

Sydney North Planning Panel Meeting 05 July 2023
67 MARS ROAD, LANE COVE WEST

Subject: 67 Mars Road, Lane Cove West
Record No: DA22/135-01 - 29682/23
Division: Environmental Services Division
Author(s): Greg Samardzic

Panel Reference	PPSSNH-383
DA Number	DA 135/2022
LGA	Lane Cove Council
Proposed Development	Demolition of existing structures and construction of a light industrial/self-storage building development comprising a total of 19 light industrial units, 44 self-storage units and car/truck parking spaces over three basement levels with associated landscaping
Street Address	No. 67 Mars Road, Lane Cove West
Applicant/Owner	Applicant: Robert Del Pizzo - Architex Owners: Lane Cove West Development P/L
Date of DA lodgement	13 March 2023
Total number of Submissions	• None
Number of Unique Objections	• None
Recommendation	Approval
Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)	Development has a capital investment value of more than \$30 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • relevant environmental planning instruments <ul style="list-style-type: none"> - SEPP (Resilience and Hazards) 2021; - SEPP (Transport and Infrastructure) 2021; - SEPP (Biodiversity and Conservation) 2021; and - Lane Cove Local Environmental Plan 2009. • proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority <ul style="list-style-type: none"> - N/A • relevant development control plan <ul style="list-style-type: none"> - Lane Cove Development Control Plan 2009 • relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 <ul style="list-style-type: none"> - Planning agreement that the developer had offered to be entered

	<p>into under Section 7.4 under the original development consent</p> <ul style="list-style-type: none">• relevant regulations e.g. Regs 92, 93, 94, 94A, 288- Clause 92(1)(b) – Demolition of Structures• coastal zone management plan- Nilother relevant plans- Lane Cove Section 7.11 Contributions Plan																																																																																	
List all documents submitted with this report for the Panel’s consideration	<table><tr><th>Annex.</th><th>Document</th><th>Prepared By</th></tr><tr><td>1</td><td>Draft Conditions of Consent</td><td>Lane Cove Council</td></tr><tr><td>2</td><td>Neighbour Notification Map</td><td>Lane Cove Council</td></tr><tr><td>3</td><td>Architectural Plans</td><td>Architex</td></tr><tr><td>4</td><td>Landscape Plans</td><td>Greenland Design</td></tr><tr><td>5</td><td>Statement of Environmental Effects Including Applicant’s Written Clause 4.6 Justification</td><td>Think Planners</td></tr><tr><td>6</td><td>Access Report</td><td>Loka</td></tr><tr><td>7</td><td>Acoustic Report</td><td>Acouras</td></tr><tr><td>8</td><td>Aboricultural Report</td><td>Redgum</td></tr><tr><td>9</td><td>Tree Plan</td><td>Robert Moore & Associates</td></tr><tr><td>10</td><td>Preliminary Site Investigation</td><td>eiaustralia</td></tr><tr><td>11</td><td>Capital Investment Value Report</td><td>Construction Consultants</td></tr><tr><td>12</td><td>Irrigation Drawings</td><td>Architex</td></tr><tr><td>13</td><td>Detailed Site Investigation</td><td>EI Australia</td></tr><tr><td>14</td><td>Hazardous Material Survey Report</td><td>EI Australia</td></tr><tr><td>15</td><td>Water Quality Report</td><td>Diversi</td></tr><tr><td>16</td><td>Briefing Note</td><td>Lane Cove Council</td></tr><tr><td>17</td><td>Record of Briefing</td><td>SNPP</td></tr><tr><td>18</td><td>Cascade Separator</td><td>Ocean Protect</td></tr><tr><td>19</td><td>Stormwater Management Plan</td><td>Robert Moore & Associates and Architex</td></tr><tr><td>20</td><td>Stormwater Letter</td><td>Robert Moore & Associates</td></tr><tr><td>21</td><td>Survey Detail Plan</td><td>Robert Moore & Associates</td></tr><tr><td>22</td><td>Survey Plan</td><td>Robert Moore & Associates</td></tr><tr><td>23</td><td>Traffic Management Report</td><td>Loka</td></tr><tr><td>24</td><td>Waste Management Plan</td><td>Loka</td></tr><tr><td>25</td><td>Environmental Statement Letter</td><td>EI Australia</td></tr><tr><td>26</td><td>Applicant’s RFI Response</td><td>Architex</td></tr></table>	Annex.	Document	Prepared By	1	Draft Conditions of Consent	Lane Cove Council	2	Neighbour Notification Map	Lane Cove Council	3	Architectural Plans	Architex	4	Landscape Plans	Greenland Design	5	Statement of Environmental Effects Including Applicant’s Written Clause 4.6 Justification	Think Planners	6	Access Report	Loka	7	Acoustic Report	Acouras	8	Aboricultural Report	Redgum	9	Tree Plan	Robert Moore & Associates	10	Preliminary Site Investigation	eiaustralia	11	Capital Investment Value Report	Construction Consultants	12	Irrigation Drawings	Architex	13	Detailed Site Investigation	EI Australia	14	Hazardous Material Survey Report	EI Australia	15	Water Quality Report	Diversi	16	Briefing Note	Lane Cove Council	17	Record of Briefing	SNPP	18	Cascade Separator	Ocean Protect	19	Stormwater Management Plan	Robert Moore & Associates and Architex	20	Stormwater Letter	Robert Moore & Associates	21	Survey Detail Plan	Robert Moore & Associates	22	Survey Plan	Robert Moore & Associates	23	Traffic Management Report	Loka	24	Waste Management Plan	Loka	25	Environmental Statement Letter	EI Australia	26	Applicant’s RFI Response	Architex
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	27	TfNSW Comments	TfNSW
Clause 4.6 requests	Applicable		
Summary of key submissions	<ul style="list-style-type: none"> FSR 		
Report prepared by	Greg Samardzic		
Report date	5 July 2023		

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report? **Yes**

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Yes**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **No**

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

EXECUTIVE SUMMARY

The proposal is for demolition of existing structures and construction of a light industrial/self-storage building development comprising a total of 19 light industrial units, 44 self-storage units and car/truck parking spaces over three basement levels with associated landscaping.

The proposed development is not compliant with the numerical Floor Space Ratio (FSR) development standard of Lane Cove Local Environmental Plan (LCLEP) 2009. A maximum FSR of 1.197:1 is proposed on the subject development site and the maximum permitted FSR under the SEPP is 1:1 (representing a 20% variation).

The applicant has submitted a Clause 4.6 written justification and the proposed variation is supported as the proposed development would be compatible with the character of the industrial locality including the built form or massing of other adjoining or surrounding existing industrial buildings. It is noted that the proposal complies with the maximum LEP Building Height development standard. The additional floor space created by the proposed development would support the delivery of a modern high-quality warehouse/self-storage space and would provide a significant contribution to employment within the Lane Cove Industrial Precinct.

