

## Record of Kick-Off Briefing Sydney South Planning Panel

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSSH-126 – DA022/1126 - 113 Willarong Road, Caringbah
<b>APPLICANT / OWNER</b>	Nicholas Nasser (Tier Architects)/Caringbah NSW Pty Ltd
<b>APPLICATION TYPE</b>	General Development over \$30M (DA)
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Schedule 6, Clause 2 of the Planning Systems SEPP: General Development over \$30M
<b>KEY SEPP/LEP</b>	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, Sutherland LEP 2015.
<b>CIV</b>	\$129,511,810.73 (excluding GST)
<b>BRIEFING DATE</b>	6 March 2023

### ATTENDEES

<b>APPLICANT</b>	Nicholas Nasser and Benjamin Black
<b>PANEL CHAIR</b>	Annelise Tuor (Chair), Penelope Holloway, Glennis James and Carol Provan
<b>APOLOGIES</b>	Kent Johns
<b>COUNCIL OFFICER</b>	Vivian Tran, Beth Morris, Slavco Bujaroski, Meredith Bagnall, Dianne Copping and Rachel Corry
<b>CASE MANAGER</b>	Amanda Moylan
<b>PLANNING PANELS SECRETARIAT</b>	Sung Pak and Timothy Cook

**DA LODGED:** 14 December 2022

**TENTATIVE PANEL BRIEFING DATE:** To be announced

**TENTATIVE PANEL DETERMINATION DATE:** To be announced

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Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Sydney South Planning Panel and therefore future comment will not be limited to the detail contained within.

## **KEY ISSUES IDENTIFIED FOR CONSIDERATION**

### **Overview:**

Demolition of existing structures, tree removal and the construction of 9 residential flat buildings containing affordable rental housing under State Environmental Planning Policy (Housing) 2021 (Housing SEPP), an internal access road, parking and Strata subdivision.

Previous masterplan and stage one DA approved by Land and Environment Court (LEC)

Class 1 Appeal for deemed refusal of current DA lodged with LEC

### **Issues to address**

- Height and Floor Space Ratio (FSR)
  - Proposed height exceeds LEP standard (16m) – relies on LEP bonus for access (14m) and clause 4.6 variation.
  - Proposed FSR exceeds LEP standard (1.2:1) – relies on LEP bonus for access (0.3:1), Housing SEPP bonus (0.5:1) and clause 4.6 variation.
  - Use of bonuses and cl 4.6 need to be justified.
- Bulk
  - Proposal has reduced the number of buildings approved under the masterplan DA from 12 building to 9 buildings. This results in buildings with larger footprints, less permeability and through site links, landscaping and internal access. Combined with the exceedance in height and FSR, the bulk of the development needs to be addressed.
- Solar access
  - Proposal does not meet the requirement for solar access under either the Housing SEPP (3 hours with 70% access) or the Apartment Design Guide (ADG) (2 hours).
- Cross ventilation
  - Several buildings (5/9) do not meet the cross-ventilation requirements under ADG.
- Car parking and access
  - Clarify parking provision and calculation method and justification i.e. should parking be based on Housing SEPP or TNSW generation rates or DCP and applied to both affordable units and other units or pro-rated.
  - Only one street is proposed - clarify access to buildings i.e. only through basements for some buildings.
- Masterplan
  - Given the size of the development and the number of unresolved issues, consider whether a masterplan DA is necessary.

## **REFERRALS REQUIRED**

### Internal

- Traffic
- Engineering

### External

- Transport for NSW

- NSW Police
- Water NSW

#### **KEY ISSUES IN RELATION TO PUBLIC EXHIBITION**

57 submissions were received during public exhibition and 15 post exhibition. Concerns were:

- Parking
- Overdevelopment
- Out of character (development)