

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

SYDNEY NORTH PLANNING PANEL

DATE OF DECISION	13 April 2022
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Julie Savet Ward, Martin Smith, Kim Wheatley
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Julie Savet Ward declared that Bickerton Masters is listed as the architect for the Applicant. She was chair of Bickerton Masters five years ago, up to 2017, but was not involved in projects.

SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSSNH-245 - Site compatibility certificate – SCC2021KURIN-3, Ku ring gai Council, 4-12 Neringah Avenue South, Wahroonga, Site Compatibility Certificate (SCC) under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) (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; the matters raised and/or observed at briefings; and, site inspections listed at item 6 in Schedule 1.

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 (SEPP).

The Panel authorises the Chair to notify the Applicant, Council and the Department of Planning, Industry and Environment of the Panel's decision to approve the application.

The majority of the Panel (Peter Debnam, Julie Savet Ward, Brian Kirk) determined to issue a site compatibility certificate subject to satisfaction of certain requirements as listed in the Certificate. They accepted that the site is suitable for more intensive development as proposed, including the additional floor space sought under the clause 45 Vertical Villages of the Seniors SEPP and that it would be compatible with the surrounding environment.

Panel members Martin Smith and Kim Wheatley dissented from the majority decision due to their concerns with the time available to consider the matter, the proposal's bulk, scale and form which they believe will be to the detriment of the heritage item and the lack of clarity of the proposed landscaping.

REASONS FOR THE DECISION

The Panel considered the findings and recommendations of the Department's Assessment Report, the Applicant's SCC package and Council's comments.

Taking into account the planning considerations outlined in the Department's report, the Panel majority resolved to recommend a certificate be issued with the following requirements imposed on determination:

1. The land area subject to the SCC is indicated in Figure 1, which is the portion of the site zoned R4 High Density Residential. This area does not include the "Woonona House" heritage item and area of the site zoned R2 Low Density Residential;
2. The through site link / green spine proposed to link Neringah Avenue South and Woonona Avenue as indicated in Figure 2 is to be made publicly accessible;
3. Consideration of the provision for access to relevant off-site facilities in accordance with the provisions of cl.26 of State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 including any necessary modifications to Archdale Walk or existing footpath gradients in the surrounding streets are to be completed to the satisfaction of Ku-ring-gai Council;
4. Consideration of SEPP 65 and the Apartment Design Guide relating to the independent living units proposed;
5. Consideration of the proposed encroachment into the front setback and an appropriate design response is adopted to mitigate any impacts to the streetscape; and
6. Consideration of the proposed bulk and scale and its relationship with the heritage item to be resolved at DA stage through the assessment of the DA under section 4.15 of the EP&A Act 1979.





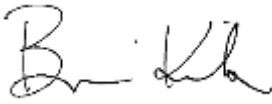

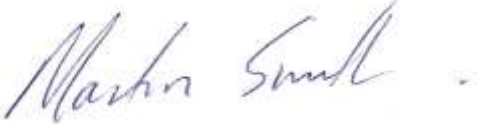
Figure 1: Area in blue dash subject to additional FSR sought under c145 Vertical Villages (area zoned R4 High Density Residential).



Figure 2: Location of green spine / through site link

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PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Kim Wheatley
 Martin Smith	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSSNH-245 - Site compatibility certificate – SCC2021KURIN-3, Ku ring gai Council
2	SITE DESCRIPTION	4-12 Neringah Avenue South, Wahroonga
3	DEVELOPMENT DESCRIPTION	Site Compatibility Certificate (SCC) under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP)
4	APPLICATION MADE BY	Katie Formston - HammondCare
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 inspection - site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. Briefing with Department of Planning, Industry and Environment: 12 April 2022 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Julie Savet Ward, Martin Smith, Kim Wheatley Department of Planning, Industry and Environment staff in attendance: Geoff Kwok, Charlene Nelson and Brendan Metcalfe Papers were circulated electronically between on 11 April 2022

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