

DATE OF DETERMINATION	05 May 2023
DATE OF PANEL DECISION	05 May 2023
DATE OF PANEL MEETING	03 May 2023
PANEL MEMBERS	Peter Debnam (Chair), Nicole Gurran, Brian Kirk, Eugene Sarich, Vivienne Albin
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held by teleconference on 03 May 2023, opened at 11.30am and closed at 2.04pm

MATTER DETERMINED

PPSSNH-352 - PAN-287259 – Lane Cove - 180 River Road, Lane Cove, Sports and Recreation Facility, Demolition of existing structures and construction of a (part two and part three storey/mezzanine) sports and recreational facility (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The Panel's decision was unanimous.

REASONS FOR DECISION

Given Council's ownership, an Independent Assessor was engaged to assess the proposal and provide an Assessment Report to Sydney North Planning Panel.

The Panel determined to approve the DA for the reasons set out below and in the Independent Assessor's Report.

The site known as the Lane Cove Golf Course and Lane Cove Country Club is owned by Lane Cove Council, is zoned RE1 Public Recreation and currently provides local sporting facilities and associated infrastructure. The various land lots including the adjoining golf course will be consolidated and then re-subdivided to create a lot of 2.006 hectares, which will contain the recreation centre.

The Panel notes the proposal has evolved over recent years after a considerable period of community needs studies, community consultation and extensive feedback from community, Council officers and sporting clubs.

The Panel concurs with the Independent Assessor that potential impacts of the development have been minimised through design and the proposed conditions of consent as amended. The proposal will be constructed primarily over the existing car park and buildings to minimise impacts on vegetation. While 79 trees will be removed, the Panel notes 266 additional trees will be planted to offset the loss and Council has committed to further tree planting in areas outside the boundary of the site.

The Panel agrees the building provides a suitable design response to site constraints and does not create adverse environmental impacts on surrounding properties.

The Panel also notes the current access from River Road will be upgraded to a signalised intersection to be constructed prior to operation of the new facilities. The intersection work does not form part of the current DA and is subject to separate approval and will include pedestrian crossings over River Road.

In summary, the Panel concurs with the Independent Assessor that the proposal has been properly assessed against all relevant planning controls, the site is suitable for the proposed development and it is in the community interest to approve the proposal.

CONDITIONS

The development application was approved subject to the conditions detailed in the Independent Assessment Report as amended by the Assessor's emails of 3rd May which addressed Panel questions with regard to Operating Hours, Tree Preservation, Entry Design, Bicycle Parking, Remediation Action Plan and Operational Management Plan.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 72 written submissions made during the public exhibition of the proposal. Additional written submissions were received up to the day of the public meeting and were considered by the Panel. The Panel also heard from 26 members of the public and community groups who wished to address the Panel during the public meeting. A diverse range of issues were raised and included design of the facility, ongoing use of the golf course, configuration of spaces, traffic, parking, transport, pedestrian safety, noise, light spill, bulk, scale and impact on flora and fauna.

The Panel considers concerns raised in the submissions and in the public meeting were adequately addressed in the Independent Assessment Report, in Applicant and Assessor responses during the public meeting and in the amended conditions.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Nicole Gurrán
 Brian Kirk	 Vivienne Albin
 Eugene Sarich	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-352 - PAN-287259 – Lane Cove
2	PROPOSED DEVELOPMENT	Sports and Recreation Facility, Demolition of existing structures and construction of a (part two and part three storey/mezzanine) sports and

		recreational facility
3	STREET ADDRESS	180 River Road, Lane Cove
4	APPLICANT/OWNER	Sebastian Stivala (on behalf of LCC) / Lane Cove Council
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value (CIV) over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Lane Cove Local Environmental Plan 2009 - Draft environmental planning instruments: Nil - Development control plans: - Lane Cove Development Control Plan 2009 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: - Coastal zone management plan: Nil - Other relevant plans: Apartment Design Guide (ADG) - St Leonards South Landscape Masterplan - St Leonards South Section 7.11 Contributions Plan - Special Infrastructure Contribution Levy Direction - 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	- Council assessment report - Attachment 1 – Architectural Plans - Attachment 2 – Draft Conditions - Attachment 3 - Questions from SNPP Briefing - Written submissions during public exhibition: 72 - Verbal submissions at the public meeting: - Members of the community – Darvan Sinnetamby on behalf of a group, Lane Cove RA., Ron Gedeon on behalf of Longueville (NSW) Residents Association Inc, Gregory Hanna, Ianthe Pietersz, Anthony Powter, Geoff Wenborn, from LCRA will read a submission on behalf of Geoff Wenborn, Cindy Brown on behalf of the members of Lane Cove Golf Club, Peter Staveley on behalf Greenwich Community Association, Paul Rezek, John Southwood, Ms Susan O'Neill, Ed Slack, Robert Frohlich, Stephen Curley, Amanda Robbie, Adrienne Cahalan

		President on behalf of GCVAG Inc., Dr Liz Gill, Jennifer Schneller, Don Murchison, Susanne England, Shauna Forrest on behalf of the Lane Cove Bushland & Conservation Society (a community group, Dion Weston, Frances Vissel, Alan Winney, Tom Goode. • Council Assessment Officers - Mark Brisby, Robert Montgomery (Independent Town Planner) • On behalf of the applicant – Tom Goode, Kimberly Bautista, Sarah Slattery, John Whittingham, Sebastian Stivala
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• 15 March 2023 – Council briefing • 22 March 2023 – Site Inspection • 03 May 2023 - Final briefing to discuss council’s recommendation: ○ <u>Panel members</u>: Peter Debnam (Chair), Nicole Gurrán, Brian Kirk, Vivienne Albin, Eugene Sarich ○ <u>Council assessment staff</u>: Mark Brisby, Robert Montgomery (Independent Town Planner)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report