Given the context of the site and the nature of the proposed building, the proposed FSR variation would not have significant adverse impacts onto surrounding properties.

It is considered that the subject proposal is satisfactory with respect to Council's Industrial DCP with respect to setbacks, car parking and landscaping requirements. The design of the proposed development would not be inconsistent with the design of other industrial developments within the locality.

The proposal was notified in accordance with Council policy and no submissions were received.

The subject Development Application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the proposal as submitted involves for a reasonable built outcome which is consistent with the existing built form in the locality. The proposed development would satisfy the employment needs of the Lane Cove West Industrial Precinct and would continue to maintain relevant amenity objectives to surrounding developments.

The Development Application is recommended for approval subject to conditions of consent.

STRATEGIC PLANNING CONTEXT

The subject development site is located within the Lane Cove West Business Park which is characterised by low-rise industrial development with warehousing and light manufacturing capabilities. More recently, modern 'industrial park' developments have been built, with multiple tenancies and a clean high-tech character.

SUBJECT SITE AND SURROUNDS

The subject site is known as No. 67 Mars Road, Lane Cove West (Lot 10 DP 1036457) with a total site area of 9,431m². The site is a large regular shaped corner allotment with a frontage of 70.095m to Mars Road and a frontage of 134.67m to Sirius Road. The site has a large cross-fall by approximately 6m from Mars Road towards the rear which had informed the design of the proposal and the relevant access points. At present the large site currently accommodates an aging two storey industrial building and ancillary structures including at-grade car parking area, vehicular cross-over, driveways and fencing.

Located within an established industrial precinct, the site is surrounded by industrial land uses to the north and east with Sirius Road to the west and Mars Road to the south separating the site

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from other industrial land uses. The site is in proximity to Blackman Park with a bus stop located on the site's frontage to Sirius Road with services to Lane Cove with a second bus stop on the southern side of Mars Road with services to Sydney CBD.



Figure 1: Aerial photograph of the subject site



Figure 2: No. 67 Mars at the intersection of Mars Road and Sirius Road



Figure 3: The northern portion of the site which includes a vehicle crossover, driveway and at-grade car park as viewed from Sirius Road



Figure 4: The development site as viewed from Mars Road



Figure 5: Streetscape viewed from Mars Road looking eastwards



Figure 6: Streetscape viewed from Mars Road looking westwards



Figure 7: Streetscape viewed from Sirius Road looking southwards



Figure 8: Streetscape viewed from Sirius Road looking northwards

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PROPOSAL TIMELINE

The proposal timeline (to date and forecast) is provided in the table below as follows:

Date	Description
28 October 2022	Subject Development Application lodged.
31 October 2022	Public notification of Development Application commenced.
16 November 2022	Public notification of Development Application concluded (no submissions received).
9 January 2023	<p>A request for additional information sent to the applicant requesting the following matters to be addressed:</p> <ul style="list-style-type: none"> - Parking and Access. - Swept Paths and Access from the Public Road. - Traffic Generation - Submission of a Remedial Action Plan (RAP). - Submission of an Environmental Management Plan - Submission of a Construction Noise and Vibration Management Plan. - Submission of a Construction and Demolition Waste Management Plan.
17 February 2023	<p>Applicant provided additional information to include amended plans addressing the traffic/parking matters.</p> <p>A request that submission of the RAP be deferred and conditioned prior to the issue of any Construction Certificate. This request has been further reviewed to be satisfactory by Council to allow for a more intensive examination and assessment of the site with test bore holes after the demolition stage.</p>
3 May 2023	Briefing of the Sydney North Planning Panel (SNPP).
3 May 2023	<p>Record of briefing provided by the SNPP. Key issues discussed were:</p> <ul style="list-style-type: none"> • FSR calculation to be confirmed; • Proposed contamination condition; and • Visitor parking identification
25 May 2023	Updated plans submitted to address the above SNPP points of discussion.
5 July 2023	Determination by the Sydney North Planning Panel.

PROPOSAL

The proposal is for demolition of existing structures and construction of a light industrial/self-storage building development comprising a total of 19 light industrial units, 44 self-storage units and car/truck parking spaces over three basement levels with associated landscaping.

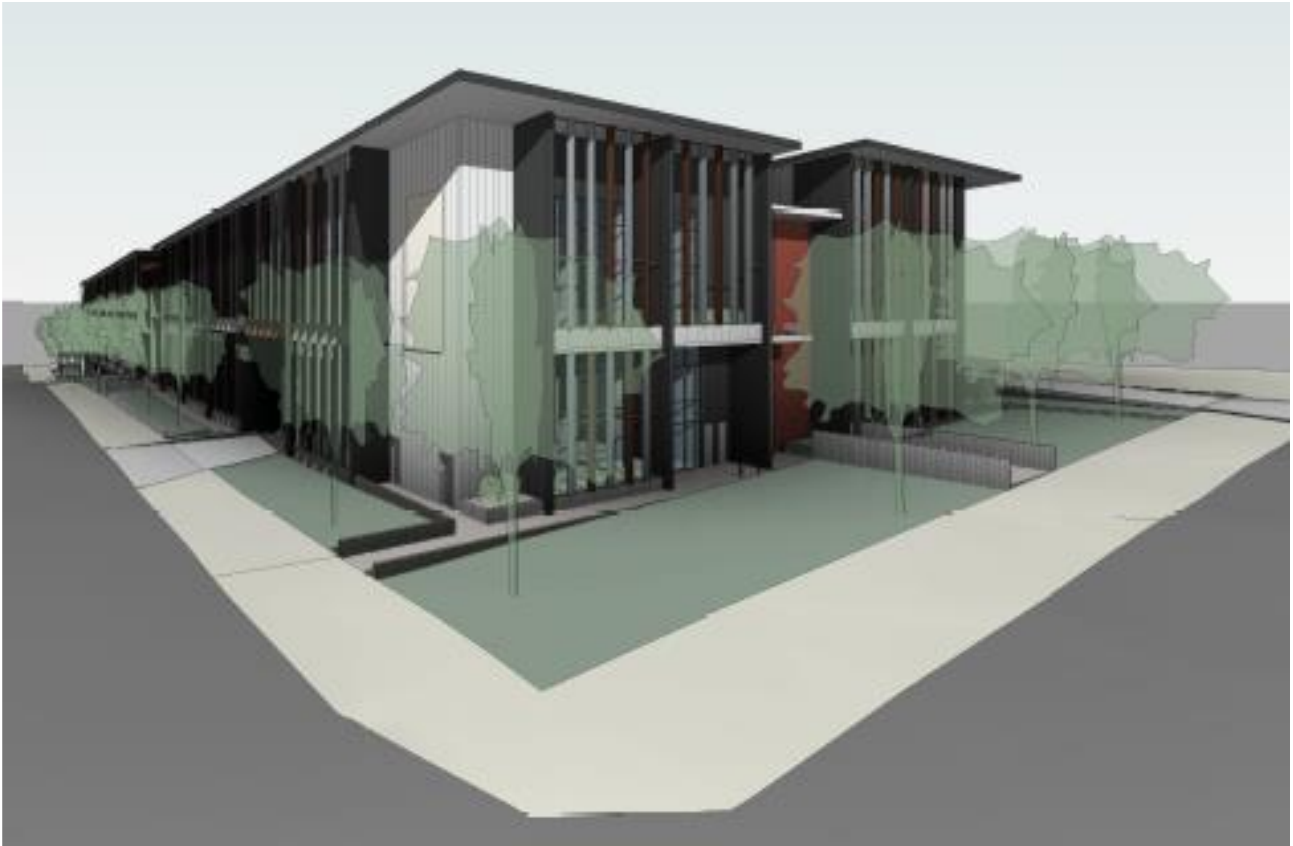


Figure 9: Proposed Photomontage of Proposal

Graded vehicular access and pedestrian entry points would be from both Sirius Road and Mars Road (see Annexure 3 – Architectural Plans for further details). Specifically, the proposed access arrangements are as follows:

