

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Lane Cove Council on Tuesday, 21 October 2014 at 10:0 am

Panel Members: John Roseth (Chair), David Furlong, Sue Francis and Stephanie Bashford

Apologies: Scott Bennison Declarations of Interest: None

Determination and Statement of Reasons

2014SYE032 - Lane Cove Council - DA14/25 [at 150 Epping Road, Latne Cove] as described in Schedule 1.

Date of determination: 21 October 2014

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. Subject to a new condition requiring that the residential gross floor space does not exceed 33,310 square metres, the proposal is consistent with the approved Concept Plan.
2. Sixty-four percent of the apartments receive at least 3 hours of sunshine. While the Residential Flat Development Code sets a guideline of 70%, the Panel notes that the proportion is much higher than it was in the Concept Plan and that the roof gardens accessible as communal open space will compensate for this shortfall.
3. The Panel notes that the size of the balconies is consistent with those shown on the Concept Plan and has therefore deleted the condition requiring a minimum balcony size of 10 square metres.
4. The Panel has considered the objection of the owner of the neighbouring industrial site, S C Johnson Property. The Panel is satisfied that the council has addressed the noise issue by setting appropriate conditions of consent.
5. The Panel notes the comment of the Lane Cove Bushland and Conservation Society that the proposed fence dividing the site from Council-owned bushland is unnecessary. If the applicant and the Council can agree, the Panel would have no objection to the requirement for the fence being removed. The Panel also notes the concern of the Society about possible disturbance of bushland due to future work. The Panel notes that such work will require either a development consent or consideration under Part V of the EPA Act 1979. Any concern about bushland shall be addressed at that time.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report except as follows:

1. An additional condition is inserted requiring that the residential gross floor space not exceed 33,310 square metres.
2. Conditions 3, 14, 15, 16, 17, 18, 19 and 97 are amended by replacing "first Construction Certificate" by "relevant Construction Certificate".
3. Condition 10 is deleted.
4. Condition 76 is deleted.
5. Condition 97 is changed to require two pick-up spaces.

Panel members:

 John Roseth (Chair)	 David Furlong
 Sue Francis	 Stephanie Bashford

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE032 - Lane Cove Council - DA14/25;
2	Proposed development: Mixed use development comprising construction of 5 residential flat buildings, retail space, child care centre, communal recreation facilities, earthworks and landscaping, internal access roads and subdivision
3	Street address: 150 Epping Road, Lane Cove
4	Applicant/Owner: Karimbla Construction Services (NSW) Pty Ltd / Karimbla Properties (No. 35) Pty Ltd
5	Type of Regional development: Development application with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy 65 – Design Quality of Residential Flat Development • State Environmental Planning Policy (Building Sustainability Index) 2004 • State Environmental Planning Policy No. 19 – Bushland in Urban Areas • Section 94 Contribution Plan • Lane Cove Local Environmental Plan 2009 • Lane Cove Development Control Plan • Concept Plan – MP_0148 & MP_0148 MOD 1 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated 8 October 2014 Council Supplementary Assessment Report dated 17 October 2014 Council Supplementary Assessment Report dated 21 October 2014 Written submissions during public exhibition: seven (7) Verbal submissions at the panel meeting: Against- Mark Dahms and Doug Stuart; On behalf of the applicant- Walter Gordon and Peter Spira
8	Meetings and site inspections by the panel: Briefing meeting on 7 May 2014
9	Council recommendation: Approval
10	Draft conditions: as attached to supplementary report