

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 20 November 2023, 9:20am
LOCATION	MS Teams videoconference

BRIEFING MATTER

PPSSSH-141 – Sutherland Shire – DA23/0380 – 26 Rosebery Street, Heathcote - Demolition of existing structures and construction of a residential flat building that is subject to a Site Compatibility Certificate issued by the Planning Secretary under clause 39 of Division 5 of the Housing SEPP on 16 June 2022

PANEL MEMBERS

IN ATTENDANCE	Annelise Tuor (Chair), Penelope Holloway, Glennis James, Carol Provan, Luke Murtas
APOLOGIES	None
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Amanda Treharne, Alison Davidson
APPLICANT REPRESENTATIVES	Matthew Daniel, Erica Marshall, Liam Noble, Guy Sturt, Daniel Napper, Frank Stanisic
DEPARTMENT STAFF	Lillian Charlesworth

KEY ISSUES DISCUSSED:

The Panel notes the issues raised in Council's briefing report and the applicant's presentation. The RFI response was issued on 10 October and a response was due on 7 November (extended to 13 November). The final response was completed on 17 November 2023, which did not enable council sufficient time to review the information. Consequently, the discussion and response to the amended plans is limited. Key matters discussed include:

- The applicant provided a detailed briefing to the Panel on the design changes to address matters raised in the RFI, which include:
 - character, scale and street presentation – increased setback of north east corner, level 4 and lift to provide transition to adjoining residential development to the north; introduction of window to dining room at ground level to improve streetscape presentation and surveillance.
 - communal open space – changes to open space at ground level and introduction of mitigation measures for the roof top open space; landscape species selected from

Sydney Turpentine Ironbark Forest Ecological Community listing; further information on canopy and impact on trees to be retained (incorporation of the trees in the north west corner into communal open space should be investigated).

- ADG compliance – further information provided, including solar access, cross ventilation.
- waste – waste issues have been resolved between council and the applicant.
- The applicant explained that:
 - further setback to the rear was not necessary to address zone interface given the extent of setback and the relative scale of development proposed at the rear of the site and existing development on the adjoining R3 zoned land.
 - The rooftop plant will not impact on the streetscape due to its screening and setback. This may need to be further demonstrated.
- The applicant raised concerns about comments in the RFI in relation to the assessment of cl 4.6. In particular, the applicant's position is that affordable housing is an environmental planning ground that should be considered as part of the assessment of the clause 4.6 application. The applicant has obtained legal advice in this regard.
- The applicant sought clarification on matters, including level of information required to demonstrate fire engineered solutions, which council will address.

Next steps:

- Council will advise the applicant of agency comments and if any further information is required.
- The revised plans are being re-referred, where required.
- The proposal will be reviewed by council's architect, who will advise the Panel whether the revised plans should be reconsidered by the Design Review Panel that meets again in mid-February.
- Revised plans need to be re-notified. This will commence in the next few days and be completed prior to Christmas.
- Any further changes required in response to additional submissions or Council's assessment should be conditioned or dealt with through minor revision of drawings. No further changes that would constitute an amended application, would require re-referral or delay the assessment timeframe should be submitted.

TENTATIVE DETERMINATION DATE SCHEDULED FOR: Mid-March 2024

Planning Panels Secretariat

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