- Graded vehicular ramp from Basement Level 2 provides vehicle access to Basement Level 3.
- Graded vehicular ramp from Basement Level 1 provide vehicular access to Basement Level 2, with access to Basement Level 3 provided from this level via an internal graded ramp.
- Graded vehicular ramp from Sirius Road provides direct vehicular access to Basement Level 1, with access to Basement Level 2 and beyond from this level via an internal graded ramp. A direct egress to Sirius Road is provided from Basement Level 1.
- Vehicular access to the ground floor is via a new vehicular access and graded driveway from Sirius Road. The two-way pathway provides access to all units.
- Vehicular access to the first floor is via a new graded vehicular cross-over, driveway and graded ramp from Mars Road, with the vehicular crossover to be located towards the south-eastern corner of the site. The two-way pathway provides access to all units.

A lift core with four lobby areas and fire escape stairwells would provide access to all levels of the development from the basement to the upper levels. The internal circulation areas also include pedestrian pathways and pedestrian crossings. The development also provides four fire escape stairwells, with each stairwell provided within the four end corners of the basement levels.

The primary pedestrian entry point to the building is via a centrally located pedestrian pathway which includes a graded pathway from Sirius Road with direct access to Unit 02 and Unit 03 and also Lobby 2 which includes a lift core with access to both the first floor and to the basement levels. Lobby 2 will provide access to the internal driveway and to the other lobby areas.

Direct access to Unit 01 is via a pedestrian pathway and pedestrian pathway which includes stairwell from Mars Road with a second graded pathway from Sirius Road providing a secondary access to Unit 01. Development also provides egress to Mars Road and Sirius Road associated with the fire stairwells.

A total of 17 self-store units are proposed on Basement Level 3; 17 on Basement Level 2; and 10 on Basement Level 1. A total of nine industrial units are located within the ground floor and all units are provided with a loading area. A total of 10 industrial units are located within the first floor and all units are provided with a loading area.

The proposed parking spaces provided has the following breakdown:

- Basement Level 1: 70 car parking spaces with 42 tenant/staff, 28 visitor including four accessible car parking spaces, 16 truck parking bays, four motorcycle bays and 14 bicycle racks (fits two bikes per rack);
- Basement Level 2: 79 car parking spaces with 75 tenant/staff including four accessible car parking spaces, two truck parking bays and six motorcycle bays;
- Basement Level 3: 79 car parking spaces with 75 tenant/staff including four accessible car parking spaces, two truck parking bays and six motorcycle bays;
- Level 1: Two accessible car parking spaces; and
- Level 2: Two accessible car parking spaces.

A total of 232 car parking spaces (including 16 accessible spaces); 20 truck parking bays; 16 motorcycle bays; and 14 bicycle racks (holding 28 bikes) are proposed to be provided on the development site.

The proposed schedule of finishes are as follows:

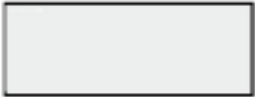









Schedule of Materials and Finishes					
Code	Application	Manufacturer	Finish	Product ID / Descriptive	Sample
P1	Paint Finish 1	Dulux	Lexicon Half	SW1 G2	
P2	Paint Finish 2	Dulux	Colorbond Monument	C29	
F1	Painted Concrete Rippled Edge Formwork	Dulux	Lexicon Half	SW1 G2	
C1	Wall Cladding 1	James Hardie Dulux Painted	Axon Cladding Lexicon Half	404418 - 400mm wide SW1 G2	
C2	Wall Cladding 2	Timber Panels	Bush Cherry (or similar)	600x1200mm (or similar)	
PC1	Windows / Handrails / Vertical Blades	Dulux Duratec	Eternity Silver Pearl	9007024Q	
PC2	Feature Vertical Blades	Colorbond	Terrain	C34	
R1	Roof Sheeting 1	Colorbond	Monument		
R2	Gutters + Downpipes	Colorbond	Shale Grey		
B1	Retaining Walls	Boral	Split Face Block	Charcoal	

Figure 10: Proposed Schedule of Finishes

Services areas are provided within Basement Level 1 as listed below:

- Sprinkler pump room
- Hydrant room
- Fan room
- Meter room

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- O.S.D room
- Comms room
- Rainwater tank storage area

The development also provides two accessible toilets within the upper basement level.

Waste/recycling bins provided to each unit in accordance with the Waste Management Report.

A total of 2,789m² or 29.6% of the site dedicated as landscaping. The development also provides a total of 960m² or 10.2% of the site as soft landscaping area.

