

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	6 October 2020
PANEL MEMBERS	Alison McCabe (Chair), Sandra Hutton, Juliet Grant and Giacomo Arnott
APOLOGIES	None
DECLARATIONS OF INTEREST	Since the Panel considered the first report in April, John Maretich has become involved with the development of the Council Depot on a neighbouring site, in his role as Asset Section Manager at Port Stephens Council. Mr Maretich did not take part in any further consideration of the application.

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

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 unanimous.

Background

The Panel previously considered this matter on 15 April 2020. The Panel formed the opinion that the documentation before the Panel at that stage did not support a finding that the site could be suitable for more intense development and demonstrate compatibility with the surrounding landuses.

The Panel identified specific amendments to the scheme that were required and deferred the matter for amended plans.

These amendments were:

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.

The amendments identified were required to address:

- Scale relationship to adjoining landuses
- Compatibility concerns with both existing and future landuse on and adjoining the site
- Retention of vegetation and landscaped character

Amended plans and documentation have been submitted that addressed to some degree the amendments as outlined above.

Considerations

The most sensitive land uses adjoining the site are along the northern and eastern boundaries of the site, being the adjoining R2 zoned lands. What occurs at these interfaces is important to address compatibility and character considerations – including bulk, scale and built form impacts.

The Council depot site to the north-west also poses a constraint in terms of land use compatibility. The site adjoins a public reserve to the west.

The area the SCC would apply to is to be determined at this point – not at DA stage. Therefore dimensions, areas and setbacks are important.

The Panel notes the RLs provided have been based on 3m floor to floor and do not account for roof features or plant and equipment. The Apartment Design Guide (ADG) recommends buildings accommodate 3.1m floor to floor.

The Panel notes that when compared against the previous plans considered, Building 6 and the villas have extended further down the site in a southern direction. This was not the intention of the previous

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recommended amendments. The changes were not intended to result in further encroachment into landscape.

Accommodating residential development on this site also should not rely on screen fencing of two (2) - to four (4) storeys to minimise golf ball hazards. The Panel notes changes are needed to the golf course layout to accommodate the proposal as outlined in the documents submitted and this will result in some tree removal.

Carparks are provided at grade or partly excavated under buildings. They are not designed as basement carparking and therefore read as a storey in many cases.

The separation between R2 zoned lands and any future buildings needs to be sufficient to maintain a landscape setting. Built form needs to be restricted to a three (3) storey form where it adjoins a lower scale. Carparking should also be setback from sensitive interfaces to accommodate appropriate landscape treatment.

Walker Crescent is a street at a north-westerly orientation. Any building needs to address the street and provide an address – this means entry points and street surveillance and maintenance of the north-western orientation to ensure privacy to adjoining properties.

Built form structures adjoining the depot site should be appropriately setback from this common boundary to ensure vegetation screens and acoustic measures can be accommodated within the site.

The interface with the adjoining recreational lands must maintain the existing landscape interface.

This is a site where built form should be read in a landscape setting – it is not an urban R3 zoned site. Existing vegetation needs to be maintained to the highest degree.

The function of the clubhouse and golf course needs to be accommodated onsite without adversely impacting the amenity of future residents. This means appropriate separation to carparks and service area, screening of loading areas and ensuring safety measures do not result in the need for fencing in front of units.

Conclusions

The Panel considered Council's comments and concluded the following matters need to be addressed in the preparation of any DA:

- Any proposal to open Sabre Avenue to Walker Crescent through the site is to be included in the DA and accompanied by a traffic impact assessment, including local traffic modelling; and
- A full assessment of the current car park usage (cars, trailers, buggies and service vehicles) and future demand associated with the golf club is to be included in the design of the proposal and submitted with the DA

Having regard to clause 24(2) and the criteria in clause 25(5(b)) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, the Panel considers that the site is suitable for more intense development and the site is compatible with the surrounding environment, subject to the following amendments:

1. Building 1 is to compromise a three (3) storey form facing the R2 residential interfaces north and east – carpark plus two (2) levels of built form.
2. Building 1 is to be setback from and will maintain a 16m and 20m separation to R2 zoned land to the north and east respectively.
3. Building 1 will be designed to ensure solar access requirements are met by utilising rather than turning its back on the northern orientation and incorporate appropriate privacy resolution.

