

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 1 August 2023, 10am – 1:15pm Site inspection undertaken after briefing Tuesday, 8 August 2023, 9.30-10am – Applicant briefing via MS Teams
LOCATION	Council Briefing and site inspection on 1/8/23: The Pavilion, Kiama and on-site at Dido Street, Kiama Applicant Briefing on 8/8/23: MS Teams

BRIEFING MATTER(S)

PPSSTH-269 – Kiama – DA10.2023.59.1 – Dido St, Kiama 2533 NSW – Dido Street Kiama Development

PANEL MEMBERS

IN ATTENDANCE	Council Briefing & Site Visit 1/8/23 and Applicant Briefing 8/8/23: Chris Wilson (Chair), Susan Budd, Natasha Harras
APOLOGIES	None
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Council Briefing & Site Visit 1/8/23: Ben Rourke (Council Consultant Assessment Planner), Joel Harris (Council Engineer), Jessica Rippon (Director Environmental Services)
APPLICANT REPRESENTATIVES	Applicant Briefing 8/8/23: Rick Wang & Eric Chan (PSEC Project Services), Tom Goode & Ben Porges (Ethos Urban)
OTHER	Council Briefing & Site Visit 1/8/23 & Council Briefing 8/8/23: Amanda Moylan, Tim Mahoney

KEY ISSUES DISCUSSED

Council Briefing

The Council provided a briefing to the Panel which outlined the rezoning and development history for the site. The following matters were discussed:

- Lack of flood free/flood reliable access.
- Previous application which was rejected at lodgement in 2022.
- Draft VPA dealing with design brief for bridge not been supported by Council
- Council is anticipating grant funding to undertake a flood study.

- Further design detail may be required for any works, including retention works required between the creek and the road reserve.
- Concurrence and referrals:
 - BFSA is required from RFS. PBP requires perimeter road and the whole site managed as an IPA.
 - ACH due diligence is currently being undertaken – submitted documentation is not sufficient.
 - EECs are not proposed to be retained.
 - Awaiting NRAR referral response in relation to riparian corridor that runs through the site.
 - Fisheries – Category 1 stream feeding into lagoon and critical value as fish habitat.
- 2 RFIs have been issued. A 3rd RFI to be sent. Outstanding information from previous RFI's remain to be addressed.

Applicant Briefing

The applicant provided an overview of the site, history, and proposed development and discussed the following matters:

- Acknowledged the receipt of two RFI's which are being worked through with Council.
- Future anticipated built form to be semi-detached and individual dwellings
- Flooding to remain within the watercourse banks with minimal risk from flooding to individuals or property.
- Proposed bridges on site will allow for the safe passage over the riparian corridor and is located above the 1% AEP.
- Bushfire consultant has provided a range of construction recommendations to mitigate bushfire risk to the new homes.
- No significant issues in terms of flora and fauna.
- The site is unlikely to contain Aboriginal Heritage Items and suitable conditions can be imposed to manage unexpected finds.
- Ongoing discussion being undertaken with Council Engineers regarding driveway layouts and drain modelling.
- The applicant is of the view that the flooding, stormwater, swept paths and VPA issues outlined by Council can be addressed without resulting in significant amendments to the proposal as submitted.
- Geotechnical report provided in support of the proposal.
- The applicant advised:
 - all APZ are proposed to be located within the subject land and not on adjoining land.
 - investigations are ongoing regarding safe egress.
 - rainwater gardens to be removed.

The Panel noted the early stage of the application and encouraged the applicants to resolve the issues previously raised in Councils RFI and provided the following comments:

- Concerns in relation to flood free access, design in terms of lot yield and lot sizes on steeper parts of the site, pedestrian safety, visitor parking, road widths, conformity to LEP and road controls and design (particularly in relation to waste vehicle movements within the proposed private road system).
- Visual impact assessment required to be provided.
- Geotechnical concerns with the site given its difficult topography and the ability for dwellings to be constructed and the associated retaining walls.
- Further geotechnical information/investigations required to substantiate suitability of the proposed works, noting the significant slopes on the site and evidence of land subsidence.
- Landowner's consent and details regarding the management of land outside of the subject site are required if APZ to be provided off site.
- Clarification in relation to the proposed bridges needed to support the development (new internal bridge and upgrading existing Dido Street bridge).
- Community title arrangements and requirements of the community management plan.

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- Use of rainwater gardens noting that the applicant has agreed to find an alternative.
- Amount of visitor parking provided.

The panel advised the applicant that it has preliminary concerns about intensifying development where there is no clear/safe flood egress and indicated that issues relating to site constraints, including flooding and geotechnical suitability, needed to be carefully considered, managed and addressed.

Next Steps

The Panel requested Council assessment staff provide a status update briefing scheduled for Tuesday, 17 October 2023, 1.30pm – 3pm.

THE PANEL IS WORKING TOWARDS A DETERMINATION IN FEBRUARY 2024

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