

Project Name: Berry Park Seniors Housing
Case ID: PDA-87286707

Proponent Details

Project Owner Info

Title	Mr.
First Name	Gordon
Last name	Eacott
Role/Position	Director
Phone	0429493624
Email	gordon@tocae.com.au
	96 McFarlanes Road
Address	Berry Park , New South Wales, 2322 , AUS

Company Info

Are you applying as a company/business?

Yes

Company Name	BERRY PARK RETIREMENT PTY LIMITED & COOLBOHA PTY LIMITED
ABN	25540081029

Primary Contact Info

Are you the primary contact?

Yes

Title	First Name	Last Name
Ms	Tanya	Gurieff
Phone	Email	Role/Position
0407466170	tanyag@hunterland.com.au	Town Planner

Address

1C
HARTLEY DRIVE
THORNTON, New South Wales 2322
AUS

Development Details

Engagement with the Department

Have you engaged with the department in relation to this project?

Yes

Project Info

Project Name	Berry Park Seniors Housing
Industry	Residential & Commercial
Development Type	HDA Housing
Estimated Development Cost (excl GST)	AUD360,850,000.00
Indicative Operation Jobs	30
Indicative Construction Jobs	120
Number of Occupants	1,472
Number of Dwellings	913
Gross Floor Area (GFA) sqm	125,210
% of In-fill Affordable Housing	2
Number of In-fill Affordable Dwellings	19

Description of the Development/Infrastructure

Infill of the existing seniors housing villages (Berry Park Village and The Gatehouse). This is an application for an additional 913 seniors dwellings, serviced apartments, ancillary works and facilities.

Concept Development

Are you intending to submit a concept or staged application?

No

Site Details

Site Information

Site Name	Berry Park Retirement Village
Site Address (Street number and name)	20 - 100 McFarlanes Road Berry Park
Site Co-ordinates - Latitude	-32.75445
Site Co-ordinates - Longitude	151.659

Local Government Area

Local Government	District Name	Region Name	Primary Region
Maitland City		Hunter	<input checked="" type="radio"/>

Lot and DP

Lot and DP

Lot 100 DP 1300944

Lot 10 DP 1155452

Lot 15 DP 1122688

Lot 16 DP 1122688

Lot 1 DP 619896

Site Area

What is the total site area for your development?

Site Area sqm

496,932

Statutory Context



Note: Please confirm the below selection by referring to the applicable section of either the [Planning Systems SEPP 2021](#) or the [Transport and Infrastructure SEPP 2021](#) or the applicable Ministerial planning order.

Which State Environmental Planning Policy (SEPP) does your application relate to?

None, declared by a Ministerial planning order as SSD

Section under selected Schedule

Residential development

Permissibility of Proposal

Wholly Prohibited

Describe the permissibility of the proposal under relevant environmental planning instruments

The proposal is prohibited under relevant environmental planning instruments. The subject land is in an Investigation Area for Senior Housing under MCC Local Housing Strategy 2024, endorsed by DPHI on 9 September 2024.

Are you proposing to rezone any land as part of your application?

No

Biodiversity Development Assessment Report Waiver Request

Would you like to request that the requirement for a biodiversity development assessment report be waived?

No

Land Use Zones

What land use zone/s is the development in?

Land use zones (select all that apply)

RU1 Primary Production

Statutory Context 2

Legislation and EPIs

List any relevant legislation and environmental planning instruments that apply to the project.

Maitland LEP 2011

SEPP (Housing) 2021

SEPP (Planning Systems) 2021

SEPP (Transport and Infrastructure) 2021

List any relevant planning agreements or existing approvals that apply to the project (e.g. concept plan approvals, staged DA consents).

Site Compatibility Certificate File No. 12/11611.

Site Compatibility Certificate File No. 14/20538.

Site Compatibility Certificate File No: 2019HCC005-Maitland City Council-SCC_2018_MAITL_001_00

DA/2015/2670 - Seniors Housing - 74 Self Contained dwellings, Community Centre, associated site works and site re-grading - consent granted 14.06.2016.

DA/2016/1858 - Seniors Housing Consisting of 88 Dwellings, Community Centre, Mens Shed and Associated Infrastructure and Site Works - consent granted 28.03.2017.
DA/2020/387 - SEPP Seniors Living (Retirement Village) - 95 Self Care Dwellings, Community Centre, Mens Shed and Associated Infrastructure (Staged) - consent granted 09.02.2021.

Would the project vary any development standard?

No

Designated development

Would the project be designated development (but for Section 4.10(2) of the Environmental Planning and Assessment Act 1979) under [Schedule 3 of the Environmental Planning and Assessment Regulation 2021](#) or any other environmental planning instrument?

No

If the project is in a location or includes a use that corresponds with a designated development provision, provide an explanation of why the project is not designated development.

Sustainable Buildings SEPP

Exemption from Sustainable Buildings SEPP

Is the development exempt from the [State Environmental Planning Policy \(Sustainable Buildings\) 2022 Chapter 3](#), relating to non-residential buildings?

Yes

Is the development permitted with or without consent or is exempt or complying development under?

- [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#), or
- [State Environmental Planning Policy \(Resources and Energy\) 2021, Chapter 2](#)
- [State Environmental Planning Policy \(Transport and Infrastructure\) 2021, Chapter 5](#)

No

Is the development on land wholly in any of the following zones?

- Zones RU1, RU2 or RU3
- Zone E5
- Zone IN3
- Zones C1, C2 or C3
- Zones W1, W2, W3 or W4

Yes

Is the development wholly residential?

Yes

Is the development for purposes of residential care facilities?

No

Is the development an alteration or addition with an Estimated Development Cost under \$10 million, or a new development with an Estimated Development Cost under \$5 million?

No

Is the development a prescribed state significant development in the Sustainable Buildings SEPP?

- Cultural, recreation or tourist facility
- Hospital, medical centre or health research facility
- Educational establishment

No

Is the development a prescribed large commercial development in the Sustainable Buildings SEPP?

- Hotel or motel with 100 rooms or greater
- Serviced apartments with 100 apartments or greater
- Office premises with 1000 sqm net lettable area (NLA) or greater

No

Approvals - Part 1

Would the development otherwise, but for [Section 4.41](#) of the Environmental Planning and Assessment Act 1979, require any of the following:

A permit under Section [201](#), [205](#) or [219](#) of the [Fisheries Management Act 1994](#)?

No

An approval under [Part 4](#), or an excavation permit under [Section 139](#), of the [Heritage Act 1977](#)?

No

An Aboriginal heritage impact permit under [Section 90](#) of the [National Parks and Wildlife Act 1974](#)?

Yes

A bush fire safety authority under [Section 100B](#) of the [Rural Fires Act 1997](#)?

Yes

A water use approval under [Section 89](#), a water management work approval under [Section 90](#) or an activity approval under [Section 91](#) of the [Water Management Act 2000](#)?

Yes

Approvals - Part2

Do you require any of the following approvals from [Section 4.42](#) of the Environmental Planning and Assessment Act 1979, in order to carry out the development:

An aquaculture permit under [Section 144](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Section 15](#) of the [Mine Subsidence Compensation Act 1961](#)?*

No

A mining lease under the [Mining Act 1992](#)?*

No

A petroleum production lease under the [Petroleum \(Onshore\) Act 1991](#)?*

No

An environment protection licence under [Chapter 3](#) of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in [Section 43](#) of that Act)?*

No

A consent under [Section 138](#) of the [Roads Act 1993](#)?*

No

A licence under the [Pipelines Act 1967](#)?*

No

Attachments

File Name	Site Map
File Name	Not Required