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4. Carparking areas are to be setback from R2 zoned lands and maintain a landscape interface.
5. Building 2 is to be designed to provide an address to the street (including entry, pathways and casual surveillance within its street facing elevation), and maintain its north-westerly orientation and minimum separation at the building corner of 8m to adjoining R2 zoned lands
6. Buildings 3, 4, 5, and 6 are required to achieve minimum ADG separation of 12m between them.
7. Building 3 needs to be setback from the carpark and servicing area of the club house.
8. The two (2) storey villas are to be deleted and the landscape interface between the adjoining recreation zone is to be maintained.
9. The deletion of villas will provide an opportunity for greater separation between buildings, particularly Building 4 and 5 and separation of Building 3 from the club house while minimising tree loss.
10. All trees along the fairways interfacing to Buildings 3, 4, 5 and 6 and on common boundaries are to remain.
11. Tree removal is to be minimised and building design to maintain a significant portion of existing trees to ensure built form is within a landscape setting.
12. Buildings 4 and 5 could accommodate another level (equivalent in area of that removed from Building 1).
13. The setbacks and building separation shown on plans is not to be reduced.
14. The overall RLs shown are to be generally adhered to but will need to change for lift and plant and appropriate floor to floor height and the changes identified above.
15. A detailed arborist report analysing tree removal and tree retention is to accompany any DA demonstrating the minimisation of tree removal.
16. The proposal is to meet ADG requirements particularly solar access, cross ventilation and built form separation.

REASONS FOR THE DECISION

The site is suitable for more intense development subject to the conditions outlined at points 1-16.





The land use subject to appropriate separation and landscape treatment and the conditions below is compatible with the surrounding land uses.

REQUIREMENTS TO BE IMPOSED ON DETERMINATION

The following requirements are to be imposed on the determination:

1. Building 1 is to compromise a three (3) storey form facing the R2 residential interfaces north and east – carpark plus two (2) levels of built form.
2. Building 1 is to be setback from and will maintain a 16m and 20m separation to R2 zoned land to the north and east respectively.
3. Building 1 is to be designed to ensure solar access requirements are met by utilising rather than turning its back on the northern orientation and incorporate appropriate privacy resolution.
4. Carparking areas are to be setback from R2 zoned lands and maintain a landscape interface.
5. Building 2 is to be designed to provide an address to the street (including entry, pathways and casual surveillance within its street facing elevation) and maintain its north-westerly orientation and minimum separation at the building corner of 8m to adjoining R2 zoned lands
6. Buildings 3, 4, 5, and 6 are required to achieve minimum ADG separation of 12m between them.
7. Building 3 is to be setback from the carpark and servicing area of the club house.
8. The two (2) storey villas are to be deleted and the landscape interface between the adjoining recreation zone is to be maintained.
9. The deletion of villas will provide an opportunity for greater separation between buildings, particularly Building 4 and 5 and separation of Building 3 from the club house while minimising tree loss.
10. All trees along the fairways interfacing to Buildings 3, 4, 5 and 6 and on common boundaries are to remain.

11. Tree removal is to be minimised and building design to maintain a significant portion of existing trees to ensure built form is within a landscape setting.
12. Buildings 4 and 5 could accommodate another level (equivalent in area of that removed from Building 1).
13. The setbacks and building separation shown on plans is not to be reduced.
14. The overall RLs shown are to be generally adhered to but will need to change for lift and plant and appropriate floor to floor height and the changes identified above.
15. A detailed arborist report analysing tree removal and tree retention is to accompany any DA demonstrating the minimisation of tree removal.
16. An assessment that confirms that the interface between the fairways and the buildings are designed to exclude any need for safety fencing at all times is to be submitted with the DA.
17. The proposal is to meet ADG requirements particularly solar access, cross ventilation and built form separation (consistent also with separations as outlined in this set of conditions).
18. Any proposal to open Sabre Avenue to Walker Crescent through the site is to be included in the DA and accompanied by a traffic impact assessment, including local traffic modelling.
19. Wayfinding for residents, visitors and emergency services is to be documented with the DA.
20. A full assessment of the current car park usage (cars, trailers, buggies and service vehicles) and future demand associated with the golf club is to be included in the design of the proposal and submitted with the DA

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

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"> Site compatibility certificate application documentation Assessment report from Department of Planning and Environment Supplementary assessment report from Department of Planning and Environment <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>
6	BRIEFINGS, SITE INSPECTIONS & CIRCULATION OF PAPERS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 18 March 2020 <ul style="list-style-type: none"> Panel members in attendance: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Giacomo Arnott and John Maretich Department of Planning, Industry and Environment staff in attendance: James Shelton and Paul Maher Briefing with Department of Planning, Industry and Environment: 18 March 2020, 12:30pm <ul style="list-style-type: none"> Panel members in attendance: Alison McCabe (Chair), Sandra Hutton, Juliet Grant, Giacomo Arnott and John Maretich Department of Planning, Industry and Environment staff in attendance: James Shelton and Paul Maher Papers were circulated electronically between: 17 March 2020 and 15 April 2020 Briefing with Department of Planning, Industry and Environment: 21 September 2020, 9:30am <ul style="list-style-type: none"> Panel members in attendance: Alison McCabe (Chair), Sandra Hutton, Juliet Grant and Giacomo Arnott Department of Planning, Industry and Environment staff in attendance: James Shelton and Caitlin Elliott Papers were circulated electronically between: 11 September 2020 and 6 October 2020