

## SITE COMPATIBILITY CERTIFICATE

### RECORD OF DECISION

#### SOUTHERN REGIONAL PLANNING PANEL

<b>DATE OF DECISION</b>	Tuesday, 8 October 2019
<b>PANEL MEMBERS</b>	Pam Allan (Chair), Alison McCabe, Mark Grayson, Patricia White and Ernie Royston
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Greg Watson declared a conflict of interest as he participated as a Councillor in the vote on the original development application in 2004.

#### SITE COMPATIBILITY CERTIFICATE APPLICATION

2019STH009 – Shoalhaven City Council – SCC\_2019\_SHOAL\_001 at 10 Victoria St, Berry (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.




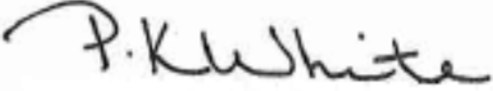

The panel authorises the Chair to notify the applicant, council and the Department of Planning, Industry and Environment of the panel's decision to refuse the application.

The decision was unanimous.

#### REASONS FOR THE DECISION

- The proposed development does not meet the requirements of clause 17(1) State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 as the application for the site compatibility certificate has not adequately demonstrated that the proposal was actually for serviced self-care housing – reference to external providers such as Meals on Wheels and IGA Berry does not satisfy the criteria.

2. The proposal has not properly analysed the streetscape and character of the surrounding area and demonstrated how it responds to the essential elements. e.g. landscape context and buildings addressing the street.
3. The proposed siting, built form and orientation does not respond to the character of the surrounding area.
4. The loss of significant vegetation to the street frontage adversely impacts on the streetscape.
5. The proposal has not demonstrated that the degree of land modification and the likely impacts on the use of land adjoining the proposed development is acceptable.

PANEL MEMBERS	
 Pam Allan (Chair)	 Alison McCabe
 Mark Grayson	 Patricia White
 Ernie Royston	

SCHEDULE 1		
1	PANEL REF – LGA – DEPT REF.	2019STH009 – Shoalhaven City Council – SCC_2019_SHOAL_001
2	SITE DESCRIPTION	10 Victoria St, Berry
3	DEVELOPMENT DESCRIPTION	Application an SCC under Clause 25(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the extension of the retirement village known as The Arbour
4	APPLICATION MADE BY	Rachmat Djajadikarta
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>Site inspection:</b> 17 September 2019 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Pam Allan (Chair), Alison McCabe, Mark Grayson, Patricia White and Ernie Royston</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Graham Towers</li> </ul> </li> <li>• <b>Briefing with Department of Planning, Industry and Environment:</b> 17 September 2019, 3:00 pm <ul style="list-style-type: none"> <li>○ Panel members in attendance: Pam Allan (Chair), Alison McCabe, Mark Grayson, Patricia White and Ernie Royston</li> <li>○ Department of Planning, Industry and Environment staff in attendance: Graham Towers</li> </ul> </li> <li>• Additional information regarding the original approval of the facility.</li> <li>• <b>Papers were circulated electronically between:</b> 3 October 2019 and 8 October 2019.</li> </ul>