

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	1 October 2020
PANEL MEMBERS	Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Cr Paul LeMottee and Cr Ryan Palmer
APOLOGIES	None
DECLARATIONS OF INTEREST	None

SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSHCC-44 – Port Stephens Council – SCC_2019_PORTS_003_00 at 118a Soldiers Point Road, Soldiers Point (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.

CONSIDERATION

The Panel was briefed on the history of the site and understood there have been a number of SCC issued on the site, which also benefits from an existing development consent. The Panel also considered the comments provided by Council and the Urban Design Panel.

While the Panel considered that the site was suitable for seniors' living and supports the consolidation of built form into a residential flat building the Panel was not convinced that the bulk, scale and massing put forward in the applicant's submission would be compatible with the character of the surrounding landuse, particularly in respect to potential impacts arising from bulk, scale and built form.

The existing senior's living facility presents as a three (3) storey built form that has a poor relationship to the club carpark.

The proposed seven (7) storey form and its proposed relationship to the existing seniors' living development, carpark and site to the north does not properly address interface issues and bulk and scale impacts and built form separation. The juxtaposition of a seven (7) storey building abutting the three (3) storey existing senior's living facility, and 9m setback from a two (2) storey development to the north does not result in acceptable built form outcomes.

The northern elevation as proposed would result in unreasonable privacy, bulk and scale impacts to adjoining lower scale R2 zoned lands. The proposed separation to R2 zoned lands to the west is acceptable and importantly provides for retention of trees in the upper slopes of the site.

The proposed pedestrian access through the carpark and intersecting with the Club entrance is poorly configured, impacts on the existing seniors' facility and results in loss of landscape planting. It is neither legible nor direct.

While the site could support a built form higher than surrounds, any additional height would need to be sited so that it resulted in:

- Less bulk and massing
- Provided appropriate and reasonable setbacks to the existing built form on site and adjoining R2 lands
- Addressed the relationship of the building to the carpark and the functions of the club

The Panel considered whether a three (3) to four (4) storey form with setbacks was more appropriate.

The Panel is of the opinion that having regard to the location and nature of the site that it is suitable for more intense development.

Having regard to the provision of clause 24(2) and clause 25(5)(b) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, the Panel has formed the opinion that a development designed within the following envelope could be compatible with the surrounding environment and surrounding landuses:

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1. Built form up to RL 19.9 being setback:
 - 9m from the northern boundary
 - 6m from the alignment of the existing building to the south
 - 6m from the carpark alignment
2. Built form above RL 19.9 being setback:
 - A further 9m (18m) separation to the northern boundary
 - A further 3m to the existing building to the south (9m)
 - A further 3m from the carpark alignment (9m)
 - 3m back from the alignment of the building below RL 19.9 on the western edge
 - Structures above RL 28.8 being roof or highlight windows
3. Relationship to the western boundary
 - Allow form to move up to 6m closer to the western boundary – but maintain the significant setback to the western boundary
4. The pedestrian access through the carpark:
 - Redesigned to not result in loss of landscape or vegetation to the existing senior's living facility
 - Ensure amenity to the existing facility is not compromised
 - Be direct and legible

The envelope identified above will result in a reduction in built form, mass and yield and has been developed to identify compatibility with adjoining properties and interface.

The Panel expects that a built form that responds to its context – providing for articulation, break up in built form, architectural response, massing and compliance with ADG criteria in respect to solar access, built form and separation and cross ventilation can be accommodated with this envelope.

The envelope is not intended to reflect the end built form.

Any development application would need to be accompanied by a detailed urban design consideration of the siting and massing of the building, landscape plans, a detailed view and visual analysis, analysis of solar access to adjoining properties and demonstrate Apartment Design Guide compliance.

REASONS FOR THE DECISION






1. The site is suitable for more intense development subject to the requirements outlined at points 1-5 below.
2. 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

1. Built form up to RL 19.9 being setback:
 - 9m from the northern boundary

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- 6m from the alignment of the existing building to the south
 - 6m from the carpark alignment
2. Built form above RL 19.9 being setback:
 - A further 9m (18m) separation to the northern boundary
 - A further 3m to the existing building to the south (9m)
 - A further 3m from the carpark alignment (9m)
 - 3m back from the alignment of the building below RL 19.9 on the western edge
 - Structures above RL 28.8 being roof or highlight windows
 3. Relationship to the western boundary
 - Allow form to move up to 6m closer to the western boundary – but maintain the significant setback to the western boundary
 4. The pedestrian access through the carpark:
 - Redesigned to not result in loss of landscape or vegetation to the existing senior's living facility
 - Ensure amenity to the existing facility is not compromised
 - Be direct and legible
 5. The development application include a detailed urban design consideration of the siting and massing of the building and mitigation of impacts, a detailed view and visual analysis and solar access to adjoining properties.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Juliet Grant
 Sandra Hutton	 Ryan Palmer
 Paul Le Mottee	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSHCC-44 – Port Stephens Council – SCC_2019_PORTS_003_00
2	SITE DESCRIPTION	118a Soldiers Point Road, Soldiers Point
3	DEVELOPMENT DESCRIPTION	A six-storey or seven levels block (ground level parking with six residential levels above) comprising 68 self-contained dwellings and provision of car parking (86 spaces), landscaping, and recreation facilities
4	APPLICATION MADE BY	Perception Planning on behalf of Soldiers Point Bowling 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 • <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: <ul style="list-style-type: none"> ○ Alison McCabe (Chair): 19 September 2020 ○ Sandra Hutton: 9 September 2020 ○ Cr Ryan Palmer: 24 August 2020 • Briefing with Department of Planning, Industry and Environment: 21 September 2020 <ul style="list-style-type: none"> ○ Panel members in attendance: Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Cr Paul LeMottee and Cr Ryan Palmer ○ Department of Planning, Industry and Environment staff in attendance: James Shelton, Caitlin Elliott and Daniel Simpkins • Papers were circulated electronically on 11 September 2020