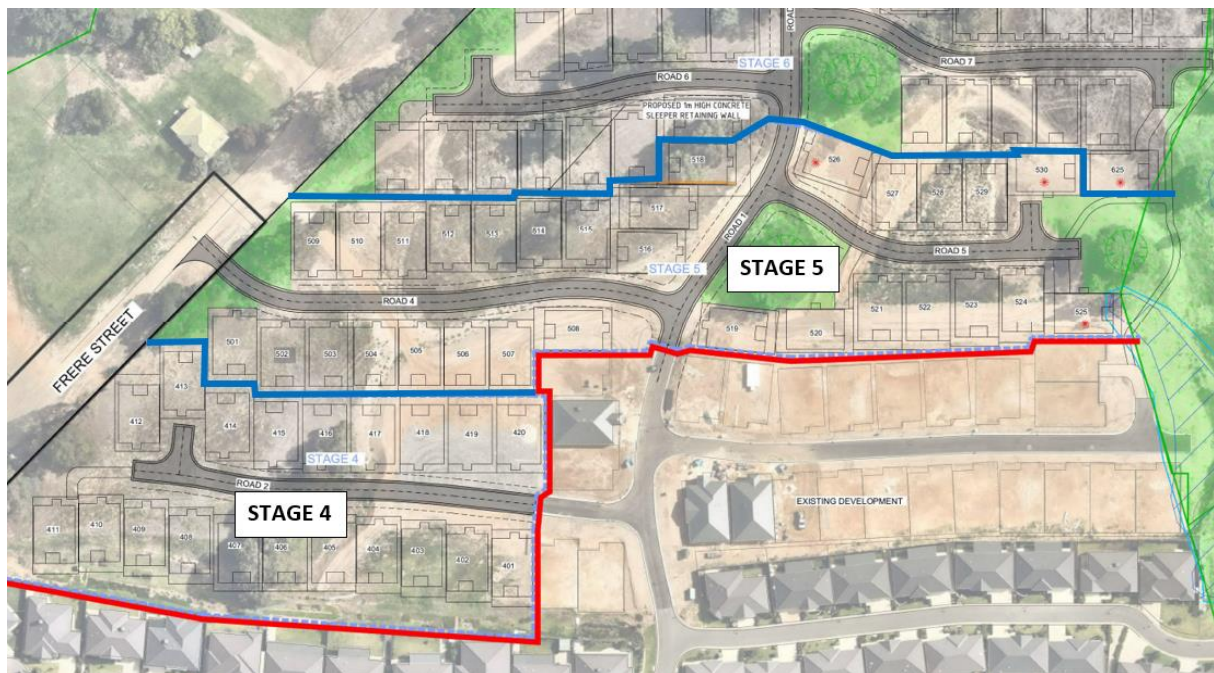


Figure 3 – Proposed dwelling sites for Stage 5 and 4 (note that application is only made for Stage 5)

#### Further information

Following initial assessment of the application, Council staff identified four issues and requested further information to clarify. These issues were:

1. This site has a significant over-land flooding flow path running through it. Plans detailing how the overland flow path is to be maintained, whether by open channels with culvert/piped crossings or the like, were requested.
2. The application SEE refers to approved tree removal for stages 4 and 5 (s2.2, pg. 5). This is disputed as no tree removal for stages 4 and 5 have been granted. Previous Consents have been careful to point out that approvals are granted for the relevant stage only and that future stages would require separate consent. Details regarding the trees to be removed were requested.
3. The application SEE refers to a full Aboriginal Cultural Heritage Assessment Report (ACHAR), which is presently in the process of registration (s4.3.2, pg. 33). A copy of this document insofar as it relates to the proposal was requested to enable Council to assess the appropriateness of including a Condition of Consent relating to the issue of an AHIP.
4. Further information was required on the proposed remediation/management of dust, soil erosion, etc. following the establishment earthworks associated with Stage 4.

Further information was submitted to Council on 16 June 2021. Staff are satisfied that issues were adequately clarified and that, where necessary, Conditions of Consent can be imposed to ensure proper development of the site.

