

DATE OF DETERMINATION	30 April 2018
PANEL MEMBERS	Pam Allan (Chair), Alison McCabe, Renata Brooks
APOLOGIES	None
DECLARATIONS OF INTEREST	Micheal Forsyth (General Manager) and Mark Honey (Mayor) are both conflicted as it is a Council owned development

Public meeting held at The Pavilion, 2 Bong Bong St, Kiama in the Norfolk Room on 30 April 2018, opened at 12.00 pm and closed at 3.20 pm.

MATTER DEFERRED

2016STH035 – Kiama - 10.2016.304.1

100 Terralong Street Kiama, 3 Akuna Street Kiama, 55 Shoalhaven Street Kiama, 61 Shoalhaven Street Kiama.

Akuna Street Development

Mixed use development containing 100 units, supermarket, smaller retail/commercial premises and carparking.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.




The Panel resolve to defer the development application as described in Schedule 1 of the *Environmental Planning and Assessment Act 1979*, until the following information has been provided and assessed:

1. Amended plans are to be submitted which:
 - (i) Delete level 4 from building D and E and replace with communal open space to achieve height compliance on this building and closer compliance to the overall communal open space requirements.
 - (ii) Provide a differentiated building articulation and materiality to building D and E.
 - (iii) Review pedestrian access between Terralong Street and Akuna Street to provide more legible and direct access.
 - (iv) Review pedestrian access for Shoalhaven Street shops basement car parking spaces.
 - (v) Provide details of hours of operation, availability of access for car parking.
 - (vi) Identify locations for canopy planting in the communal open space areas and update the landscape plan to reflect any changes.
2. The amended plans be reviewed by Council's external architect and urban design consultants in respect to appropriateness of:
 - Architectural language
 - SEPP 65
 - Urban design outcome

3. A supplementary report is to be prepared which:
- addresses the matters in points 1 and 2 above;
 - includes a consolidated traffic assessment that responds to concerns raised by the community; and
 - includes any relevant changes to conditions.
4. The Panel also noted general concern expressed in written and verbal submissions about traffic and parking access and recommended that the Council undertakes a strategic consideration of traffic management and parking access across the CBD in the future.

REASONS FOR DEFERRAL

The matter is being deferred to allow for the proposed development's plans to be amended, to ensure an appropriate urban design and architectural outcome for the Kiama Town Centre.

PANEL MEMBERS	
 Pam Allan (Chair)	 Alison McCabe
 Renata Brooks	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016STH035 – Kiama - 10.2016.304.1
2	PROPOSED DEVELOPMENT	Akuna Street Development Mixed use development containing 100 units, supermarket, smaller retail/commercial premises and carparking.
3	STREET ADDRESS	100 Terralong Street Kiama, 3 Akuna Street Kiama, 55 Shoalhaven Street Kiama, 61 Shoalhaven Street Kiama.
4	APPLICANT/OWNER	ADM Architects / Kiama Municipal Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 64 – advertising Signage State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy No 71 – Coastal Protection State Environmental Planning Policy (State and Regional Development 2011 (Building and Sustainability Index – BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (Coastal Management 2018) Kiama Local Environment Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Kiama Development Control Plan 2012 Planning agreements: Nil Provisions of the Environmental Planning and Assessment Regulation 2000: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Supplementary Council assessment report: 13 April 2017 Addendum Assessment Report (dated 6 December 2017) and attachments, including revised architectural plans. Written submissions during public exhibition: Public exhibition of revised development application (19th February to 5th March 2018). This period was extended until the 9th March 2018 following problems with Council's "DA Tracker" on its website. A total of seventy-seven (77) submissions have been made all objecting to the revised proposal. Council assessment report: 24 November 2017 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Chris Lovatt and Waleed Wehbe. Object – Peter O'Neill, Ron Parkinson, Janelle Fowler, Becky Guggisberg, Neil Reilly, Madelaine Scarfe, Heather O'Neill, Karen Renkema-Lang, Peter Stuckey, Phillip Lambert, Scott Smith and Betty Makin.

		<ul style="list-style-type: none"> ○ On behalf of the applicant – Nicolas Daoud, Nicolas El-Khoury, Angelo Di Martino and Elaine Treglown.
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Public meeting (deferred) 11 December 2017 • Briefing meeting 11 December 2017 • Site inspection and briefing meeting 15 March 2017 • Final briefing meeting to discuss council's recommendation, 30 April 2018. Attendees: <ul style="list-style-type: none"> ○ Panel members: Pam Allan (Chair), Alison McCabe, Renata Brooks ○ Council assessment staff: Linda Davis, Brendan Leo ○ Consultant Planner: Stuart Dixon of Cowman Stoddart
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report