

DATE OF DEFERRAL	Wednesday 13 December 2017
PANEL MEMBERS	John Roseth (Chair), Louise Camenzuli, Lindsay Fletcher, Eugene Sarich
APOLOGIES	Deborah Dearing
DECLARATIONS OF INTEREST	Scott Bennison declared a conflict as he voted on the Voluntary Planning Agreement in his role as Councillor. Sue Francis declared a conflict due to a colleague will be making a public submission against the development.

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on 13 December 2017, opened at 2.25pm and closed at 4.05pm.

MATTER DEFERRED





2016SYE036 – Lane Cove – DA2015/212 at 496-498, 500, 504-520 Pacific Highway, St Leonards (AS DESCRIBED IN SCHEDULE 1)

REASONS FOR DEFERRAL

The Panel resolved unanimously to defer the determination of the application. The Panel is minded to accept the recommendation of the assessment report to approve the application but has not yet made a determination. The Panel's determination depends on its consideration of the clause 4.6 variation request in respect of Floor Space Ratio. The applicant submitted the variation request at the meeting, as did the council its assessment of the request. The two documents had not been placed on the Panel's website nor did the Panel have sufficient time to give proper consideration to them. They will both be placed on the website and thus be publicly available.

If the Panel concludes that the clause 4.6 variation is justified, and that a development consent should be granted, any such approval will be subject to the conditions recommended in the assessment report, except as follows:

- Conditions required by Sydney Trains are to be added.
- A new condition is inserted requiring that the dust emanating from the construction site be controlled, or, alternatively, the existing condition requiring a Construction Management Plan is amended to require measures for dust control.
- Condition 17, which requires respite from construction noise and which the applicant requested to change, remains, subject to that part of the condition relating to noise on Saturdays being amended to read:
Saturday - 8am to 12 noon with NO high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving to be undertaken. Failure to fully comply will result in the issue of a breach of consent P.I.N.

PANEL MEMBERS	
 John Roseth (Chair)	 Louise Camenzuli
 Lindsay Fletcher	 Eugene Sarich

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2016SYE036 – Lane Cove – DA2015/212
2	PROPOSED DEVELOPMENT	Demolition of existing site improvements. Construction of a mixed use development comprising non-residential podium, 458 apartments and associated car parking and upgrade works to Friedlander Place.
3	STREET ADDRESS	496-498, 500, 504-520 Pacific Highway, St Leonards
4	APPLICANT OWNER	Urbis New Hope Ving Project Pty Ltd & Lane Cove Council (Friedlander Place)
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Building Sustainability Index) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No.55 – Remediation of Land ○ Airport Act 1996 and Airports (Protection of Airspace) Regulations 1996 ○ Lane Cove Local Environmental Plan 2009 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Lane Cove Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 12 January 2017 • Council Addendum Report: 25 January 2017 • Applicant presentation: 25 January 2017 (presented at meeting) • SEPP 65 Addendum: 25 January 2017 • Council supplementary report: 30 November 2017 • Applicants response to conditions: 11 December 2017 • Applicants response to submissions: 11 December 2017 • Transport Sydney Trains submission: 13 December 2017 • Council supplementary report: 13 December 2017 • Written submissions during public exhibition: 22 • Verbal submissions at the public meeting 25 January 2017: <ul style="list-style-type: none"> ○ In objection – Kathryn van den Heuvel, Steven Alch, Anita Jubian, Albert Jubian On behalf of AMA House 69 Christie Street St Leonard Julie Grant, Paul Walter, Andrew Gough ○ On behalf of applicant: Jackie Parker • Verbal submissions at the public meeting 13 December 2017: <ul style="list-style-type: none"> ○ Object – Paul van den Heuvel, Kathy van den Heuvel, Pat Quirke-Parry, Jack Qian, Stephen Kerr on behalf of AMHA, ○ On behalf of the applicant – [names of speakers]

8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting: 16 August 2016, 25 January 2017 • Final briefing meeting to discuss council's recommendation, 13 December 2017 at 2.10pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: John Roseth (Chair), Louise Camenzuli, Lindsay Fletcher, Eugene Sarich ○ <u>Council assessment staff</u>: Michael Mason, Rajiv Shankar
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report