

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	24 May 2022
PANEL MEMBERS	Alison McCabe (Chair), Sandra Hutton, Marcia Doheny, Tony Tuxworth and Greg Flynn
APOLOGIES	Juliet Grant
DECLARATIONS OF INTEREST	Sandra Hutton declared a non-significant non-pecuniary interest, as she has been employed by the same company as Chris Smith, who is one of the applicant consultants. Ms Hutton and Mr Smith did not work in the same office, had little contact and neither still work for that company. The Chair was satisfied that this did not preclude Ms Hutton's involvement.

SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSHCC-130 – Central Coast LGA – SCC2021CCOAS-12 at 216 and 234 Pacific Highway Charmhaven (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

By circulation of papers the Panel considered: the material listed at item 5 of Schedule 1 and the matters raised and/or observed at briefings and site inspections listed at item 6 in Schedule 1.

The Panel has considered the site's location and understands that it is located within a precinct identified for future planning for residential development under the North Wyong Shire Structure Plan. The structure plan is also reflected in the Central Coast Regional Plan. This proposal seeks to be considered forward of the strategic planning timeframe.

The capacity of the site to accommodate the essential elements of the development for it to function, without unreasonable impacts, needs to be demonstrated.

The Panel is not satisfied that services and infrastructure will be available to meet the demand arising from the development, having particular regard to the requirements set out in clause 26 SEPP(HSPD)2004, and that there are or will be reasonable financial arrangements in place.

The Pacific Highway is a barrier to safe pedestrian access to bus facilities and the local facilities. In the absence of a solution to this – the site is not yet suitable for more intense development.

The majority of the Panel does not support the proposed configuration of the development as it does not adequately respond to the ecological and bushfire constraints of the site – in that it would result in removal of important vegetation – a reflection that the site is not suitable for the intensity of the development proposed. One member considered that this aspect may have been capable of being resolved conditionally.

Planning Panels Secretariat






Based on this information, the Panel determined:

- to issue a site compatibility certificate subject to satisfaction of certain requirements (as listed in the certificate), because the application has demonstrated that the site is suitable for more intensive development, and it is compatible with the surrounding environment.
- to refuse to issue a site compatibility certificate because the application:
 - has not demonstrated that the site is suitable for more intensive development
 - has not demonstrated the proposed development is compatible with the surrounding environment and land uses having regard to (at least) the criteria specified in clause 25(5)(b) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The decision was unanimous.

REASONS FOR THE DECISION

1. The use of the site for more intense development requires a strategic consideration and solution to consider access and ecological constraints.
2. The services and infrastructure, access to facilities and appropriate financial arrangements have not been adequately demonstrated to support the proposed land use.
3. The proposed use and configuration of the development does not appropriately respond to the constraints of the site.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Sandra Hutton
 Marcia Doheny	 Tony Tuxworth
 Greg Flynn	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSHCC-130 – Central Coast LGA – SCC2021CCOAS-12
2	SITE DESCRIPTION	216 and 234 Pacific Highway Charmhaven
3	DEVELOPMENT DESCRIPTION	<p>The proposed development is to be located centrally within the site and is proposed to contain:</p> <ul style="list-style-type: none"> • 71 serviced self-care dwellings, comprising a range of two and three bedroom villas; • “Club House” community room; • ancillary community room; • administration/reception building; • swimming pool; • bowling green; • men’s shed; • outdoor gym; • herb garden; and • internal roads, servicing, visitor car parking and extensive landscaping. <p>The development will operate as a retirement village (within the meaning of the Retirement Villages Act 1999).</p>
4	APPLICATION MADE BY	Capital Property Solutions
5	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Site compatibility certificate application documentation • Assessment report from Department of Planning and Environment <ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>
6	BRIEFINGS, SITE INSPECTIONS & CIRCULATION OF PAPERS BY THE PANEL	<ul style="list-style-type: none"> • Site inspections: <ul style="list-style-type: none"> ○ Alison McCabe (Chair): 21 January 2022 ○ Tony Tuxworth: 16 May 2022 ○ Greg Flynn: 17 May 2022 • Briefing with Department of Planning, Industry and Environment: 18 May 2022 <ul style="list-style-type: none"> ○ Alison McCabe (Chair), Sandra Hutton, Marcia Doheny, Tony Tuxworth and Greg Flynn ○ Department of Planning, Industry and Environment staff in attendance: Trent Wink, Tegan Harris, Leanne Harris and Lisa Foley • Papers were circulated electronically on 9 May 2022