

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	Wednesday, 6 March 2019
PANEL MEMBERS	Jason Perica (Chair), Michael Leavey, Cr Paul Le Mottee and Mayor Ryan Palmer
APOLOGIES	Kara Kason
DECLARATIONS OF INTEREST	None

SITE COMPATIBILITY CERTIFICATE APPLICATION

2019HCC008 – Port Stephens Council – SCC_2018_PORTS_001_00 at 71 Gan Gan Road and 100 Old Main Road, Anna Bay (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

By circulation of papers the Panel considered: the material listed at item 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 that the application:

- ☐ **should** be issued with 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.
- ☒ **should not** be issued with 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 refuse the issue of a 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 northern portion of the site is incompatible with the existing and desired future character of the locality;
- the northern portion of the site is remote from services provided on site and in the Anna Bay town centre;
- access and emergency egress to the northern portion of the site is heavily constrained;

- development of the northern portion would potentially impact preferred and supplementary koala habitat and koala habitat corridor and link areas as identified in the Port Stephens Comprehensive Koala Plan of Management; and
- the ability to provide compliant transport services to the northern portion of the site has not been adequately demonstrated.
- Insufficient information and justification was provided to support the SCC and satisfy the provisions of SEPP Housing for Seniors with a disability 2004. The panel noted opportunities were given to the applicant to provide such information. Any future consideration of the suitability of the southern part of the site fronting Gan Gan Road for more intensive urban/seniors housing purposes should be informed by the outcomes of strategic planning work being undertaken by Council for the wider Anna Bay North locality, or by more comprehensive investigations undertaken by the proponent to support a clear proposal addressing:
 - provision and funding of necessary infrastructure;
 - flooding and evacuation
 - matters relating to bushfire and potential impacts of necessary APZs on EECs and koala habitat; and
 - provision of compliant transport services for future residents and/or confirmation that access to and capacity of services within 400m of the site is adequate for the number of residents anticipated on the site and compliant with clause 26 of the Seniors Housing SEPP.

PANEL MEMBERS	
 <p>Jason Perica (Chair)</p>	 <p>Michael Leavey</p>
 <p>Mayor Ryan Palmer</p>	 <p>Cr Paul Le Mottee</p>

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2019HCC008 – Port Stephens Council – SCC_2018_PORTS_001_00 at 71 Gan Gan Road and 100 Old Main Road, Anna Bay
2	SITE DESCRIPTION	Seniors Living Accommodation Anna Bay
3	PROJECT DESCRIPTION	Residential care facility and serviced self-care housing comprising approximately 500 beds and 250 dwellings at 71 Gan Gan Road and 100 Old Main Road, Anna Bay.
4	APPLICATION MADE BY	KDC Pty Ltd on behalf of Veritas Property
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 AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Site inspection: Wednesday, 6 March 2019 <ul style="list-style-type: none"> ○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Paul Le Mottee and Mayor Ryan Palmer ○ Department of Planning and Environment (DPE) staff in attendance: Monica Gibson • Briefing with Department of Planning and Environment (DPE): Wednesday, 6 March 2019 at 2:30pm <ul style="list-style-type: none"> ○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Paul Le Mottee and Mayor Ryan Palmer ○ DPE staff in attendance: Monica Gibson • Papers were circulated electronically between Friday, 8 March 2019 and Monday, 11 March 2019.