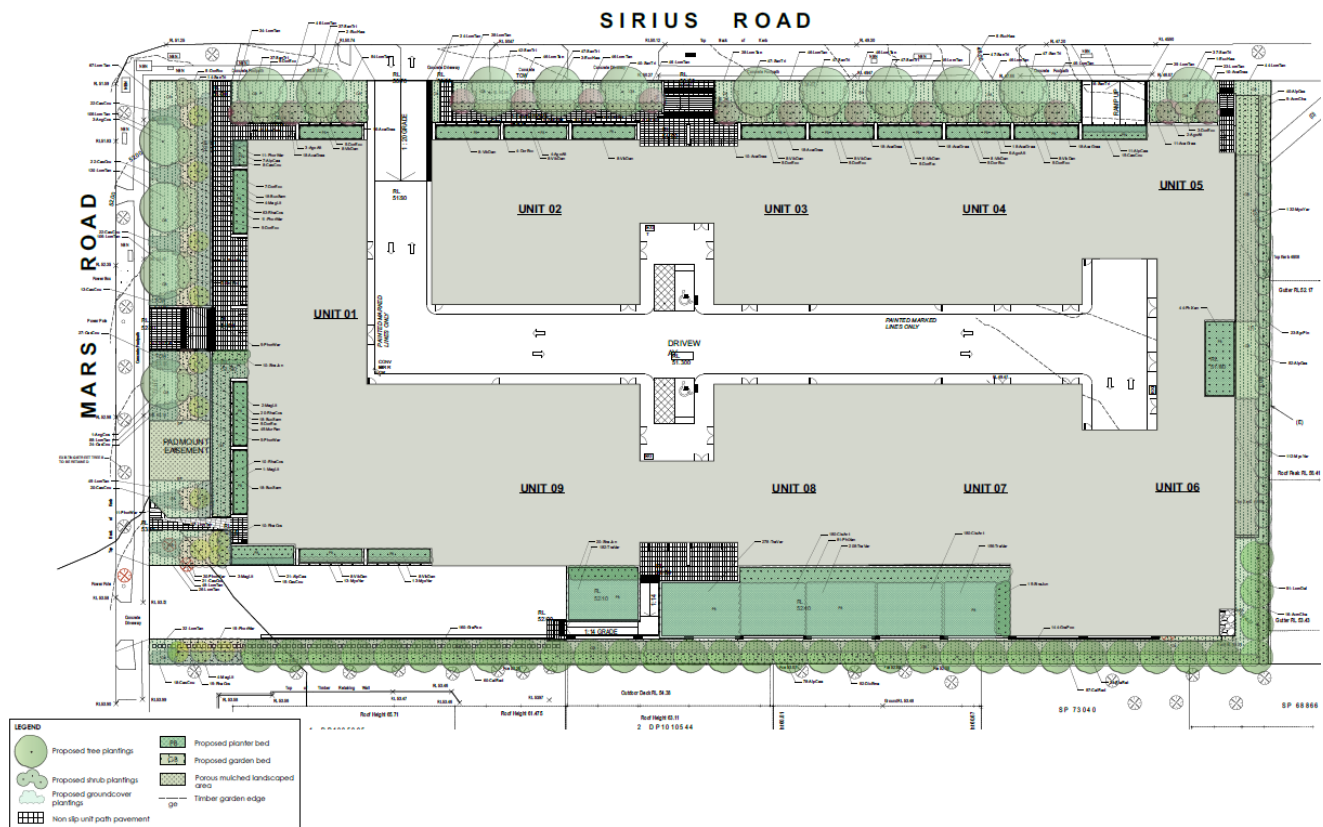


Figure 11: Proposed Landscape Plan

No signage or operational details have been proposed as part of the subject Development Application and would be dealt with under separate Complying/Development Applications

Key Development Statistics

Component	Description
Number of Storeys	Two storeys with three basement levels
Building Height	Maximum 18m with exception of six vents
Site Area	9,431m ²
Gross Floor Area	11,287m ²

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Floor Space Ratio	1.197:1
Landscaped Area	2,789m ² or 29.6% of the site area including 1,829m ² (19.4% as 'deep soil' areas on the ground level)
Number of Units	<ul style="list-style-type: none"> • 44 self-storage units • 19 industrial/warehouse units <p>Note: the unit area schedule area configurations provided on the cover page of the architectural set plans – see Annexure 3</p>
Vehicular Access	Two 2-way vehicular access points from both Sirius Road and Mars Road
Parking	<ul style="list-style-type: none"> • 232 car parking spaces vehicles – see car parking breakdown above • 16 motorcycle parking spaces • 14 bicycle racks for the business and 7 bicycle racks for visitors • 20 truck parking bays

SECTION 4.15 ASSESSMENT

The following assessment is provided against the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979:

Section 4.15 Matters for Consideration

(a) The provisions of:-

State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021

The provisions of the SEPP 55 require potential contamination assessment of the subject Development Application. The Development Application is satisfactory having regard to the relevant matters for consideration under the SEPP and assessment of the submitted Preliminary/Detailed Site Investigation which requires submission of a Remediation Action Plan (RAP). The applicant was requested to submit a RAP however the applicant had requested that submission of the RAP be deferred and conditioned prior to the issue of any Construction Certificate. This request has been further reviewed to be satisfactory by Council to allow for a more intensive examination and assessment of the site with test bore holes after the demolition stage.

This request had been supported by a statement prepared by the applicant's contamination consultant who prepared the detailed contamination reports that the contamination could be conditioned instead and that the site would be suitable for redevelopment for such an industrial purpose where demolition would need to occur before further investigations can be completed. A review of aerial photographs indicates that the development site has historically been utilised for light industrial purposes with no known potentially contaminating activities being conducted on the site.

If any contaminated material or suspected contaminated material is unearthed during the demolition/construction process, then actions consistent with the relevant legislative requirements and guideline document would be undertaken. This suggested approach is agreed with and it is recommended that a condition be imposed that a RAP be submitted prior to the issue of the Construction Certificate including other relevant environmental health conditions. The proposal complies with the provisions of the SEPP.

State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021

The proposal was referred to Transport for NSW (TfNSW) for comment as it is a traffic generating development under the SEPP. The TfNSW has reviewed the proposal and raises no objections to the development with respect to traffic generation.

Lane Cove Local Environmental Plan (LCLEP) 2009

Light Industries, warehouse/distribution centres and self-storage units are permissible forms of development within the IN2 Light Industrial zone.

Zone Objectives

The following IN2 zone reads as follows:

- *To promote a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To ensure that landscaping is a significant element in development viewed from the public domain and neighbouring properties.*
- *To recognise the close proximity of this zone to adjoining residential areas and seek to mitigate potential conflict between industrial and residential uses.*

The Development Application is consistent with the zone objectives of the IN2 – Light Industrial Zone, in that the proposal will promote light industrial and warehouse uses within an established industrial precinct whilst also contributing towards increase employment opportunities via the delivery of 19 industrial units. The development also aims to set the tone and standards for new industrial development within established business estates. This includes developments that are designed to address its frontages, articulated and landscaped in-order to improve the built form character within the industrial estates.

Development Standards

The proposal has been assessed against the applicable development standards within LCLEP 2009 as detailed in the following table of compliance:

Lane Cove LEP 2009	Proposal	Compliance
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Lane Cove LEP 2009	Proposal	Compliance
4.3 Height		
18m	Maximum 18m with exception of six vents	Yes, see discussion below
4.4 FSR		
1:1 Site Area 9,431m ² Max. FSR permitted = 9,431m ²	1.197:1 or 11,287m ² (20% variation)	No, see discussion below

Other Provisions

LEP	Proposed
2.7 Demolition Requires Consent	The development is seeking Council consent to remove all identified structures on-site including an aging industrial building in-order to accommodate the proposed industrial development.
5.6 Architectural Roof Features	The application does not propose or include any architectural roof features that exceed the maximum building height.
5.10 Heritage Conservation	The application is not within a heritage conservation area or within the vicinity of a heritage item identified under Schedule 5 of LCLEP 2009.
6.1A Earthworks	<p>This application seeks consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the car parking area will have minimal adverse environmental or amenity impact. Furthermore, the development has been designed to follow the natural contours of the site to minimise excessive cut and fill.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as the previous development that excavation will lead to the disturbance of relics.</p>

Building Height Development Standard

The proposed development is compliant with the numerical maximum 18m Building Height development standard of Lane Cove LEP 2009. A maximum building height of 18m is proposed with exception of six vents along the eastern portion of the development as shown below within the building height plane diagram. It is noted that as per the building height definition that 'chimneys, flues, and the like' are excluded from the definition. These ventilation elements would be akin to a flue or chimney element and can be excluded.

