

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

#### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DECISION</b>	16 April 2020
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, David White, Ross Walker
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

#### SITE COMPATIBILITY CERTIFICATE APPLICATION

2019SNH037 – Hornsby – SCC\_2019\_ **SCC\_2018\_HORNS\_005\_00** (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 4:1 in favour, against the decision was Ross Walker.

#### REASONS FOR THE DECISION

The Panel considers a Site Compatibility Certificate should be issued on the following basis:

- The proposed use will assist in providing additional housing choice and opportunities for the seniors population in the Hornsby LGA;
- The proposal will provide seniors' housing near public transport, which will help to provide good access to health, retail, banking and other facilities in the area;
- The site is suitable for more intensive use for the purposes of seniors housing, having regard to the criteria set out in clause 25(5)(b) of the SEPP and more detailed design considerations being undertaken as part of any future development application; and

- Matters regarding over-land flood management, tree removal, bushfire asset protection zones, and an appropriate approach to sewer disposal can be further assessed and addressed through the development application assessment process.



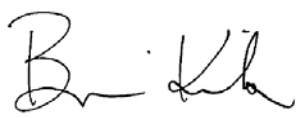


Ross Walker disagreed with the majority decision for the following reason:

- The proposed development site, that extends between two public roads, is considered to be out of context, creating serious fragmentation of the rural lands. Therefore, it is not suitable for a more intensive use. Further, the applicant has not demonstrated how the site can be directly connected to Sydney Water sewerage system.

#### REQUIREMENTS TO BE IMPOSED ON DETERMINATION

In coming to the above decision, the Panel includes the following conditional requirements in Schedule 2 of the SCC to be suitably addressed in any Development Application:

- Ensure any development application incorporates a reticulated sewer for servicing the site to the satisfaction of Sydney Water;
- Ensure that height, bulk, scale, setbacks and impacts to adjoining development are suitably addressed at the development application stage. This includes the need for the development to be compatible with the surrounding environment;
- Demonstrate that the development is compatible with, and complements, the landscape character of the locality, including more mature planting, stronger screen planting on the northern boundary and consideration of retention of the two mature, isolated, high landscape significance native trees (Tree 10 Sydney Blue Gum and Tree 21 Forest Red Gum in Urban Forestry Australia (2019) Arboricultural Impact Assessment);
- Protect and enhance the areas of remnant Blackbutt Gully Forest and Sydney Turpentine Ironbark Forest identified as offset areas on the site by Cumberland Ecology (2019);
- Resolve over-land flood management; and
- Resolve bushfire planning and management to the satisfaction of the RFS.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 David White
 Ross Walker (OAM)	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2019SNH037 – Hornsby - SCC_2019_ SCC_2018_HORNS_005_00
2	SITE DESCRIPTION	3 Quarry Road and 4 Vineys Road, Dural (Lot 2A DP 158064 and Lot 1 DP 230172, respectively)
3	DEVELOPMENT DESCRIPTION	<p>The subject proposal is for a SCC is for a seniors living development comprising:</p> <ul style="list-style-type: none"> <li>• 91 self-care 2 and 3 bedroom seniors living dwellings in 8 three-storey buildings;</li> <li>• 74 bed 3 storey residential care facility along the frontage of Vineys Road;</li> <li>• Basement car parking for 225 car spaces (177 for the serviced self-care housing and 48 for the aged care facility);</li> <li>• Office facilities fronting Quarry Road; and</li> <li>• Landscaping across the site</li> </ul> <p>Access to the site will be from both Quarry Road and Vineys Road, the basement car parking for the office facilities and the aged care facility operate independently from Vineys Road; but will tie in pedestrian links to the dwellings at the rear. The vehicle access to the seniors living dwellings will be from Quarry Road.</p> <p>The proposal is supported by various plans and reports (Attachment A2-A23). The proposal will have a maximum height of 10.5 metres (three storeys) and maximum FSR of 0.65:1. (Figures 19-23).</p> <p>The height and bulk of the development is concentrated within the central portion of the site and will be planted out with trees and landscaping at its edge from Vineys Road the development will appear as a single storey development whereas the appearance of the development from Quarry Road will be two storeys with loft.</p> <p>The development at Vineys will be setback 10m and 11m from the western and eastern site boundaries respectively, and at Quarry Road will be setback 11m and 20m from the western and eastern site boundaries respectively. Added to this the central development will be setback 20m from the site's eastern boundary.</p>
4	APPLICATION MADE BY	Zhiva Living Dural Pty Ltd
5	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Site compatibility certificate application documentation</li> <li>• Assessment report from Department of Planning and Environment <ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i></li> </ul> </li> </ul>
6	BRIEFINGS, SITE INSPECTIONS & CIRCULATION OF PAPERS BY THE PANEL	<ul style="list-style-type: none"> <li>• <b>Briefing with Department of Planning, Industry and Environment:</b> 15 April 2020 at 10.30am <ul style="list-style-type: none"> <li>○ Panel members in attendance: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Ross Walker, David White</li> <li>○ Department of Planning, Industry and Environment staff in attendance: David Hazeldine</li> </ul> </li> <li>• <b>Papers were circulated electronically:</b> 7 April 2020</li> </ul>

**Planning Panels Secretariat**

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