

RECORD OF DEFERRAL SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT CHRISTIE CONFERENCE CENTRE ON WEDNESDAY 2 MARCH 2016 AT 12.00PM

Panel members:

John Roseth - Chair
David Furlong – Panel Member
Sue Francis – Panel Member
Eugene Sarich – Panel member

Council staff in attendance: Rajiv Shanker and Rebecka Groth

Apologies: None

Declarations of interest: Scott Bennison declared that he had an non-pecuniary, non-significant interest because he had voted on the matter, including the associated VPA, at Council. He considered that this should not prevent him from taking part in the determination; however, for the sake of ample caution, he thought it was more appropriate to absent himself.

Matter deferred: 2015SYE021 – Lane Cove - 2014/222 - Mixed use development - Demolition and construction of a mixed use development comprising a podium, two towers, retail, 570 units, commercial, community and recreational uses and parking for 520 cars - 472 - 494 Pacific Highway, Lane Cove

Public submissions made at this meeting:

Arlette Jubuan, Anita Jubian, Charles Pillay, Steve Alch, Paul Van Den Heuvel, Richard Monks on behalf of Naremburn Action Group, Albert Jubian on behalf of Greenwich/St Leonards Action Group
Garry Johnson on behalf of Abode, Randall Brophy
On behalf of the applicant: Stephen White, Adrian Checcin, Nick Sissons

Panel Decision:

The Panel resolves to defer its decision on the grounds that the assessment report does not provide enough information for a proper decision. The Panel therefore request the assessment officer to provide it with a supplementary report. The matters on which the Panel requests further information are:

- a) The two parts of the building are separated by 22m. What would be the impact on the effectiveness of the view corridor and sunlight access if the separation complied with the 24m separation required by the RFDC for the building height?
- b) Information on cumulative traffic generation by this and neighbouring developments on which the RMS based its response to the application. The Panel requests comment from the Council engineer on the impact on Nicholson and Oxley Sts.
- c) A view analysis of the impact on views, particularly the views of objectors living in the Abode. The Panel accepts that any development will inevitably impact significantly on those views; however, the Panel is required to have an assessment of that impact before it can determine it. That assessment should compare the impact of this application with the impact that would have occurred under the controls that applied to this site under LEP 2009

- d) As regards, the exceedance of the building height, the Panel requires either a justification under clause 4.6 which takes into account recent caselaw arising out of *Four2Five v Ashfield*, or a redesign of the screen rising 6m above the permissible building height, by making it much smaller and more like an architectural feature and not go all around the edges of the building making it 6m higher than it needs to be.
- e) An explanation of how the issues raised in the Architectus SEPP 65 report have been dealt with,
- f) In general, the assessment report needs to consider the impact of the proposal in more detail and justify the variations of standards more convincingly.

Endorsed by:

A handwritten signature in black ink, appearing to read 'John Roseth', written in a cursive style.

John Roseth
Chair, Sydney East Joint Regional Planning Panel
Date: 2 March 2016