

DATE OF DEFERRAL	31 October 2023
DATE OF PANEL MEETING	23 October 2023
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Pat Miller
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 13 October 2023.

MATTER DEFERRED

PPSNTH-172 – Tweed – DA22/0408 at 6 Grand Parade Casuarina – 79 residential units comprising of 3 x 4 storey residential flat buildings and 1 x 2 storey building with a common basement (as described in Schedule 1).

REASONS FOR DEFERRAL

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

The Panel agreed to defer the determination of the matter until February 2024. The matter was deferred to allow for the provision and assessment of additional information and design refinement to address key issues identified in Council's assessment report and recommended reasons for refusal.

The Panel determined the key issues warranting further attention and information are: façade design, proposed treatment of blank walls, deep soil zones, and natural light and ventilation to all habitable areas.

The Panel is satisfied that a number of issues can be addressed by conditions. These include visual and acoustic privacy, Essential Energy requirements, bicycle parking, bulky waste management, EV charging and street tree planting.

The decision to defer the matter was unanimous.

ACTIONS


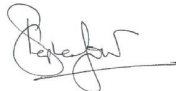
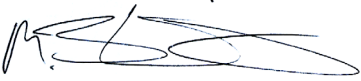
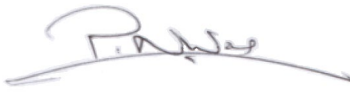

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide the following information and upload all documentation to the Planning Portal by 31 December 2023.
 - a. Amended façade design to reduce the impact of bulk and scale of the proposed buildings to that more complementary to the adjacent PAMA Development including balance of base, middle and top of building.
 - b. Further example renders of proposed detailing and treatment of blank walls and external fixed screening where these have been introduced to achieve building separation requirements of the ADG, to provide visual interest and address amenity.
 - c. Review of provision of natural light and ventilation to all habitable areas that have no openings to external walls in accordance with Part 4A 1-2 and Part 4B 1-3 of the ADG, especially in rooms such as the 03G unit media areas on the upper floor in Building D,

where external lighting has to be borrowed from other rooms separated by doors.

- d. Further review of proposed deep soil planting zones having regard to Objective 3E-1 of the ADG for sites over 1,500m², namely minimum of 6m dimension across 7% of the site and clear of overhang that might prevent landscape opportunities for large trees, such as Building D roof line.
2. Noting the application lodged on 07 July 2022 is likely to be amended, a formal written request to amend the application is required to be uploaded to Planning Portal by the Applicant by 31 December 2023 outlining:
 - a. Particulars sufficient to indicate the nature of the change of the development, as required under section 37 of the Environmental Planning and Assessment Regulation 2021
 - b. updated technical reports relied on in the amended application.
3. Council is requested to provide an addendum assessment report responding to the matters above and draft conditions, which are to be uploaded to the Planning Portal by 28 February 2024 **or** within 8 weeks of the upload of the Applicant's required information to the Planning Portal.
4. When the updated assessment report is received the Panel undertake a final briefing in March 2024 and determine the application by way of electronic determination.

If the outstanding information is not provided by 31 December 2023 the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 Ned Wales
 Pat Miller	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-172 – Tweed – DA22/0408
2	PROPOSED DEVELOPMENT	Construction of residential flat buildings comprising 79 residential apartments comprising of 3 x 4 storey buildings and 1 x 2 storey building with a common basement
3	STREET ADDRESS	Lot 46 DP 1264557 6 Grand Parade Casuarina
4	APPLICANT/OWNER	Jessica Robson – Town Planning Alliance (NSW) PTY LTD Azure Project 35 Pty Ltd
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 (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity & Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Tweed Local Environmental Plan 2014 Draft environmental planning instruments: Draft Remediation of Land SEPP Development control plans: <ul style="list-style-type: none"> Tweed Development Control Plan 2008 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 10 October 2023 Written submissions during public exhibition: seven (7) <p>Total number of unique submissions received by way of objection: seven (7)</p>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 15 March 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Pat Miller <u>Council assessment staff</u>: Judith Evans and Colleen Forbes <u>Department staff</u>: Carolyn Hunt and Kim Johnston Site inspection: 12 September 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Pat Miller <u>Council assessment staff</u>: Kim Johnston – Independent Planning Consultant

		<ul style="list-style-type: none"> • Applicant Briefing: 23 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Pat Miller ○ <u>Applicant representatives</u>: Jessica Robson, Trent Kiernan, Paul Plasto, Clinton Amble, Vu Nguyen, John Flynn, Eleas Nicholaou, Chris Schroor ○ <u>Council assessment staff</u>: Valerie Conway and Jonathon Lynch ○ <u>Independent Consultant Planner</u>: Kim Johnston ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis • Final briefing to discuss council's recommendation: 23 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Pat Miller ○ <u>Council assessment staff</u>: Valerie Conway and Jonathon Lynch ○ <u>Independent Consultant Planner</u>: Kim Johnston ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not Applicable