For abundance of caution, the applicant had submitted a detailed Clause 4.6 written justification which has been reviewed and is found to be satisfactory. The proposed height is supported on the basis that the proposed development would be compatible with the character of the industrial locality including the built form or massing of other adjoining or surrounding existing industrial buildings. It is noted that the proposed vents are recessed so that they are not readily visible from the street level and would not cause additional overshadowing onto the public domain space. Given the context of the site and the nature of the proposed building, the proposed height would not have significant adverse impacts onto surrounding properties.

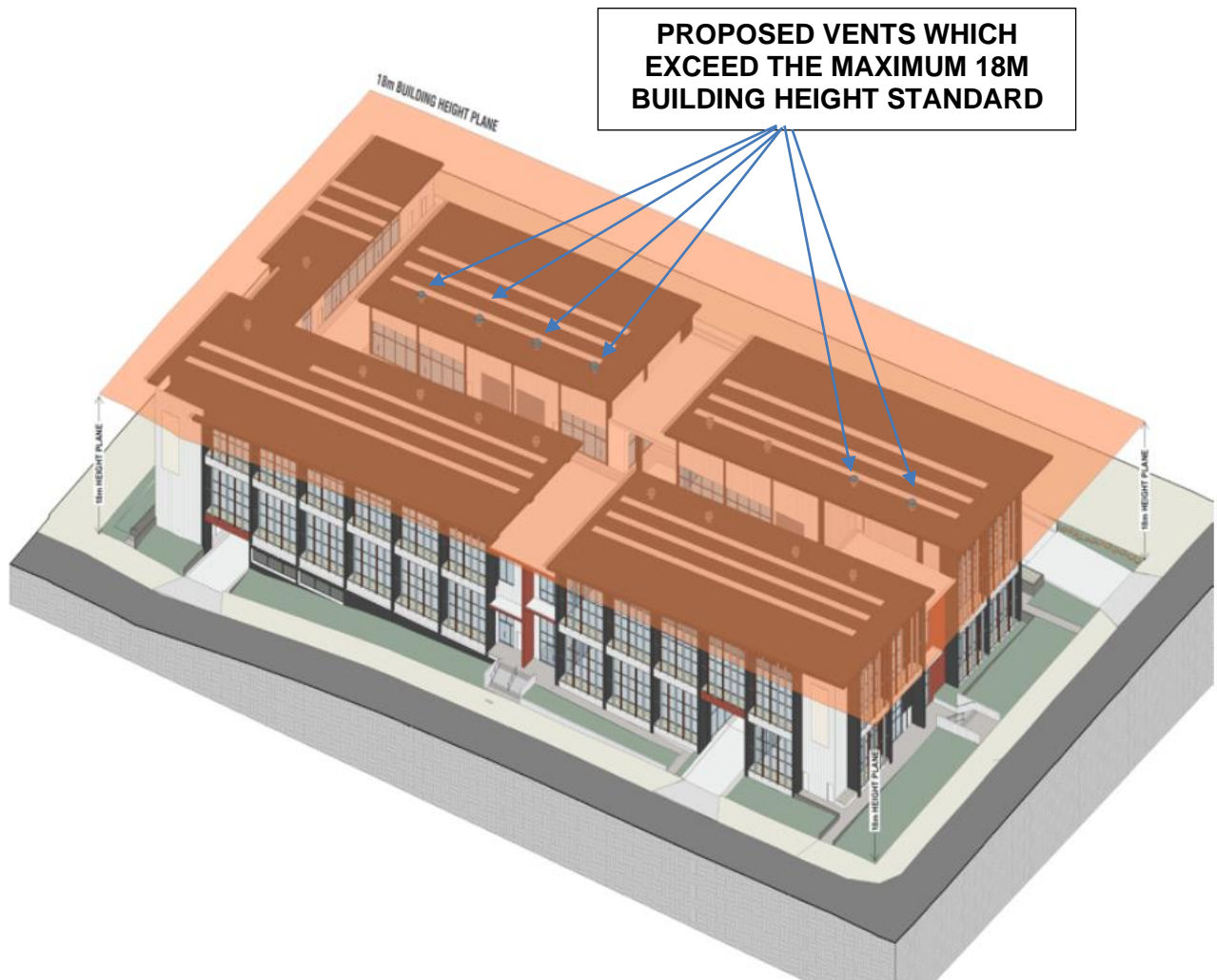


Figure 12: Proposed 18m Building Height Plane

Clause 4.6 Written Request – FSR

A maximum FSR of 1:1 applies to the site under LCLEP 2009. The proposal has a maximum FSR of 1.197:1 (a 20% variation) where a maximum of floorspace of 9,431m² is permitted and a maximum floorspace proposed is 11,287m² (being 1,856m² over).

Clause 4.6 Exceptions to development standards

Clause 4.6 of LCLEP 2009 allows exceptions to development standards. Consent must not be granted for development that contravenes a development standard unless the consent authority has considered and agrees with the written request from the applicant that seeks to justify the contravention of the development standard. This written request must demonstrate compliance with the relevant provisions of Clause 4.6 of LCLEP 2009. These matters are discussed below:

Written request provided by the applicant

The applicant has provided a written request seeking a variation to the development standard with the lodged application. A copy of the request is provided to the Panel (**see Annexure 5**). Under Clause 4.6(3) the applicant is required to demonstrate:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

1. Whether compliance with the development standard would be unreasonable or unnecessary in the circumstances of the case.

The Clause 4.6 variation has argued that it is unreasonable or unnecessary for the same reasons provided under the building height development standard to require strict compliance with the development standard however provided the additional following reasons:

This Clause 4.6 variation statement establishes that compliance with the maximum FSR development standard is considered unreasonable or unnecessary in the circumstances of the proposed development because the underlying objectives of the standard are achieved despite the non-compliance with the numerical standard.

Comment:

Compliance with the development standard is unreasonable and unnecessary in the circumstances of the subject proposal. The written request demonstrates that the breach to FSR is consistent with the LEP FSR objective to ensure that the bulk and scale of development is compatible with the character of the locality. Clause 4.6(3)(a) is satisfied in this instance.

2. Environmental planning grounds to justifying contravening the development standard.

The applicant has provided the following additional environmental planning grounds justifications:

The following factors demonstrate that sufficient environmental planning grounds exist to justify the proposed variation to the maximum FSR standard.

