

#### BRIEFING DETAILS

<b>BRIEFING DATE / TIME</b>	Tuesday, 21 November 2023, 11am – 12:30pm
<b>LOCATION</b>	MS Teams

#### BRIEFING MATTER(S)

PPSSTH-269 – Kiama – DA10.2023.59.1 – Dido St, Kiama 2533 – Lot 2 DP 805229 Dido Street Kiama Development - Demolition of existing development and subdivision of land for the creation of 67 residential lots and 1 community lot. 60 semi-detached dwellings and 7 detached dwellings are proposed to be constructed within the residential lots.

#### PANEL MEMBERS

<b>IN ATTENDANCE</b>	Chris Wilson (Chair), Susan Budd, Natasha Harras
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

#### OTHER ATTENDEES

<b>COUNCIL ASSESSMENT STAFF</b>	Ben Rourke (Council Consultant Assessment Planner), Joel Harris (Council Engineer), Jessica Rippon (Director Environmental Services), Cheryl Lappin (Manager Planning)
<b>OTHER</b>	Amanda Moylan & Tim Mahoney (DPE)

#### KEY ISSUES DISCUSSED

Council's consultant assessment planner provided the Panel with an update of the status of the application and its assessment. The following matters were discussed:

- Status of request for further information (RFI).
- Further engineering advice had been provided. There is still outstanding information regarding water quality and flooding.
- Offer of VPA to carry out a study for the design of the bridge (construction not included).
- Flood free access, frequency of events and evacuation constraints relating to single access, noting Jamberoo Road is also subject to flooding in specified storm events.
- Key critical issues relating to the bridge design and construction and flood free access remain unresolved.
- An RFI was issued for an appropriate ecological assessment. The applicant is required to respond by late November 2023.
- Confirmation that there were no major changes to the overall design and layout in amended information package provided to Council.
- Part of the proposed that APZ is located on Council land. The Panel sought confirmation that NSW RFS GTAs had envisaged APZs on Council land.

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- Council indicated that it is unlikely to support an APZ on its land and is therefore unlikely to grant landowner's consent.
- Road gradients required in NSW RFS GTAs. Evidence has not been provided to demonstrate that the maximum gradients for road construction set out in GTAs can be achieved.
- Lack of mitigation of risks associated with the gradient of the site. Insufficient information regarding geotechnical requirements, lack of test excavations on the steepest areas of the site, lack of consideration of requirements and impacts of the proposed retaining walls, and impacts associated with small lot sizes.
- GTAs from DPE Water have not been issued.
- Public exhibition is yet to commence (28 days). Delays in public exhibition due to lack of certainty around outstanding areas of concern.
- Confirmation that the VPA offer should be included as part of the notification process.

The Panel acknowledged Council's intention to commence public exhibition of the application. The Panel reiterated its view that flood free access is imperative for the proposed development, and that the provision of APZs outside of the development site had not been resolved. The Panel noted that there are several threshold issues with the proposal that have not been adequately addressed.

The Panel acknowledged that the negotiation process for the completion of the bridge design and construction needs to occur outside of the development assessment process.

The Panel requested Council upload an assessment report to the ePlanning portal by 6<sup>th</sup> February 2024 and the application be scheduled for determination on 20<sup>th</sup> February 2024.

**TENTATIVE DETERMINATION DATE SCHEDULED FOR 20<sup>th</sup> FEBRUARY 2024**