

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

#### NORTHERN REGIONAL PLANNING PANEL

<b>DATE OF DECISION</b>	2 February 2021
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Penny Holloway, Stephen Gow, Stephen Bartlett and James Treloar
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

#### SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSNTH-67 – Tamworth Regional Council - SCC2020TAMWO-1 at 47 Darrell Road Calala (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 (SCC) and notify the applicant, Council and the Department of Planning, Industry and Environment (DPIE) of the Panel's decision.

The decision was unanimous.

#### REASONS FOR THE DECISION

The Panel's determination is for that part of Lot 1 DP 220319 (47 Darrell Rd Calala) identified as the "Focus Area" in Figure 2 of DPIE's report to the Panel (File no: IRF 20/4979). This part of the lot has an area of 9.5ha and the determination applies only to that land and for up to 69 dwelling units. The Panel also notes that its determination is based on current knowledge of the site and surrounding area. Approval of this SCC will allow more detailed information to be provided at the DA stage and it is possible that this may reveal constraints, such as environmental or servicing issues, that are not known

at the present time. As such, the Panel's conclusions generally and particularly in relation to the site's suitability for more intense development need to be read in this context.

The Panel approves the application for the following reasons:

1. The proposal for seniors living is a permissible use of the site because it adjoins land zoned for urban purposes and dwelling houses are permissible in the RU4 zone applying to the site.
2. The site is suitable for more intensive development because the land is physically suited to development, is free of prohibitive environmental constraints and can be serviced with essential infrastructure. Moreover, the site is close to the established Calala residential area which contains a wide range of retail and community services.
3. Seniors living of the form and density proposed and subject to satisfactory resolution of the conditions imposed on this SCC will be compatible with the surrounding environment and land uses. The proposal is unlikely to cause any unacceptable on-site environmental impacts nor be incompatible with existing adjoining land uses subject to further detailed investigations at the DA stage particularly of the proposal's compatibility with the electricity transmission lines that cross the site.
4. Seniors living will be compatible with likely future uses of adjoining lands. The Panel believes future uses are likely to be much the same as those currently existing in the area.
5. The proposal will be required to have access to all necessary services and infrastructure. In relation to services the Panel notes that the proposal is for "self-care" and incorporates a private bus service and/or a satisfactory public bus service; the Panel's approval requires these two services to be incorporated into the final detailed proposal. In relation to physical infrastructure the Panel notes that further detailed investigations will be needed at DA stage to demonstrate how the proposal will be satisfactorily serviced particularly with necessary stormwater infrastructure, roads and access including for all emergency services.
6. The form, bulk and scale of the proposal are compatible with the existing and likely future character of development in the locality. The Panel notes that no vegetation buffer is proposed along the site's eastern boundary and require careful consideration of the need for such a buffer in this area at the DA stage.
7. Overall, the Panel believes that approval of the proposal is in the public interest, noting in particular that it satisfies relevant objectives of the New England-North-West Regional Plan and is supported by Tamworth Regional Council.



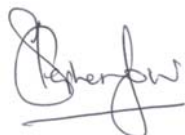


#### **REQUIREMENTS TO BE IMPOSED ON DETERMINATION**

1. A number of conditions are imposed on this SCC. In any future DA for seniors living the following must be addressed:
  - a) Stormwater - the feasibility and practicality of on-site stormwater disposal and/or satisfactory arrangements for off-site disposal are to be provided.
  - b) Water and sewer – upgrading requirements are to be identified and arrangements proposed for the provision of these utilities including any necessary financial contributions to the relevant servicing agencies.
  - c) Roads and access – the traffic impacts of the proposal are to be fully investigated by a suitably qualified traffic engineer. Proposed arrangements to address any decline in traffic service levels, road safety or amenity impacts are to be provided, as are proposed arrangements for satisfactory access or evacuation during any potential emergencies.
  - d) Bus services – proposed arrangements for the necessary bus services are to be provided. If the public bus service does not comply with the access and gradient

provisions in the Seniors Housing SEPP then it will be necessary for the proposal to incorporate a private bus service.

- e) Land contamination – a preliminary site investigation is to be undertaken and following this, if warranted by the preliminary report, detailed investigations of all or part of the site are to be undertaken.
- f) Flora and fauna – investigations to identify any areas of ecological value are to be undertaken by an appropriately qualified person and any appropriate conservation measures are to be proposed.
- g) Food preparation for residents – proposed arrangements for reliable and sanitary provision of meals for residents are to be provided.
- h) Landscaping and buffers – a detailed landscaping plan is to be provided. The associated investigations are to include consideration of the desirability of providing an extended vegetated buffer along the eastern boundary of the site.
- i) Electricity transmission infrastructure – all necessary investigations of the safety and ongoing operations needs of the transmission lines running across the site are to be undertaken in consultation with the owners and operators of this infrastructure.
- j) Information to adjoining land-owners – Tamworth Regional Council is asked to inform both existing and prospective owners of land adjoining the site of the existence of this SCC when any inquiries are made of Council. This should occur up to the date when either the SCC lapses or a DA is lodged for seniors living on the site.

If the Council believes the above condition is impractical the Council is asked to inform the Panel Chair of this. In such circumstances the Chair would then request DPIE to adopt measures to improve communication and awareness of the existence of SCCs on certain lands; one potential measure that could be suggested is to have the existence of SCCs on certain lands noted on the NSW Planning Portal's spatial viewer.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Penny Holloway
 Stephen Gow	 Stephen Bartlett
 James Treloar	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSNTH-67 – Tamworth Regional Council - SCC2020TAMWO-1
2	SITE DESCRIPTION	47 Darrell Road Calala
3	DEVELOPMENT DESCRIPTION	69 single-story serviced self-care dwellings & associated community facilities
4	APPLICATION MADE BY	Perception Planning
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, Industry and Environment:</b> 27 January 2021 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Paul Mitchell (Chair), Penny Holloway, Stephen Gow, Stephen Bartlett and James Treloar</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Gina Davis, Lucy Walker, Sung Pak and Lisa Foley</li> </ul> </li> <li>• <b>Papers were circulated electronically between on 23 December 2020</b></li> </ul>