## **Submissions**

Development Application 10.2021.38334.1 for 30 additional dwelling sites, being Stage 5, and establishment earthworks associated with Stage 4 of Hume Retirement Resort including an overall Masterplan was publicly notified between 14 April 2021 and 28 April 2021. During public notification, Council received 17 submissions, primarily from residents of the resort. Redacted copies of the submissions are included in attachment 3.

Submitters were mainly concerned about the lack of visitor parking and caravan parking, pedestrian access and movement, the internal road network, the proposed access from Frere Street, drainage, and environmental impact.

As the number of submissions received (more than five) triggers reporting the application to Council, the submissions and the responses thereto are addressed under 'Key Issues' below.

## **Key Issues**

### Masterplan

The application includes a Masterplan (included in attachment 1) for these and future stages. The Masterplan is the basis of the proposed siting of future dwellings in Stage 5, the subject of this application.

The new Masterplan for the Hume Retirement Resort is a review of the original Masterplan which has now been informed by the past 15 years of development and operations. This new Masterplan includes:

- building typology, to meet residents' expectations;
- building requirements of the Seniors Housing SEPP; and
- incorporating approvals and requirements into the design such as the Black Springs Creek Riparian Zone Remediation Plan.

Where the requirements are applicable, the new Masterplan complies with the *State Environmental Planning Policy Housing for Seniors or People with a Disability (Seniors Living) 2004 - Urban Design Guidelines (Urban Design Guidelines)* through:

- including the current house designs which have been created to meet the market and conform to seniors living requirements;
- providing for dwellings to have access compliant grades;
- the existing Residents Centre to provide the social infrastructure to support residents;
- incorporating into the design the natural aspects of the site, by creating informal communal areas centred around the large remnant trees and the Black Springs Creek riparian area;
- provision of contemporary style, Seniors Living compliant dwellings;
- site orientation designed to maximise solar access;
- a simple access network which is clearly legible, with the large remnant trees along the central spine acting as landmarks to guide and assist residents with cognitive degeneration;

- inclusion of an additional access onto Frere Street, for emergency and service vehicles as an alternate access;
- integrating the natural environment into the residents' everyday lives, through conservation of the large remnant trees and creating interesting connections to nature either visually or through walking routes and informal places to gather and connect with each other outside of the home;
- dwellings located along a series of short courts, to create view lines anchored to the:
  - east by the Black Springs Creek Riparian Zone but also beyond the dwellings to the distant Mount Talgarno in the Murray Valley; and
  - west by Nail Can Hill and the vegetative strip along Frere Street.

Inherent in the urban design are high-quality homes and settings which create opportunities for residents to connect to nature as an incentive to socialise or exercise out of their homes but within a safe and secure setting.

The new Masterplan yields:

Development Extension: 106 units  
Club House infill: 6 units  
Total: 112 units

This totals 209 units when coupled with the existing development.

**Comment:**

The Masterplan was a requirement (Condition of Consent) of Development Consent 10.2017.35401.2 as modified (for Stage 3 of the Hume Retirement Resort). The condition read:

(A6) *Amended Masterplan required*

*The development has significantly departed from the original approved Masterplan. An amended Masterplan will be required for approval prior to Development Consent being issued for any further stages.*

As an amended Masterplan is required prior to Development Consent being issued for any further stages, it is considered to be a key issue. However, the applicant complied with the requirement and the Masterplan complies with the objectives and design guidelines of the *SEPP Housing for Seniors or People with a Disability (Seniors Living) 2004*. The Masterplan was referred to all internal departments and also publicly notified with the Development Application. No concerns were raised by internal departments and objections to the Masterplan have been addressed under 'Submissions' in this report.

Tree removal

The proposed development will require the removal of 16 trees. The applicant has incorrectly argued that tree removal has been approved with previous Development Consents. Whilst tree removal for the site has been considered and justified in submitted tree reports previously, each Development Consent has consistently only approved tree removal for that particular stage.

A tree assessment report titled "Tree Assessment for Hume Country Retirement – Revision 1" (Danielle Cleland, August 2020) was submitted with the Development Application for Stage 3 (DA 10.2017.35401.2). The report investigated tree removal for Stages 3 to 6 and included a tree assessment plan, trees to be retained and removed plan and a tree identification table. All trees over 4.5m in height and 3m in spread located onsite were assessed, including for tree health. No trees were identified as part of an Endangered Ecological Community (EEC).

