

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 22 November 2022, 2:00pm – 2:40pm
LOCATION	MS Teams

BRIEFING MATTER(S)

PPSSTH-173 – Bega – DA2021.333 - 63 Ocean Drive and 460 Arthur Kane Drive Merimbula 2548 – 27 townhouses with attached garages and 32 apartments with basement garages.

PANEL MEMBERS

IN ATTENDANCE	Chris Wilson (Acting Chair), Tim Fletcher, Barbara Crossley
APOLOGIES	None
DECLARATIONS OF INTEREST	Russell Fitzpatrick, Mitchell Nadin

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Mark Fowler, Cecily Hancock
OTHER	Amanda Moylan (DPE)

KEY ISSUES DISCUSSED

- Council provided an outline of the progress of the development application and a summary of the key changes to the amended application including the re-orientation of units to the rear and revised access arrangements via the cul-de-sac.
- Public consultation process, noting the application has been notified twice with significant public interest in the development application and > 10 unique submissions received, the majority by way of objection. The Council flagged the potential for renotification dependent on the outcome of further information regarding Aboriginal Cultural Heritage.
- Council confirmed the DA is being assessed as a residential development.
- Proposed use of adjacent Council Land (Operational) for the purpose of a Bushfire Asset Protection Zone (APZ).
- Council advised it is seeking further clarification from the applicant regarding the creation of an easement over adjacent Crown/Council managed land where APZs are proposed.
- Native title considerations having regard to easements proposed over the adjacent Council managed Crown Land to the east of the site.
- Coastal erosion and flooding impacts
- Traffic management and car parking including issues relating to vehicular access via ocean drive and limited on street parking
- Internal referrals.

Planning Panels Secretariat

- Integrated development referrals including Aboriginal Archaeological Heritage, noting NSW Heritage have requested test excavations over the site which is anticipated to be provided within 4 weeks. The Panel noted the application will require further referral to NSW Heritage once the test excavation results are received.
- Height and FSR variation. Relative high density was noted, appears to be overdevelopment, although the Council's desire to promote greater density in the area was highlighted. A background to the removal of the density clause in the BVLEP since the lodgement of the DA was provided.
- Loss of views towards Merimbula Lake from the public domain
- BDAR assessment.
- Council flagged the potential need for a redesign to address:
 - Adequacy of private and community open space
 - Need to accommodate APZ setbacks if cannot be achieved on crown reserve
- The Panel raised concerns with the density, bulk and scale of the development and encouraged Council to work closely with the applicant to address these issues.

Next Steps

- The Panel requested a status update briefing from Council and the applicant once referrals have been received from external agencies.
- The Panel noted a Public Determination Meeting will be required due to >10 submissions by way of objection being received.

TENTATIVE DETERMINATION DATE TBA