- *...the visual impact of the additional FSR is not observed owing to its location in the basement;*

- *The extent of impacts arising from the FSR within the basement has no impact to adjoining properties and the extent of traffic generation and traffic impact is acceptable for the development with the quantum of development proposed.*
- *The variation to the maximum building height standard enables the 'Objects' of the EP&A Act to be achieved, specifically:*
 - (c) to promote the orderly and economic use and development of land,*
- *The absence of adverse environmental, social or economic impacts.*

The above discussion demonstrates that there are sufficient environmental planning grounds to justify the proposed variation to the FSR standard.

The variation to FSR is in part due to the proposed excavated areas below natural ground level to create self-storage units and as such would not produce any additional visual, bulk and scale impacts. The proposed FSR at or above natural ground level would be 0.832:1. The use of these areas would provide a beneficial use to the commercial operation and the community by providing better service and offer better amenity without adversely impacting on surrounding buildings or industrial operations.

The proposed variation is supported on the basis that the additional floor space created by the proposed development would support the delivery of a modern high-quality warehouse/storage space and provide a significant contribution to employment within the Lane Cove Industrial Precinct. Given the minimal impacts on neighbouring properties, strict compliance with the FSR development standard would seem unreasonable in this instance.

The requirement in Clause 4.6(3)(b) of the LEP to justify that there are sufficient environmental planning grounds for the variation, requires identification of grounds particular to the circumstances of the proposed development, and not simply grounds that apply to any similar development on the site or in the vicinity. The environmental planning grounds to justify contravening the development standard are considered relevant and justify the case. A clear or detailed analysis has been made in the submitted Clause 4.6 written justification. The environmental planning grounds provided are satisfactory. Clause 4.6(3)(b) is satisfied.

3. Consistent with the zone objectives and objectives of the development standard.

Development consent cannot be granted to vary a development standard unless a consent authority is satisfied that the proposed development would be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out. The applicant has stated that the proposal achieves the relevant objective of the FSR development standard by:

The single stated objective is satisfied despite the non-compliance because the bulk and scale of the development is completely unchanged by the departure- noting the extent of FSR above ground is 0.832:1 and is well below the 1:1 maximum and it is only that component that contributes to bulk and scale. Because the additional FSR is within the basement there is no impact on bulk and scale and hence the bulk and scale of the development is in fact compatible with the character of the locality. As outlined above the proposal remains consistent with the underlying objective of the control and again as such compliance is considered unnecessary or unreasonable in the circumstances.

An assessment against the objectives of FSR and the IN2 Light Industrial zone contained within LCLEP 2009 are provided as follows:

FSR Objective

Clause 4.4(1) provides the following objective:-

- (a) *to ensure that the bulk and scale of development is compatible with the character of the locality.*

Comment: The additional 1,856m² floor space created would not contribute to unnecessary bulk and scale to the overall building and in turn would not adversely affect the character of the locality whilst providing a good planning outcome with provision of large and useable warehouse/ self-storage space for instance.

In accordance with the above, the development complies with the LCLEP 2009 objective for the FSR control and is supported.

The applicant has provided the following justifications as to why the proposed development is consistent with the IN2 Light Industrial zone objectives as follows:

The proposal is consistent with the objectives of the IN2 – Light Industry zone, insofar as the development is not antipathetic to the zone objectives. The site is ideal for accommodating an industrial complex as it is located within an established industrial estate. At the end of the project, the current proposal will increase valuable industrial units and job opportunity for local residents, whilst supporting the function and operation of the industrial park as a whole.

Furthermore, the development also aims to set the tone and standards for new industrial development within established business estates. This includes developments that are designed to address its frontages, articulated and landscaped in-order to improve the built form character within the industrial estates.

IN2 Light Industrial Zone Objectives

The IN2 Light Industrial Zone objectives are as follows:

- ☐ *To provide a wide range of light industrial, warehouse and related land uses.*

Comment: The proposal provides warehousing and self-storage uses to meet the light industrial needs of the Lane Cove LGA. The proposal provides for a high number of units to allow for reasonable amenity for the occupants with well-sized carpark areas.

- ☐ *To encourage employment opportunities and to support the viability of centres.*

Comment: The proposal would provide for numerous employment opportunities and a modern industrial building within the Lane Cove West Industrial Precinct.

- ☐ *To minimise any adverse effect of industry on other land uses.*

Comment: The proposed building would not adversely affect other industrial uses within the locality.

- ☐ *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

Comment: The proposal would not prevent other facilities or services from being carried out.

- ☐ *To support and protect industrial land for industrial uses.*

Comment: The proposed building design provides for units in varying sizes to allow for a potential number of tenants to occupy them, provision of self-storage units to meet the day to day needs to the community and would respond to demand for light industrial floorspace.

- ☐ *To ensure that landscaping is a significant element in development viewed from the public domain and neighbouring properties.*

Comment: The proposed landscaping would provide a satisfactory landscaping outcome when viewed from the public domain areas and along the side boundaries where possible. The proposed landscaping would be substantial improvement and would the appearance of the development.

- ☐ *To recognise the close proximity of this zone to adjoining residential areas and seek to mitigate potential conflict between industrial and residential uses.*

Comment: The proposal is not adjacent to any residential areas.

In accordance with the above, the development complies with the LEP 2009 objectives for the IN2 Light Industrial zone.

4. Concurrence of the Director General.

The Sydney North Planning Panel (SNPP) can assume concurrence for exceptions to development standards. The proposal is referred to the SNPP for determination; and concurrence is taken to be assumed should the variation be supported by the Panel.

5. Conclusion

The objectives of Clause 4.6 are to provide an appropriate degree of flexibility in applying certain development standards and to achieve better outcomes for and from development by allowing flexibility in particular circumstances. The variation to the FSR standard of LCLEP 2009 is justified and supported in the circumstances of this case. The development would satisfy the objective of the control despite the non-compliance with the FSR control. The development satisfies the objectives and the criteria outlined in Clause 4.6. As such, the variation is well founded, results in a better planning outcome and would be in the public interest.

(ii) Any proposed instrument (Draft LEP, Planning Proposal)

N/A

(iii) Any development control plan

Lane Cove Development Control Plan (DCP) 2010

The proposal has been assessed with against the relevant provisions of Part E as detailed in the following table:

Provision	Control	Proposed	Complies
E.4 Site Layout	<p>Total GFA used for ancillary office not to exceed 49% of development</p> <p>Design to minimise amenity impacts on residential areas in close proximity</p> <p>Internal spaces to be designed to satisfy operational requirements and provide a safe and convenient work environment</p> <p>Floor space to distributed to ensure a building of an appropriate bulk and scale</p> <p>Rights of way encouraged to contribute to a pedestrian network throughout the industrial area</p>	<p>No office space proposed</p> <p>No nearby residential areas</p> <p>Units are located on the perimeter of the building for maximised internal user amenity and passive external surveillance</p> <p>The building has been designed to respond to the slope of the site with appropriate justifications provided for variations to building height and FSR.</p> <p>Adequate pedestrian access provided within the development</p>	Yes