**Comment:**

The site is zoned "R1 General Residential" and is biodiversity certified under ALEP 2010. Biodiversity certification offers a streamlined biodiversity assessment process for areas of land that are proposed for development. The process identifies areas/zones where development may proceed without the usual requirement for site-by-site assessment of impacts on biodiversity. Biodiversity certification means biodiversity impact of development has already been offset into Environmental zones in the LGA area.

The site was previously used as a golf course that significantly disturbed original vegetation, 90% of all onsite trees have been planted as part of amenity planting along the old golf course fairways, as part of shade trees for course users or to help delineate the fairways.

The trees and vegetation do not form part of a Heritage Item or Heritage Conservation Area and do not form part of an Aboriginal object or an Aboriginal place of heritage significance. The trees are not identified as 'significant specimens' or of 'habitat value'. The tree and vegetation removal is not considered to compromise the amenity of the area or biodiversity values. This has been confirmed by previous assessments of the existing trees which formed part of previous stages.

The large remnant trees are retained through the design, as well as trees along Frere Street and Black Springs Creek. Conditions of Consent will be imposed requiring a detailed Landscape Plan and to ensure proper protection of retained trees during construction.

Submissions

The application was publicly notified between 14 April 2021 and 28 April 2021. During this period Council received 17 submissions, the majority of which are from the residents of the Resort. Redacted copies of the submissions are included in attachment 3. The table below summarises the issues raised by the submitters and includes the Planning Comment in response to the submissions:

Issue	Summary	Comment
Lack of Visitor Parking	The majority of submissions are concerned that no provision has been made for added visitor parking throughout the village.	Each proposed dwelling within the development is provided with a double garage space and area within the driveway for 'stacking' parking spaces behind the garage. This design ensures that occupiers of all dwellings can be accommodated within each site, along with at least one off-



Issue	Summary	Comment
	<p>Submissions also consider that further development of the village will result in significant issues for parking as demand grows.</p>	<p>street visitor parking.</p> <p>Defined visitor parking is to be provided surrounding the clubhouse building at the southern extent of the site.</p> <p>‘Overflow parking’ at the southern extent of the property represents a temporary solution with formal parking proposed to replace this area.</p> <p>The development allows for suitable off-street resident and visitor parking on each site which complies with the SEPP.</p>
Caravan Parking	<p>Similarly, most submissions have raised concerns that caravan parking will be lost from the southern extent of development where the future Stage 8 is proposed in the Masterplan.</p> <p>Concerns are also expressed that no caravan parking is provided in the development.</p>	<p>It is noted that caravan parking is not a requirement of the SEPP and therefore is not a mandatory requirement to be provided in the development. Each dwelling will be provided with off-street parking in a double garage and stacked parking spaces in the driveway areas.</p> <p>At this stage, the proposal is for the construction of Stage 5 and earthworks for Stage 4, with the future Stage 8 area envisaged to be carried out under separate application. It is noted that the location used for caravan parking and overflow parking is temporary, with formal parking to be provided by the time that Stage 8 is developed.</p>
Internal road network	<p>Submissions generally express concern with road and access dimensions being inadequate to facilitate service vehicle or passenger vehicle movements.</p>	<p>Roads are designed in accordance with the relevant engineering design standards. The internal roads have been detailed by the applicant’s engineers and will be approved by Council’s engineers prior to construction.</p> <p>It is acknowledged that the width of roads is specifically designed to be narrow to ensure the delivery of a low-speed environment. This is a deliberate design outcome for the development.</p>

