

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

NORTHERN REGIONAL PLANNING PANEL

<b>DATE OF DECISION</b>	16 August 2022
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Penny Holloway, Stephen Gow, Chris Gee and Michael Mason
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

### SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSNTH-153 – SCC2021PORTM-2 at Bonny View Drive, Bonny Hills (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 in the certificate), 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 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.






The Panel authorises the Chair to notify the applicant, council and the Department of Planning and Environment of the panel's decision to refuse the application.

The decision was unanimous.

### REASONS FOR THE DECISION

1. The panel believes that site of the proposal is not suited to more intensive development because:
  - It is potential High Value Environmental Land under the North Coast Regional Plan 2036 and contains PCT 1230 which is a Threatened Ecological Community under the EPBC Act 1999, potential Koala habitat and may contain other protected flora and fauna;
  - Suitable water and sewerage infrastructure may not be available and arrangements for the provision of this infrastructure have not been settled with the Council.

2. The Panel also notes the very high demand for seniors housing in the locality and that the application could help to satisfy some of this demand. Notwithstanding such, this application failed to provide sufficient information to demonstrate that likely potential adverse environmental and physical impacts could be avoided or mitigated.
3. The Panel believes there may be merit in the applicant submitting a Planning Proposal that addresses all unresolved ecological and servicing factors.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Penny Holloway
 Stephen Gow	 Chris Gee
 Michael Mason	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSNTH-153 - Port Macquarie-Hastings – SCC2021PORTM-2
2	SITE DESCRIPTION	Part Lot 4 DP 844371 and part Lot 1 DP 1018270, Bonny View Drive (corner of Ocean Drive), Bonny Hills
3	DEVELOPMENT DESCRIPTION	<p>The proposed serviced self-care housing (Attachment A and A1) (as defined under Clause 13 of the Seniors Housing SEPP) development includes:</p> <ul style="list-style-type: none"> <li>• 241 single storey serviced self-care housing units ranging from 2 to 3 bedrooms (some with additional studies) and carparking;</li> <li>• ancillary facilities such as a community building, pool, gym, bowling green, tennis court, landscaped open space areas and paths, men's shed, and caravan parking; and</li> <li>• Community bus for resident use.</li> </ul>
4	APPLICATION MADE BY	Mr Jeffrey Bretag on behalf of McCloy Project Management 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 and Environment: 8 August 2022</b> <ul style="list-style-type: none"> <li>○ Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Stephen Gow, Chris Gee and Michael Mason</li> <li>○ Department of Planning and Environment staff in attendance: Gina Davis, Lucy Walker, Carolyn Hunt and Lisa Foley</li> </ul> </li> <li>• <b>Papers were circulated electronically on 1 August 2022</b></li> </ul>