

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

#### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DECISION</b>	1 September 2020
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Steve Kennedy, Annelise Tuor
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

#### SITE COMPATIBILITY CERTIFICATE APPLICATION

2019SNH043 – Northern Beaches – SCC\_2019\_NBEAC\_001\_00 at 52 Cabbage Tree Road and 1825 Pittwater Road, Bayview (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

The Panel noted that while the Department issued the previous Site Compatibility Certificate (SCC), the conclusions in the current Assessment Report have been based on a merit assessment of the current SCC application, the site (being the whole of Bayview Golf Course) and the site context, as it exists today.

The Panel acknowledged that the site adjoins an existing residential area, is generally within close proximity to a local centre, medical services and public transport and is an existing registered club which broadly addresses the criteria for assessing whether the State Environmental Planning Policy



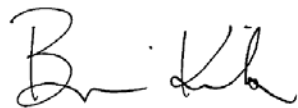


#### Planning Panels Secretariat

(Housing for Seniors or People with a Disability) 2004 (SEPP) applies to the site. While the Panel considers the site could be suitable for more intensive development, the current form of the proposal on the proposed development footprint area would result in the removal of a significant quantity of trees, which are also important wildlife habitat, and would dominate the landscape and be out of character with the local area.

The Panel concurs with the conclusions of the Department's Assessment Report and considers the current proposal not suitable for the site.

Accordingly, the Panel determines that the application for a SCC under clause 25(4) be refused for the following reasons:

1. A portion of the site is mapped as "coastal wetland" and "proximity area for coastal wetland" under the Coastal Management SEPP and it is considered that the site for the SCC should exclude this area;
2. The development as proposed in this application is not suitable in its current form;
3. The proposal has significant environmental implications for existing flora and fauna (including threatened and endangered species) and the wildlife corridor of which it is part;
4. The APZ requirements for bushfire would add to further impact upon significant and endangered vegetation and wildlife habitat. Insufficient evidence and consideration has been provided to address the potential direct and indirect impacts of development and mitigation measures;
5. The proposed extent of excavation, height, bulk and footprint of the built form is out of character with the surrounding urban development and local character of Mona Vale. In particular, the built form should be separated and dominated by its landscape setting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Annelise Tuor
 Steve Kennedy	

## SCHEDULE 1

1	PANEL REF – LGA – DEPT REF.	2019SNH043 – Northern Beaches – SCC_2019_NBEAC_001_00
2	SITE DESCRIPTION	52 Cabbage Tree Road and 1825 Pittwater Road, Bayview
3	DEVELOPMENT DESCRIPTION	<p>The seniors' housing development detailed in the SCC application comprises 7 buildings at a maximum of 3 storeys in height, incorporating 85 serviced self-care housing and ancillary facilities. The seniors housing development comprises:</p> <ul style="list-style-type: none"> <li>• Basement parking for 161 cars;</li> <li>• Landscaping including creation of a communal open space;</li> <li>• Construction of a road linking the proposed development to Cabbage Tree Road and construction of a roundabout on Cabbage Tree Road with an associated pedestrian crossing;</li> <li>• Construction of a separate pedestrian pathway from the building footprint to the existing footpath on Cabbage Tree Road and along Annam Road to Kiah Close with kerb ramps to provide access to the bus stop opposite Bayview Gardens;</li> <li>• Extension/augmentation of services and utilities to service the development;</li> <li>• Establishment and management of bushfire asset protection zones; and</li> <li>• Signage adjacent to the roadway entrance.</li> </ul> <p>The development would be operated as a retirement village within the meaning of the Retirement Villages Act 1999. The existing golf course would be reconfigured and upgraded to retain all 18 holes and accommodate the seniors housing development.</p>
4	APPLICATION MADE BY	Waterbrook Pty Ltd
5	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Site compatibility certificate application documentation</li> <li>• Applicant submission: 27 August 2020</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: 1 September 2020</b> <ul style="list-style-type: none"> <li>○ Panel members in attendance: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Annelise Tuor, Steve Kennedy</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Elvie Magallanes, Lauren Templeman</li> </ul> </li> <li>• <b>Papers circulated electronically: 24 August 2020</b></li> </ul>