DCP Control			Proposed	Complies
PART E – Industrial Development				
E.5 Building Setbacks				
a) Setbacks are to comply with the following table:				
			Building: Min 10m to Mars Rd	Yes
			Landscaping: Predominantly min. 8-10m Mars Rd	
			Setbacks compliant to adjoining industrial zone boundaries: Min. 3.145m to the eastern boundary and 4m setback to the northern boundary	
Boundary	Landscaping Strip (which will form part of building setback)	Minimum Building Setback		
Front	3m	8m		
Side and rear – adjoining industrial zone	Zero*	Zero*		
Side and rear – adjoining	2m	4m		

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DCP Control			Proposed	Complies
non industrial uses				
<p>* Zero side and rear setbacks may be permitted where deep soil/landscaping provisions are met elsewhere on the site, BCA fire regulations are met and merit issues are deemed acceptable in relation to adjacent properties.</p>				
<p>b) Landscaping strips are to be free from overhangs; hard elements such as paths, ramps, substations; fire hydrant boosters (where possible); signs and advertising structure (including pole signs). Landscaping strips may be used in calculation of landscaped area.</p>			Landscape strips largely free of such elements	Satisfactory landscaping outcomes achieved
<p>c) All front setbacks are to be landscaped to provide a high-quality street presence. Front setback areas must not be used for storage or display of goods or excessive signage, loading/unloading or large areas of car parking.</p>			Front setbacks provide high-quality landscaping	Yes
<p>d) Underground parking is to be situated underneath the building footprint and hard surfaces. The building setback is inclusive of the required landscaping strip as stipulated in the Setback Table.</p>			Adequate underground parking has been provided for underneath the building footprint and hard surfaces.	Yes
<p>e) Corner Sites: New development on sites that have a corner frontage is to provide an 8 metre front setback to the main street/road and a minimum 4 metre setback to the secondary road/street</p>			The development is located on a corner allotment and 5m is provided to Sirius Road	Yes
E.6 Cut and Fill				
<p>a) All development is to relate to the existing topography of the land at the time of the adoption of this DCP.</p>			Cut and fill proposed responds to the topography of the site.	Yes – satisfactory amounts of earthworks proposed
<p>b) Excavation for major development is to be contained within the footprint of the development and hard surfaces.</p>			Cut is predominantly contained within the building footprint.	Yes - satisfactory amounts of cut proposed.

DCP Control	Proposed	Complies
c) For development within Centres, Council may consider full site coverage for underground excavation and podium footprints where it is demonstrated that mature landscaping, landscaped area and rainwater retention is able to be provided as roof terraces on podium structures.	Satisfactory excavation proposed where it would be kept away from existing trees where possible and proposal to have an appropriate drainage/ engineering outcome subject to conditions	Yes
d) Uses at ground level are to respond to the slope of the street by stepping frontages and entries to follow the slope.	Ground uses responds to the slope of the street where possible	Yes – a satisfactory design has been provided
E.7 Building Design and Appearance		
New construction is to achieve both functional and visually attractive buildings.	The proposal represents a building of an appropriate bulk and scale within the industrial context of the precinct and external facades are articulated to break up the visual bulk of the building.	Yes
a) Through careful site arrangements new building works should: I. Address the street with any non-industrial aspects (i.e. office section) of the development. II. Avoid long blank walls of warehouse units facing the street or public domain and long unbroken roof lines. If unavoidable, use of single material and colour should be avoided. III. Rear boundary walls are to be treated aesthetically. IV. Provide regular articulation to the façade or division of massing.	Units face the relevant street frontages where possible Blank walls avoided Designed to have an appearance which complements other industrial developments Appropriately articulated	Yes
b) New buildings are to be designed to: I. Express the structure of the building through creative architecture and minimise use of reflective glass or large blocks of one material. II. Visually reinforce entrances, office components and stair wells of units to create rhythm	Achieved Entrance reinforced	Yes

DCP Control	Proposed	Complies
<p>on long facades and a reduction of perceived scale. Strongly express structural bays and bracing.</p> <p>III. Provide variation of unit design within industrial unit developments.</p> <p>IV. Introduce solid surfaces, with a mix of materials; incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations.</p> <p>V. Address all streets to which it presents.</p>	<p>Variation achieved where possible</p> <p>Achieved</p> <p>Addressed to street</p>	
c) Where blank walls on street frontages are unavoidable in new development they are to be treated as sculptural elements minimising bland streetscapes. They are to be finished to a high standard and minimise the potential for graffiti or other vandalism.	There are no blank walls along the street frontage	Yes
d) All rooftop or exposed structures including lift motor rooms, plant rooms, etc., together with air conditioning, ventilation and exhaust systems, are to be integrated with the building design in order to ensure interesting and high-quality appearance.	Appropriately integrated	Yes
e) Corner Sites: New development on corner sites is to address both street frontages in terms of facade treatment, fenestration and articulation of elevations.	The development is located on a corner allotment, and it addresses the entire street frontages	Yes - a satisfactory design has been provided
E.8 Parking and Vehicular Access		
a. Parking is to be integrated into the site planning and must be visually mitigated by minimum 3m landscape strip along the frontage and other high-quality landscaping.	Parking has been integrated into design of the building and no parking within the required 3m landscaped strip.	Yes
b. Separation is to be provided between service areas (i.e. loading and unloading areas) and parking. Service areas to be located and designed to facilitate convenient and safe	Loading bays are provided for each unit and accommodates appropriate vehicles in accordance with the Australian Standards.	Yes

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DCP Control	Proposed	Complies
usage.		
c. Access/Driveways- Vehicular movements to and from the site should be designed to reduce potential conflict with street traffic and pedestrians.	Potential conflicts reduced where possible	Yes – supported by Council's Traffic Section
d. Driveway width in front of the building line must be minimised.	Appropriate widths provided for	Yes
e. Car parking areas are to be broken up by canopy trees between car parking bays to reduce their visual impact. Car parking areas are not to be exposed to the street and where they adjoin other uses they are to be screened with landscaping to reduce their impact.	There would be no significant adverse visual impact on the relevant street frontages and to adjoining premises with the proposed provision on the subject site	Yes
f. All vehicles should enter and leave the site in a forward direction.	Appropriate turning bays provided to allow for vehicles to enter and exit the site in a forward direction.	Yes
g. No tandem parking facilities will be accepted for new developments.	Satisfactory parking arrangements provided for	Yes
h. Preferably, off-street parking is to be provided behind or at the side of buildings and away from street frontages.	Appropriate carparking has been provided for behind the building and away from the street frontage.	Yes
i. Visitor car parking is to be located close to the office component of the development.	Appropriately located	Yes
j. Loading docks should be positioned so they do not interfere with visitor and employee parking spaces and to ensure delivery vehicles do not stand on any public road, footway, laneway or service road.	Satisfactory designed for	Yes
k. Proposed parking areas, truck docks, driveways, vehicular ramps and turning areas are to be maintained clear of obstruction and used exclusively for purposes of car	Achieved	Yes

