

MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT LANE COVE COUNCIL ON WEDNESDAY 26 MARCH 2014 AT 4.00PM

PRESENT:

John Roseth	Chair
David Furlong	Panel Member
Julie Savet Ward	Panel Member
Trevor Bly	Panel Member
Soo-Tee Cheong	Panel Member

IN ATTENDANCE

Rebecka Groth	Lane Cove Council
Rajiv Shanker	Lane Cove Council

APOLOGY: NIL

1. The meeting commenced at 4.00pm

2. Declarations of Interest -

Nil

3. Business Items

***ITEM 1 - 2013SYE105 – Lane Cove - DA13/194 - Stage 1 Concept plan - 2-22
Birdwood Ave & 1-15 Finlayson Street, Lane Cove***

4. Public Submission -

Darren Waters	Addressed the panel against the item
Dan Brindle	Addressed the panel against the item
Nick Turner	Addressed the panel on behalf of the applicant
Paul Walter	Addressed the panel on behalf of the applicant
Melanie Freeland	Addressed the panel on behalf of the applicant
Kevin Driver	Addressed the panel on behalf of the applicant

5. Business Item Recommendations

***ITEM 1 - 2013SYE105 – Lane Cove - DA13/194 - Stage 1 Concept plan - 2-22
Birdwood Ave & 1-15 Finlayson Street, Lane Cove***

1. The majority of the Panel (for: John Roseth, David Furlong, Julie Savet-Ward and Trevor Bly; against: Soo Tee Cheong) resolves that it would approve the amended application submitted on 21 March 2014, subject to a set of suitable conditions.
2. The Panel has considered the planning assessment report and the supplementary report, both of which recommend refusal, mainly on the grounds that the proposal does not comply

with the FSR and height controls. However, the Panel has given major weight to the benefit of the site amalgamation and the consequential opportunities for good site landscaping as well as the simplification of parking and vehicular entry/exit. In the majority Panel's view, the public benefit of this amalgamation is commensurate with the relatively minor non-compliance with the FSR control. As concerns the additional height above 18m, the Panel notes that parts of the proposal are below 18m and that the top storey is well recessed.

3. The Panel wants it to be noted that its acceptance of non-compliance in this case should not be regarded as a precedent for other developments. The value of this amalgamation is that it brings the entire block into redevelopment, ensuring that no isolated pockets of single housing are left.
4. The Panel requests the planning assessment officer to prepare, by 11 April 2014, a set of suitable conditions. Following receipt of these conditions, the Panel will determine the application by communicating by electronic means.
5. Soo Tee Cheong voted against the proposal on the grounds of non-compliance with the height control, which, in his view, had a negative impact on Birdwood Avenue and Rosenthal Street.

6. Business Items

ITEM 2 - 2014SYE005 – Lane Cove - DA 13/205 - Demolition of all existing commercial buildings on site and construction of a 15 storey high residential flat building comprising 123 dwellings - 390-398 Pacific Highway, Lane Cove

7. Public Submission -

Andrew Darroch	Addressed the panel on behalf of the applicant
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8. Business Item Recommendations

ITEM 2 - 2014SYE005 – Lane Cove - DA 13/205 - Demolition of all existing commercial buildings on site and construction of a 15 storey high residential flat building comprising 123 dwellings - 390-398 Pacific Highway, Lane Cove

1. The Panel resolves unanimously to accept the recommendation of the planning assessment report to refuse the application. The principal reason for refusal is the excessive height of the proposal.
2. The Panel accepts that the FSR control of 4:1 currently applying to the site cannot be achieved without a height of over 50m. The Panel also accepts that, while an applicant does not have a legal right to achieve the maximum permissible FSR, in most cases, the FSR control is an indication of the amount of development an applicant may reasonably expect. In this case, however, the consequence of building to the maximum permissible FSR is a building that is grossly out of context with its surroundings.
3. The Panel notes that on the site directly adjoining to the north west, an application with a FSR of 2.5:1 and a height of 25m has received a favourable recommendation (though not yet an approval), which is available on the council's website. The Panel considers that this constitutes a more appropriate scale for the site than the 55m height of the subject proposal.

The meeting concluded at 6.50pm.

Endorsed by

A handwritten signature in blue ink, appearing to read 'John Roseth', is centered below the 'Endorsed by' text.

John Roseth
Chair, Sydney East
Joint Regional Planning Panel
26 March 2014