

MINUTES OF THE SYDNEY EAST REGION JOINT REGIONAL PLANNING PANEL MEETING HELD AT LANE COVE COUNCIL ON THURSDAY, 13 OCTOBER 2011 AT 5.00PM

PRESENT:

John Roseth	Chair
David Furlong	Panel Member
Sue Francis	Panel Member
Win Gaffney	Panel Member
Pam Palmer	Panel Member

IN ATTENDANCE

May Li	Assessment Officer, Lane Cove Council
Rajiv Shankar	Acting Manager, Assessments, Lane Cove Council
Susan Butler	Manager, Open Space, Lane Cove Council
Kerry Heatley	Assistant Manager, Open Space, Lane Cove Council
Peter Maish	Senior Tree Assessment Officer, Lane Cove Council

APOLOGY: NIL

1. The meeting commenced at 5.08pm.

2. Declarations of Interest -

Nil

Note: Michael Mason did not sit on the panel due to a perceived conflict of interest as a result of his role as Executive manager of the Environment Services Division.

3. Business Items

ITEM 1 - 2011SYE061 Lane Cove DA79/11 - Demolition of 4 Dwelling Houses & Construction of a Residential Flat Building comprising 48 dwellings and associated basement parking ; 76-82 Gordon Crescent, Lane Cove North NSW 2066

4. Public Submission -

Frances Vissel, on behalf of the Stringybark Creek residents	Addressed the panel against the item
Brian McDonald	Addressed the panel against the item
Guy Hallowes	Addressed the panel against the item
Kylie Bryden-Smith	Addressed the panel against the item
Alasdair Stuart	Addressed the panel against the item
Tony Butteriss	Addressed the panel against the item
Teresea Cox	Addressed the panel against the item
Graham Holland	Addressed the panel against the item
Anne Clements	Addressed the panel against the item
Doug Stewart	Addressed the panel against the item
Stephen Abolakian	Addressed the panel on behalf of the applicant

Elizabeth Ashby, Ecologist
Barry Eadie, Bushfire

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5. Business Item Recommendations

ITEM 1 - 2011SYE061 Lane Cove DA79/11 - Demolition of 4 Dwelling Houses & Construction of a Residential Flat Building comprising 48 dwellings and associated basement parking ; 76-82 Gordon Crescent, Lane Cove North NSW 2066

1. The Panel resolves unanimously to grant consent to the application subject to the conditions drafted by the council's planning assessment officer that were provided to the Panel at the meeting, plus conditions suggested by the applicant's and the council's ecological consultants.
2. The Panel notes that the planning assessment report has recommended refusal of the application on the grounds that almost all the trees on the site will be removed. According to the council's Assistant Manager Open Space, 15 of those trees are part of an Endangered Ecological Community, Sydney Turpentine Ironbark Forest. In addition, the trees constitute a wildlife corridor and may serve as habitat for endangered birds and bats such as the Powerful Owl and the Grey-headed Flying Fox. Given the location of the trees on the site, a consequence of accepting the conclusion of the planning assessment report would be that no reasonable redevelopment of the site would be possible.
3. The applicant has provided to the council and the Panel with the professional opinions of its consultants, Ms Liz Ashby, an ecologist, and Mr David Ford, an arborist. Ms Ashby has undertaken a seven-part test, in accordance with s5(a) of the *Environmental Planning and Assessment Act 1979*. This requires the assessment of impact on an Endangered Ecological Community. The seven-part test carried out by Ms Ashby concludes that the removal of the trees will not have a significant and adverse environmental impact.
4. The council has commissioned an ecological consultant, Dr Stephen Ambrose to undertake a peer review of Ms Ashby's ecological assessment, in particular the seven-part test. Dr Ambrose concludes that the proposal would have no significant and adverse impact on the local environment. The Panel accepts Ms Ashby's and Dr Ambrose's assessments.
5. The Panel is aware that the objectors to the application consider that the R4 zoning of the site (and the whole Mowbray Road Precinct) is inappropriate. However, the zoning exists and has been the basis for the investment decisions of several applicants for development in the Precinct. While a review of the zoning is currently under way, even if it results in change, this application, having already been lodged, would be assessed under the current zoning. Delaying a decision until the review is completed would therefore be pointless as well as unlawful.
6. In order to allow objectors to acquaint themselves with the material that informed the Panel's decision, this material has been placed on the Regional Panel's website. While the objectors are unlikely to agree with the decision, this will at least enable them to read the material on the basis of which it was made.
7. The Panel recommends to the Council that it considers the potential loss of Endangered Ecological Communities from proposed development in the Mowbray Road Precinct. If considered appropriate, a Policy and Plan should be prepared that establishes a suitable location and cost for a biodiversity offset in or near the Precinct, that can be levied on future development.

The meeting concluded at 7.45pm.

Endorsed by

John Roseth
Chair, Sydney East
Joint Regional Planning Panel
14 October 2011