

**BRIEFING DETAILS**

<b>BRIEFING DATE / TIME</b>	Tuesday, 14 January 2025
<b>LOCATION</b>	MS Teams Videoconference

**BRIEFING MATTERS**

PPSHCC -336 – Port Stephens – DA 16 – 2024 – 587 – 1 – 1 38 Stockton Street, Nelson Bay 2315 – Residential Flat Building

**PANEL MEMBERS**

<b>IN ATTENDANCE</b>	Alison McCabe, Roberta Ryan, Tony McNamara, Leah Anderson, Giacomo Arnott
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

**OTHER ATTENDEES**

<b>APPLICANT REPRESENTATIVES</b>	Erin Daniel, Brooke Holdsworth, Jared Buncombe
<b>COUNCIL ASSESSMENT STAFF:</b>	Courtney Sargent, Emily Allen
<b>DEPARTMENT STAFF</b>	Leanne Harris, Holly McCann

**COUNCIL BRIEFING**

- Proposal is for a RFB - 10 storey, 50 apartments with ground floor commercial premises and 81 car parking spaces.
- Overview of the site and surrounding context.
- Flood prone, coastal use area.
- Complies with the FSR and height controls.
- Currently on public notification with 5 submissions to date all in support.
- Council have already issued an RFI.
- Water NSW have requested further geotechnical information in relation to the proposed dewatering.
- Council's UDP have reviewed the proposal now twice. Some design changes were made initially however the UDP have some remaining concerns with the bulk and scale (materials and finishes).
- Council's key issues and raised in the RFI include:
  - The requirement under the LEP for an active street frontage to Stockton Street. A residential unit is proposed on the ground floor and Council has requested further information and is in discussion with the applicant regarding the possible conversion of this to a communal open space area.
  - Car parking. The proposal is generally compliant with the DCP except for stacked car parking which is proposed for the commercial units.

- The communal open space does not comply with ADG requirements
- Flooding has not yet been addressed and is needed for the assessment

#### **APPLICANT BRIEFING**

- Overview of site and constraints.
- Explanation of the proposed development.
- Explanation of specialist reports and investigations including vegetation removal, landscaping, traffic and parking, building height and FSR compliant.
- Issues for further consideration and discussion with Council include:
  - Communal open space.
  - Active street frontage.
  - UDP comments.

#### **PANEL COMMENTS**

- The Panel encourages the removal of the ground floor residential unit and use of this area as communal open space. It is noted that either ground floor residential or ground floor communal open space will require a clause 4.6 application as the active street frontage clause is a development standard.
- The Panel considers residential spaces at the ground floor generally have difficulties in terms of privacy, access etc.
- The Panel will want to understand what any ground floor communal open space might look like and be used for.
- Servicing and waste arrangements are a key consideration and ideally Council should have a clear policy position and consistently apply this. Council and the applicant should work through this together.
- The location of the electricity substation and EV charging points needs to be shown on the plans.
- The Panel need to understand the flooding constraints and note that further information is currently being prepared in relation to flooding and stormwater management.
- The Panel questioned the street setbacks arrangements and the UDP comments regarding bulk at the corner.
- The contamination assessment needs sufficient detail and information to make the appropriate conclusions required under the SEPP. Any information relied on from previous studies should be submitted with the DA.

The Panel expect the applicant to keep liaising with Council and be responsive to any RFIs. The Panel encourage Council to complete their assessment and schedule the DA for determination.