

Record of Preliminary Briefing Northern Regional Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSNTH-268 – Kempsey– DA2300926 – Phillip Drive, South West Rocks
APPLICANT OWNER	Daniel Pszczonka Rise South West Rocks Pty Ltd
APPLICATION TYPE	Development application
REGIONALLY SIGNIFICANT CRITERIA	Capital Investment Value > \$30M
KEY SEPP/LEP	State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development) State Environmental Planning Policy (Industry and Employment) 2021 Kempsey Local Environmental Plan 2013
CIV	\$127,832,372.00 (excluding GST)
BRIEFING DATE	13 December 2023

ATTENDEES

APPLICANT	Daniel Pszczonka, Liam Porritt, Sally Prowd, Chris Wilson, Nathan Casamento and Antonio Siles
PANEL	Dianne Leeson (Chair), Stephen Gow, Michael Wright and Rhonda Hoban
APOLOGIES	Daniel Walsh
COUNCIL OFFICER(S)	Melissa Ziade, Retha du Preez, Michael Jackson and Craig Milburn
CASE MANAGER	Carolyn Hunt
DEPARTMENT STAFF	Louisa Agyare and Lisa Ellis

- Introduction
 - 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 Northern Regional Planning Panel and therefore future comment will not be limited to the detail contained within.
- Applicant introduction of proposal
 - Concept proposal for building heights and building footprint – detailed DA for each stage/ building to follow
 - Location and surrounding development
 - Small portion of mapped coastal wetland located on the site; no works proposed in that area
 - Staged development (identified as Stages 2 and 3) and noting existing approval for “Stage 1” under separate consent (August 2023)
 - Proposed public beach access, walkways and facilities to be undertaken by applicant
 - Design to incorporate height more than greater site coverage
 - Building footprint – 19% of total site area
 - Deep soil – minimum 20% of site area
 - Landscaped area – potential for 50% of site area
 - Site history outlined, including LEC approval for 4-5 storeys (1993)
 - Council’s planning proposal to introduce height limitation
 - Visual impact study recommendations incorporated into the final design
 - Diversity of housing proposed, including commercial area (maximum area of 3000m²)
 - Specialist reports and investigations outlined
 - Community consultation
- Council summary
 - Exhibition noted and submissions received
 - Pre-lodgement meeting held, with Council requesting additional view perspectives
 - South West Rocks Structure Plan recently adopted by Council – advised to applicant at pre-lodgement meeting
 - Site has no height restrictions or FSR, with South West Rocks Structure Plan introducing 8.5m height limitation
 - “Stage 1” approval - deferred commencement condition requiring surrender of 1993 approval
 - Planning Proposal with Department Planning and Environment on exhibition until 15/12/23
 - Council to engage external planners to undertake the assessment

KEY ISSUES FOR CONSIDERATION

- Coastal wetland mapped area and legislative requirements
- Economic assessment to consider existing retail hierarchy
- Mosquito management
- Acid sulfate soils
- Existing site approvals and draft planning proposal
- Visual impact
- Contamination

REFERRAL REQUIRED

- Internal and external referrals – no concurrences/comments received

KEY ISSUES IN RELATION TO DA PUBLIC EXHIBITION

- Exhibition until 20/12/2023
- Submissions received

DA LODGED: 14/11/2023

RFI SUBMISSION DATE - Council is to advise the Planning Panels Secretariat within 7 days for the RFI being issued

TENTATIVE PANEL BRIEFING DATE – tbc with Council

TENTATIVE PANEL DETERMINATION DATE – tbc with Council