

#### SITE INSPECTION & BRIEFING DETAILS

<b>BRIEFING DATE / TIME</b>	Wednesday, 29 May 2024, 10:15am – 11:45am
<b>SITE INSPECTION DATE</b>	Tuesday, 21 May 2024, 10:30am – 11:30am
<b>LOCATION</b>	<b>Briefing:</b> MS Teams <b>Site Visit:</b> on-site at 61 Shoalhaven Street KIAMA 2533

#### BRIEFING MATTER(S)

PPSSTH-337 – KIAMA – 10.2023.220.1 - 61 Shoalhaven Street KIAMA 2533 - Mixed use development - Retention of heritage item, demolition of other structures and construction of a mixed use development comprising 344 basement car parking spaces; 24 retail premises including 2 supermarkets; and 82 shop top housing units.

#### PANEL MEMBERS

<b>IN ATTENDANCE</b>	<b>Site Visit:</b> Chris Wilson (Chair), Juliet Grant , Grant Christmas, <b>Briefing:</b> Juliet Grant (A/Chair), Grant Christmas, Helen Lochhead
<b>APOLOGIES</b>	<b>Site Visit:</b> Helen Lochhead
<b>DECLARATIONS OF INTEREST</b>	<i>Council interest</i> Chris Wilson (SRPP Chair) declared a conflict of interest as he is currently engaged on an unrelated project by an adjoining landowner who has objected to this application.

#### OTHER ATTENDEES

<b>COUNCIL ASSESSMENT STAFF</b>	<b>Briefing:</b> Jessica Rippon, Kim Johnston (Council Consultant Assessment Planner) <b>Site Visit:</b> Jessica Rippon, Cheryl Lappin
<b>APPLICANT REPRESENTATIVES</b>	<b>Briefing:</b> Susan Edwards (SET Consultants),, Hector Valderrama (PDB Architects), Charbel and Claudine (Applicant)
<b>DPHI</b>	<b>Briefing:</b> Amanda Moylan, Tracey Gillett

#### KEY ISSUES DISCUSSED

Council's Consultant Assessment Planner provided the Panel with a preliminary briefing. The following matters were discussed:

- The nature of the Council's interest in the development site, and hence appointment of an external planning consultant to undertake the assessment.
- Site context and locality including the existing site conditions and the relationship between the development and the Council owned laneway and heritage item.
- Significance of the site to the Kiama commercial core.

- Pre DA process and ongoing discussions with the applicant, noting a formal request for information has not yet been issued to the applicant.
- Planning history including background to changes to height controls in the LEP and DCP and associated community expectations.

Public consultation - 54 submissions were received (6 in support) during the exhibition period with the main issues relating to view loss and compliance with LEP and DCP.

- Query regarding permissibility (shop top housing)
- Clause 4.6 request (building height) – analysis of building height exceedance based on redistribution of lost floor space from heritage item is not sufficient.
- Landscaping issues - location of deep soil, tree retention and removal of 37 trees.
- Lack of clarity around public space, pedestrian access and throughway access; absence of a Plan of Management and plan of strata subdivision.
- Concurrence and referrals - Integrated for dewatering; internal referrals completed, with various issues raised. Heritage comments remain outstanding.

The applicant provided an overview of the proposal to the Panel and the following matters were discussed:

- Functioning of lane way and ongoing access to retail spaces, including the proposed removal of vehicular access along the full length of laneway (beyond underground car park entrance) and extension of covered area into laneway.
- Proposed removal of second supermarket, with remainder of floor space currently identified as supermarket to be converted to retail.
- Location of service access, noting service access is not available along rear of properties due to site topography.
- Confirmation that a DSI is currently being completed to address contamination issues.
- Clause 4.6 request – further justification currently being developed with enhanced plans to clearly depict location and extent of height departures over the site.
- Management of open space and ability to ensure ongoing public access to open space within the site.
- Clarification that heritage building is proposed to be for commercial use.
- Clarification on which works within public areas are to be delivered and managed as part of development - Strata subdivision and Plan of Management for Open Space and Laneway.
- Need for social and economic impact assessment in relation to town centre to be amended in line with change of use for part of the site from supermarket to retail.
- Clarification of shop top housing arrangement.

The Panel noted the following key issues to be addressed:

- Permissibility and the need to clearly demonstrate consistency with the definition of Shop top housing.
- Justification (under cl 4.6) for non-compliance of statutory building height.
- Bulk and scale of proposal, particularly justification for departures from ADG and DCP
- Impacts on view loss of neighbours.
- Design intent and legibility regarding public access and Laneway design, including clear delineation of public ROWs.
- Loss of trees, deep soil and reality of open space.
- Social/economic impact of proposal on core commercial.

#### **Time frames and next steps**

- The Applicant indicated updated architectural package and revised consultant reports likely to be uploaded to the Portal within 4-6 weeks (end June 2024).
- The Panel requested a further update briefing from the independent Council assessment planner and the Applicant once the further information is received and any required public consultation is completed.

#### **Planning Panels Secretariat**

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | [www.planningportal.nsw.gov.au/planningpanels](http://www.planningportal.nsw.gov.au/planningpanels)