

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

NORTHERN REGIONAL PLANNING PANEL

DATE OF DECISION	1 April 2020
PANEL MEMBERS	Paul Mitchell (Chair), Penny Holloway, Marcia Doheny, Sharon Cadwallader and Keith Williams
APOLOGIES	None
DECLARATIONS OF INTEREST	Cr Eoin Johnston has previously participated in the consideration of this application. Cr David Wright has been briefed on the related development application for this site.

SITE COMPATIBILITY CERTIFICATE APPLICATION

2018NTH025 – Ballina – SCC_2018_BALLI_001_00 at 67 Skennars Head Road, Skennars Head (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.

Based on this information, the Panel determined:

- ☒ to issue a site compatibility certificate subject to satisfaction of certain requirements (as listed below), 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 SEPP (Housing for Seniors or People with a Disability) 2004.

The Panel authorises the Chair to issue the Site Compatibility Certificate and notify the applicant, Council and the Department of Planning and Environment of the Panel's decision.

The decision was unanimous.

REASONS FOR THE DECISION




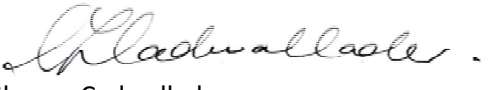

The Panel grants a Site Compatibility Certificate (SCC) under clause 24 of the SEPP Housing for Seniors or People with a Disability 2004 (Seniors Housing SEPP) for the following reasons:

1. The land to which the application applies (the site) adjoins land that is zoned for urban purposes and dwelling houses are permissible under the R2 zoning of the site itself. Thus, granting an SCC is permissible in these circumstances.
2. The proposal is consistent with the aims of the Seniors Housing SEPP because it would increase the supply and diversity of seniors housing, make effective use of infrastructure and services, and be of good design.
3. There would be no cumulative impacts from the proposal because no other seniors housing is proposed within one kilometre of the site.
4. The Panel has carefully considered the submissions made by Ballina Shire Council and believes the issues raised by Council are valid but are capable of being addressed in the assessment of the development application and conditions imposed on any development consent and do not present any reason that would warrant refusal of the application for a site compatibility certificate..
5. The site is suitable for the more intensive development of seniors housing because environmental impacts of the proposed development can be managed and the site is proximal to necessary retail, commercial, recreational, welfare and educational facilities.
6. Seniors housing development is compatible with the surrounding land uses having regard to the natural environment which largely consists of cleared areas noting that the proposed development includes appropriate mitigation and environment protection measures including a 50 meter buffer to the neighbouring wetlands and appropriate stormwater mitigation measures.
7. Seniors housing would be compatible with existing and approved uses in the vicinity of the site, and with likely future uses these being residential, recreation and rural.
8. The services and infrastructure required for the proposal are available in the locality and could feasibly be extended to the site.
9. The proposal is largely for single storey detached houses as well as a two-storey clubhouse and this form of development would be compatible with the form and character of development in the locality.
10. For the reasons given above all relevant requirements of the Seniors Housing SEPP have been satisfactorily addressed and the development outcome would be socially beneficial and in the public interest.

REQUIREMENTS TO BE IMPOSED ON DETERMINATION

The Panel requests Council to consider the following two matters in its assessment of a future DA for seniors housing:

1. The adoption of procedures to ensure all fill imported to the site is clean and free of contaminants.
2. That the on-site stormwater system replicate natural drainage to the extent practicable to ensure flows are not concentrated in a way that would pose an erosion hazard.

PANEL MEMBERS	
Paul Mitchell OAM (Chair) 	Penny Holloway 
Marcia Doheny 	Sharon Cadwallader 
Keith Williams 	

Planning Panels Secretariat

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SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2018NTH025 – Ballina – SCC_2018_BALLI_001_00
2	SITE DESCRIPTION	67 Skennars Head Road, Skennars Head
3	DEVELOPMENT DESCRIPTION	147 serviced self-care seniors housing dwellings, a manager's residence, club house, recreational facilities, roads, utility services, environmental management and environmental protection works.
4	APPLICATION MADE BY	Planners North
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"> Briefing with Department of Planning, Industry and Environment: 31 March 2020, 10:00 am <ul style="list-style-type: none"> Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Marcia Doheny, Sharon Cadwallader and Keith Williams Department of Planning, Industry and Environment staff in attendance: Gina Davis and Craig Diss Papers were circulated electronically between: 30 April 2020 and 1 April 2020