Issue	Summary	Comment
		<p>All turning heads have been designed by the applicant's engineers to comply with the requirements for a Large Rigid Vehicle (i.e., garbage truck).</p>
<p>Pedestrian access and movement</p>	<p>Submissions raise concern that the proposal contains inadequate provision of pedestrian and walking trails/footpaths in the area.</p>	<p>The proposal does not involve subdivision and no public roads are created. As a result, footpaths are not required and will not become Council assets. It is acknowledged that the internal roads are designed for slower traffic speeds and the resort is not anticipated to carry significant traffic, therefore pedestrian safety is higher than in other residential estates.</p> <p>The proposal offers integration with the adjacent creek line reserve networks, with pathways integrated into this area.</p> <p>The proposal also has regard to the provisions of the Seniors SEPP, including the relevant design controls for open space.</p> <p>The proposal contains adequate public open space in the form of passive open space and integration with environmental lands adjoining the site. It is also proposed that the development will include pocket parks which will retain existing large trees to create informal meeting places.</p>
<p>Frere Street Access</p>	<p>Submissions consider that access to Frere Street is highly desirable, however note the application states that this access will be service access only.</p> <p>Requested that this access be a main entry/exit to relieve pressure in later stages of development.</p>	<p>Access via a single point of entry and exit is preferred to maintain security and passive monitoring of access to and from the village. It is also important to maintain the sense of security for residents.</p> <p>Despite this, it has been noted by the applicant that there is a need for secondary access/egress for service movements, such as in the case of emergencies.</p> <p>The proposal contributes to the outcome being sought by submissions, particularly by offering a secondary access for service as</p>

Issue	Summary	Comment
		required. However, for the reasons above, it is noted that the intent of this access is to have primarily a service function.
Drainage	Submissions raised concerns with the drainage of the site caused by the topography of the site and whether adequate drainage has been allowed for.	<p>Development Consent 10.2017.35401.2 (as amended) included an endorsed plan which indicated that overland flow paths would be accommodated in the internal road network. The endorsed plan shows the overland flow path through the development. It indicates the area previously shown as Stage 3 (now Stage 5) and Stage 6 (now Stage 4).</p> <p>A Drainage Strategy for the development consistent with endorsed plans have been submitted. Council engineers are satisfied that drainage has been adequately addressed. Conditions of Consent have been imposed to ensure the proper construction of drainage infrastructure, including a stormwater retention pond to the north-east.</p>
Safety	There is no escape either by foot or car from the back units and many of the court roads.	Each of the courts about which the units are arranged open out onto the Open Space network with a wide opening. This solution is an enhancement to what is generally provided in urban settings.
Environmental Impacts	Concerns were raised that the development would place stress on the adjacent environmental lands and species accommodated within these lands.	The proposal adequately avoids significant direct impacts on adjoining Environmental Lands and seeks to integrate with this area for passive open space and amenity improvements to the development.

### Options

The Council has the following options in relation to this report:

1. Approve the application; or
2. Approve the application, subject to conditions; or
3. Defer the application for further information or redesign; or
4. Refuse the application.

Based on the assessment of the application and the manageable impacts arising from the proposed development, this report recommends that Council resolve to approve the application subject to the conditions contained in Draft Determination, included as attachment 5 to this report as per Option 2.

### **Conclusion**

Council staff have assessed the proposed development with regard to the submitted information, issues raised during public notification, and planning controls and requirements contained within ALEP 2010, ADCP 2010 and State Environmental Planning Policy Housing for Seniors or People with a Disability (Seniors Living) 2004. It is the role of Council staff to objectively weigh and consider the submitted information as well as any issues raised during public notification. This involves balancing the issues identified by all parties and will not always result in agreement with the noted opinion of any of these parties.

The development is considered appropriate to the context and setting of the site. The proposed development is considered consistent with the objectives of the R1 Zone and the assessment has concluded that the proposed development provides a suitable and satisfactory planning outcome.

### **Recommendation**

That Council:

- a. Receives and notes the contents of this report; and
- b. Grants Development Consent to Development Application 10.2021.38334.1 proposing 30 additional dwelling sites, associated earthworks and civil works associated with Stage 5, and establishment earthworks (filling of land) associated with Stage 4 of Hume Retirement Resort on Lot 1006 in DP1111083 at 690 Logan Road, Albury subject to the conditions contained in the Draft Determination, included as attachment 5 to this report.

### **Attachments**

1. Development Plans including Masterplan (DOC21/154964).
2. Statement of Environmental Effects (SEE) (DOC21/83632).
3. Submissions (DOC21/155172).
4. Development Assessment Report (DOC21/146138).
5. Draft Determination (DOC21/153144).