

## **SITE COMPATIBILITY CERTIFICATE**

### **RECORD OF DECISION**

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

<b>DATE OF DECISION</b>	15 April 2020
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Giacomo Arnott and John Maretich
<b>APOLOGIES</b>	Paul LeMottee and Ryan Palmer
<b>DECLARATIONS OF INTEREST</b>	Nil

#### **SITE COMPATIBILITY CERTIFICATE APPLICATION**

2020HCC001 – Port Stephens Council – SCC\_2019\_PORTS\_001\_00 at 7 Walker Crescent, Raymond Terrace (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel inspected the site and considered the material listed in item 5 of Schedule 1 and the matters raised and observed at briefings and site inspection listed at item 6 in Schedule 1.

The Panel understands that a Site Compatibility Certificate has previously been issued for the site but has since lapsed. The Panel had the opportunity to inspect the site and understand the site context.

While the Panel may be able to be satisfied that the site could be suitable for more intense development and possibly demonstrate compatibility with surrounding landuses when having regard to clause 25(5)(b) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, the current documentation does not support this finding. Furthermore, there are a number of interrelated issues that cannot reasonably be conditioned as one change has multiple implications.

The Panels' preliminary consideration is that the application as presented is not compatible with the surrounding landuses.

However, the Panel does consider there is potential for some development that appropriately addresses the following key areas:

- i. The building height, particularly in regard to the scale relationship to adjoining R2 zoned land.
- ii. The impact on the function and ongoing operation of the golf club and potential conflicts with the amenity of the proposed residential use, particularly in relation to parking and traffic arrangements.
- iii. The requirement for adequate separation between the adjacent SP2 zoned lands and the proposed residential use, particularly in regard to the potential for ongoing conflicts.

#### **Planning Panels Secretariat**

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Specifically, the following matters need to be addressed:

- Relationship of the scale of development to the adjoining R2 zoned lands – particularly Blocks A and B.
- Relationship of Blocks A and B to the carpark that is to be used as part of the ongoing golf club use. The residential address and outlook of Block A is to the golf club carpark which will function at extended hours and provides a poor outlook and residential address and ongoing potential for landuse conflicts.
- The lack of a street address of Block B to Walker Crescent.
- The inadequate setback of Blocks C, D, E and F and villas to the SP2 zoned council depot site – this will result in ongoing landuse conflicts.
- The inadequate information as to whether the construction of buildings in the location proposed and the ongoing operation of the golf course will require safety fencing in front of the residential dwellings.
- The unnecessary loss of vegetation on the site. Any development should be designed to retain vegetation.

The Panel is of the view that for the site to be considered suitable for more intense development and for the Panel to be satisfied that the use could be considered to be compatible with the surrounding landuses, the following amendments are required:

1. Block A to be reduced in scale by one (1) storey.
2. Greater separation is to be provided between the golf course carpark and Block A to mitigate potential conflicts between the ongoing use of the golf club and its functions and the proposed residential uses.
3. Block B is to provide an address to Walker Crescent. Block B is to be reduced by one (1) storey.
4. Blocks C, D, E and F are to be setback from the adjoining SP2 zoned land the equivalent of a street width – 17-20m.
5. This separation is to accommodate road access for vehicles, including emergency vehicles, and landscape treatment to provide amenity and outlook to the units and retention of existing trees. Existing trees between the depot site and proposed building areas need to be retained.
6. Removal of existing trees within the Site Compatibility Certificate area is to be minimised. This will involve reduction in depth and/or length of building blocks.
7. Proposed villas are to be deleted.
8. The above ground carparking needs to be appropriately treated and not be converted to residential use.






These amendments will result in a reduction in yield and scale, and will address the current concern that the Panel holds in respect to the intensity of the development and compatibility with existing and future uses in the vicinity of the development.

Any amended application for a SCC should include the following additional information :

- i. Clearly dimensioned plans of the Site Compatibility Certificate area.
- ii. An overlay identifying what trees are proposed to be removed – noting that tree removal is to be minimised.
- iii. An assessment of what, if any, safety measures or redesign to the golf course will be required as a result of the movement of Blocks C, D, E and F. The Panel is unlikely to support four (4) storey safety fencing.
- iv. Demonstration that Apartment Design Guide separation requirements have been met.

## Decision

- A. That the determination of Site Compatibility Certificate Application SCC\_2019\_PORTS\_001\_00 at 7 Walker Crescent, Raymond Terrace be deferred for amended plans and additional information that address the following:
- Points 1 to 8 as outlined above.
  - Clearly dimensioned plans of the Site Compatibility Certificate area.
  - An overlay of the scheme identifying what trees are proposed to be removed – noting that tree removal is to be minimised.
  - An assessment of what, if any, safety measures or redesign to the golf club will be required as a result of the movement of Blocks C, D, E and F. The Panel is unlikely to support four (4) storey safety fencing.
  - Koala habitat trees are to be identified and retained.
- B. That the applicant be requested to provide an amended scheme within 40 days of receipt of the notice of the Panel's decision to defer the matter or other such time agreed by the Department of Planning, Industry and Environment.
- C. In the event that the amendments are not received or that the applicant chooses not to amend, the Panel will determine the application on the current information.
- D. That the Panel authorises the Chair to notify the applicant, Council and the Department of Planning, Industry and Environment of the Panel's decision to defer the matter.
- E. That on receipt of amended plans a further report be prepared for consideration by the Panel.
- F. The Panel will determine the matter electronically.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Sandra Hutton
 Juliet Grant	 Giacomo Arnott
 John Maretich	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2020HCC001 – Port Stephens Council – SCC_2019_PORTS_001_00
2	SITE DESCRIPTION	7 Walker Crescent, Raymond Terrace
3	DEVELOPMENT DESCRIPTION	<p>The proposal is for 109 self-contained dwellings over six buildings comprising two four-storey buildings, four five-storey buildings, one two-storey building containing three villas and community facilities including a village green, a playground, a community room and associated car parking (Figure 2, below).</p> <p>Vehicle access is proposed from Walker Crescent, which will connect to internal road access to unit blocks and the existing car park</p>
4	APPLICATION MADE BY	Stimson & Baker Planning on behalf of Muree Golf Club
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>Site inspection:</b> 18 March 2020 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Giacomo Arnott and John Maretich</li> <li>○ Department of Planning, Industry and Environment staff in attendance: James Shelton and Paul Maher</li> </ul> </li> <li>• <b>Briefing with Department of Planning, Industry and Environment:</b> 18 March 2020, 12:30pm <ul style="list-style-type: none"> <li>○ Panel members in attendance: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Giacomo Arnott and John Maretich</li> <li>○ Department of Planning, Industry and Environment staff in attendance: James Shelton and Paul Maher</li> </ul> </li> <li>• <b>Papers were circulated electronically between:</b> 17 March 2020 and 15 April 2020</li> </ul>