

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	28 February 2020
PANEL MEMBERS	Alison McCabe (Chair), Juliet Grant and Sandra Hutton
APOLOGIES	Peter Epov and David Keegan
DECLARATIONS OF INTEREST	None

#### SITE COMPATIBILITY CERTIFICATE APPLICATION

2019HCC028 – Mid-Coast Council – SCC\_2019\_MCOAS\_002\_00 at 333 Diamond Beach Road, Diamond Beach (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 notify the applicant, Council and the Department of Planning, Industry and Environment of the Panel's decision to refuse the application.

The decision was unanimous.




#### REASONS FOR THE DECISION

1. The Panel is not satisfied that the proposed development is compatible with surrounding land uses given the potential adverse impacts on the natural environment, particularly the loss of vegetation and visual impact arising from the intensity of the development.
2. The proposed siting, built form and landscape outcomes result in a character of development that is inconsistent and incompatible with the existing and future land uses in the surrounding locality.

#### Planning Panels Secretariat

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3. The proposal has not demonstrated that there are adequate services available to meet the demands arising from the development.
4. The location of the site and more intense form of development is inconsistent with the evolving settlement pattern for the surrounding area.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Juliet Grant
 Sandra Hutton	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2019HCC028 – Mid-Coast Council – SCC_2019_MCOAS_002_00
2	SITE DESCRIPTION	333 Diamond Beach Road, Diamond Beach
3	DEVELOPMENT DESCRIPTION	Application for a site compatibility certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
4	APPLICATION MADE BY	RPS Australia East Pty Ltd acting on behalf of Salvatore Coco (the proponent).
5	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Site compatibility certificate application documentation</li> <li>• Letter from MidCoast Council dated 3 September 2019</li> <li>• Assessment report from Department of Planning and Environment</li> <li>• <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i></li> <li>• <i>MidCoast Draft Housing Strategy ( exhibition version)</i></li> <li>• <i>Hunter Regional Plan 2036</i></li> </ul>
6	BRIEFINGS, SITE INSPECTIONS & CIRCULATION OF PAPERS BY THE PANEL	<ul style="list-style-type: none"> <li>• <b>Site inspection:</b> 24 February 2020 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Alison McCabe, Juliet Grant and Sandra Hutton</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Andrew Hill and Trent Wink</li> </ul> </li> <li>• <b>Briefing with Department of Planning, Industry and Environment:</b> 24 February 2020, start time 4pm <ul style="list-style-type: none"> <li>○ Panel members in attendance: Alison McCabe, Juliet Grant and Sandra Hutton</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Andrew Hill and Trent Wink</li> </ul> </li> <li>• <b>Papers were circulated electronically between:</b> 21 February 2020 and 24 February 2020</li> </ul>