

SITE COMPATIBILITY CERTIFICATE

RECORD OF DECISION

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DECISION	21 September 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Susan Budd and Chandi Saba
APOLOGIES	Gabrielle Morrish and Mark Colburt
DECLARATIONS OF INTEREST	Nil

SITE COMPATIBILITY CERTIFICATE APPLICATION

PPSSCC-125 - LGA – The Hills Shire - Dept Ref – SCC_2018_THILL_001_00 - Address - 263 Annangrove Road, 12 Edwards Road (Lot 122 DP530049) and 14 Edwards Road (Lot 1 DP259604), Rouse Hill (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 notify the applicant, council and the Department of Planning, Industry and Environment of the panel's decision to refuse the application.

The decision was unanimous.

REASONS FOR THE DECISION

The application seeks the issue of a Site Compatibility Certificate in connection with proposed development for seniors housing on land zoned RU6 immediately adjacent to the north eastern corner of the North West Growth Centre.

Suitability for more intensive development

The Panel considers that the site is not suitable for more intensive development of the scale proposed, for the following reasons.

Planning Panels Secretariat

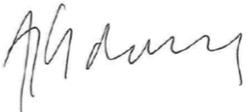
The RU 6 zone is a transitional zone, intended to operate as a buffer between higher density residential / industrial uses and rural zonings. The site is located within the Metropolitan Rural Area (MRA) under the Central City District Plan. The MRA seeks to protect rural rather than urban values within its area. The Seniors Housing SEPP has been recently amended to preclude applications for Site Compatibility Certificates for proposed seniors housing development within the MRA. The Panel notes, however, that those amendments do not apply to preclude consideration of this application under the relevant Savings and Transitional provisions.

The Panel considers the proposed development is inconsistent with the existing, proposed and future rural character and uses as well as inconsistent with the strategic planning framework established by the Sydney Central City District Plan, particularly as the site is within the Metropolitan Rural Area.

Incompatibility with surrounding environment and land uses

The Panel further considers that the development for seniors housing on the site as proposed is incompatible with the surrounding land uses, as:

- future use of the land is to retain and protect rural attributes, values and character of the site as envisioned under the RU6 Transition zone;
- the site’s RU6 Transition zoning has a key objective to protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities and as such the proposal is incompatible with surrounding land uses;
- the proposed density is incompatible with the existing, approved and intended uses of the land and land in the vicinity of the development;
- the proposed urbanised form and density of development across the site will transform the character of the site to an urbanised character that will detract from the site’s current contribution to the character of the Metropolitan Rural Area;
- the bulk, scale and character of the proposed development will have an unacceptable impact on the existing uses and future uses of land in the vicinity of the development.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Susan Budd	 Chandhi Saba

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	PPSSCC-125 - LGA – The Hills Shire - SCC_2018_THILL_001_00
2	SITE DESCRIPTION	263 Annangrove Road, 12 Edwards Road (Lot 122 DP530049) and 14 Edwards Road (Lot 1 DP259604), Rouse Hill
3	DEVELOPMENT DESCRIPTION	A 120 bed residential care facility and 126 (serviced) self-contained dwellings with a height of approximately 2 storeys or 8 metres. The proposal also includes amenities such as a community centre, men’s shed, tennis court, sports pavilion and bowling green
4	APPLICATION MADE BY	Barr Property and Planning on behalf of landowners Mr Daniel Mercia, Mr Raymond Williams and Ms Wendy Williams
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 <ul style="list-style-type: none"> • <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: Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. • Briefing with Department of Planning, Industry and Environment: 18 September 2020: <ul style="list-style-type: none"> ○ Panel members in attendance: Abigail Goldberg (Chair), David Ryan, Susan Budd and Chandi Saba ○ Department of Planning, Industry and Environment staff in attendance: Angela Hynes and Jane Grose • Papers were circulated electronically between on 11 September 2020