

ATTACHMENT 1 – DRAFT REASONS FOR REFUSAL

DA134/2022 – 40A Cope Street Lane Cove

1. The proposed development does not satisfy the relevant requirements of State Environmental Planning Policy (Housing) 2021. In particular, the building height and FSR standards are contravened, and car parking and deep soil zones do not satisfy the non-discretionary standards.
2. The proposed development does not satisfy the relevant requirements of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide. In particular, the development does not satisfy a number of the design principles of the SEPP and a number of Apartment Design Guide development controls.
3. The proposed development does not satisfy the relevant requirements of State Environmental Planning (Transport and Infrastructure) 2021. In particular, clauses 2(a) and 2(b) are not satisfied.
4. The proposed development does not satisfy the relevant requirements of Lane Cove Local Environmental Plan 2009. In particular, the development is inconsistent with the aims of the Plan, the objective of the R4 zone relating to existing amenity and clauses relating to building height, floor space ratio and heritage conservation.
5. The proposed development does not satisfy the relevant requirements of Lane Cove Development Control Plan 2010, particularly in relation to acoustic impacts, heritage conservation boundary setback.
6. The proposed development does not provide satisfactory access to the site, both during construction and after completion of the development.
7. The proposed development will have an unacceptable impact on the heritage listed sandstone wall along the Burns Bay Road frontage to the site.
8. The proposed development will have unacceptable impacts on the amenity of residents in adjoining residential buildings, in terms of privacy, solar access and vehicle movements.
9. The proposed development will have unacceptable impacts on traffic and pedestrian safety in Caroline Chisolm Lane. In particular, the width of the carriageway is insufficient to support the additional two way traffic generated by the development, along with pedestrian access along the Lane.
10. The proposed development provides insufficient parking for residents, staff and visitors.
11. The proposed development will have unacceptable impacts on the established tree canopy in the locality.
12. The proposed development will result in poor amenity for future residents of a number of apartments, due to light and ventilation non-compliances.
13. The use of mechanical platform lifts on the site and within the building is considered unacceptable, as universal access is not available for all residents and visitors.
14. The proposed development is an overdevelopment of the site, taking into account the constraints of the site and the number of non-compliances with the standards set out in the relevant environmental planning instruments.
15. The site is unsuitable for the proposed development.
16. Approval of the development would not be in the public interest.