

BRIEFING DETAILS

BRIEFING DATE / TIME	Wednesday, 15 March 2023, 9.00am and 9.47am
LOCATION	MS Teams videoconference

BRIEFING MATTER

PPSNTH-179 – Byron – 10.2022.371.1 - 29 Shirley St and 2-4 Milton St, Byron Bay - Residential Flat Building at the corner of Shirley Street and Milton Street in Byron Bay comprising of Twenty Six (26) Dwellings in Three (3) individual Three (3) Storey Buildings with Basement Car Parking and Tree Removal Fourteen (14) Trees

PANEL MEMBERS

IN ATTENDANCE	Dianne Leeson (Chair), Michael Wright, Stephen Gow, Joe Vescio and Simon Richardson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Steven Denize and Chris Larkin
DEPARTMENT STAFF	Carolyn Hunt

KEY ISSUES DISCUSSED

- Proposal identified as a residential development, demolition of existing structures , construction of 3 individual 3-storey buildings each containing 26 x 3 bedroom dwellings, basement parking and associated facilities
- Site is zoned part R3 Medium Density and part Deferred Matter (7(f2))
- Byron LEP Non-compliances:
 - o Building Height – non compliances with 9m control (LEP 2014)
 - o Floor Level Height – 3 floors proposed with level 3 floor height of 6m against requirement of 4.5m (LEP 1988)
 - o Floor Space Ratio
- Cl.4.6 Variation request - inadequate justification provided for height and FSR exceedances
- Coastal erosion hazard and proximity to the escarpment – DCP requirement of design for relocation, time limited consent and appropriate built form response; permanent construction proposed
- Proposal request to not include S88E Restriction in regard to the coastal erosion hazard DCP requirements
- Masterplan for Shirley Street area not confirmed
- Consistency with other existing developments to be considered, noting other developments have restrictions on removal post coastal erosion events

- Requests for Information sent (September and December 2022) with due date of 25/03/23 – including landscape and visual assessment
- SEPP 65 assessment – to be undertaken
- Car parking – oversupply identified with potential impact on the extent of evacuation and increase in the scale of the project
- Moreton Bay fig tree retention – consideration to be given to impact on construction
- Submissions – total of 13 (with 12 being in support)
- Stormwater – no legal point of discharge established yet, noting outstanding comments from TfNSW
- Water quality and quantity to be addressed
- Traffic and Parking – intersection works identified and impact on parking and bus stop

TENTATIVE DETERMINATION DATE SCHEDULED FOR: May/June 2023