DCP Control	Proposed	Complies
parking, loading or unloading and vehicular access respectively. Under no circumstances are such areas or any portion thereof to be used for the storage of goods and waste materials. These areas are to be physically line marked and are to be maintained free of obstruction, for the sole use of delivery vehicles.		
I. Motorcycle parking spaces are to have an area of 1.2m x 3m.	Appropriate spaces provided for	Yes
E.9 Landscaping		
a) A minimum of 20% of the site shall be provided as landscaped area.	Minimum 19.4% as deep soil landscaped area achieved	No , the technical variation is very minor and is acceptable as the landscaping outcome would be satisfactory as the design of the development would not be inconsistent with the design of the existing industrial developments.
b) In addition, a minimum of 10% of the site shall be provided and maintained as landscaped area or planting on structures, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site. The minimum width for inclusion in calculations is 1.0m.	Minimum 10.2% provided for	Yes
c) All car parking areas are to be landscaped so as to break up large expanses of paving and cars. Landscaping shall be provided around the perimeter and between aisles and every 10 car spaces plus along pedestrian access routes. Contrasting finishes shall be used to break up large sections of paving and to delineate pedestrian areas, entries or car parks. Porous paving should be utilised wherever possible.	Predominantly basement parking proposed so landscaping not required	Yes
d) Planter beds along the building	Landscaping along the façade is	Yes

DCP Control	Proposed	Complies
façade are encouraged.	appropriate	
e) All unbuilt-upon areas of a site are to be landscaped to soften the impact of buildings and car parking areas.	Achieved along the relevant frontages and boundaries of the development site	Yes
f) Landscaping in the public domain should promote a cohesive landscape setting. Development is to provide street tree planting to match existing or to Council requirements, grasses, shrubs and accent planting or any combination of these.	Existing street trees are to be remain where possible and to match the proposed landscaping of the development site	Yes
g) Storage areas and other potentially unsightly areas must be effectively screened from adjacent properties.	Achieved	Yes
h) Landscaping within setback areas should be of a similar scale to buildings on the industrial site. All landscaped areas are to be separated from vehicular areas by means of a kerb or other effective physical barriers.	Wide front landscaping setbacks to the relevant street frontages and common boundaries are achieved. Landscaped areas are appropriately separated from such elements.	Yes
i) In open parking areas at ground level, 1 shade tree per 10 spaces should be planted within the parking area.	No open car parking areas are proposed.	Yes
j) A continuous landscaped buffer strip shall be provided between the driveway and side boundary. The buffer strip shall be a minimum of 2 metres, increasing to 3 metres where adjoining a residential land use. The buffer strip shall contain a mix of tall screen planting and plants with foliage at the ground level. Driveways central to the site shall be planted with avenue trees.	Achieved at common boundaries	Yes
k) Parking and circulation areas are to be delineated by planter beds at the ends of parking bays. Planter beds shall be a minimum width of 1.5 m surrounded by a 150mm concrete kerb and shall contain both trees and shrubs.	See above	Yes
E.10 Fences		

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DCP Control	Proposed	Complies
a) All fencing along street frontage is required to be permeable metal palisade or picket finished in a suitable colour - dark colours are preferable. Maximum height allowed is 1.2 metres on street frontages.	No new front fencing details provided proposed and any new fencing would need to be appropriate in accordance with the DCP to ensure they are consistent with the character and style of the proposal as well as being compatible within an industrial context.	Yes
b) Taller fencing should be behind the building line for security. However, security fencing may be considered forward of the building line (behind the front landscape strip) if required for specific industrial uses.	No new fencing proposed of this nature	Yes
c) Chain wire is permitted only on the side and rear boundaries adjoining industrial developments, commencing at the front building alignment. All chain wire fencing is required to be black PVC coated.	No new fencing details provided proposed and any new fencing would need to be appropriate in accordance with the DCP to ensure they are consistent with the character and style of the proposal as well as being compatible within an industrial context.	Yes
d) If the side or rear boundary faces a side or rear boundary of a residential premises, a timber paling/colorbond fence (commencing at the front building alignment) is allowed along with acoustic fencing with planting.	N/A	N/A
e) Masonry retaining walls, if located along a street frontage are restricted to 600mm in height, where possible.	No front facing masonry retaining wall proposed	Yes
f) Solid metal panel fences (sheet metal or similar) of any height are not permitted along the street frontage or in front of the building alignment.	No new fencing is proposed of this nature	Yes
Locality 1 – Land off Sirius Road This Clause applies to Lot 2 DP 884454 (formerly part of Lot 1 DP 546860) Sirius Road, West Lane Cove – N/A		

Landscaping

DCP Part E.9 - Landscaping (b) requires a minimum 20% of the site to be landscaped. The DCP also requires a minimum 2m landscaped strip between a driveway and a side boundary. A minimum 19.4% landscaped deep soil areas are provided for.

The relevant DCP objectives are as follows:

1. *To improve the environmental amenity of industrial areas.*
2. *To screen unsightly land uses and open storage areas and provide buffers between industrial development and other land uses, especially residential.*
3. *To provide pedestrian linkages to surrounding streets on larger sites and through other sites to link with existing pedestrian networks.*
4. *To provide recreation areas for workers in larger developments.*
5. *To retain and provide for significant vegetation, particularly large and medium sized trees.*
6. *To conserve significant natural features of the site and contribute to effective management of biodiversity and to provide continuous vegetation corridors.*
7. *To encourage the planting of indigenous, native and low water consuming plants and trees.*
8. *To assist with on -site stormwater management.*

The proposed variation is satisfactory in this instance as it is a very minor technical breach, and the landscaping outcome would be satisfactory as the proposed landscaping overall would be of a high quality which would also contain street trees where possible. The level of landscaping is appropriate and consistent with the industrial character of the locality. Compliant on-structure landscaping on the building would also assist in addressing the relevant landscaping variation. It is considered that the proposed landscaping provided for meets the DCP objectives and the overall design of the development would not be inconsistent with the design of other industrial developments within the precinct.

The proposal has also been assessed with against the relevant provisions of Part R as detailed in the following table:

Part R – Traffic, Transport and Parking

Clause	DCP	Proposed	Complies
Table 1 – Car parking rates	<i>1 per 77m² of light industrial</i> 11,287m ² /77m ² = 147 spaces required	232 car parking spaces are provided including 16 accessible parking spaces	Yes
Industry	<i>1 disabled space per 50 car spaces (min. 1 disabled space</i> 3 accessible spaces required Total spaces required = 150 spaces required		

It is noted that there is a surplus of 82 car parking spaces. As a result, it is recommended that these spaces be deleted and replaced with further truck spaces/loading bays over the three basement levels as a condition of consent. The condition would require submission of amended plans prior to the issue of the Construction Certificate to the satisfaction of Council. The likely outcome would be that 32 car parking spaces would be lost on Basement Levels 2 and 3 each to gain 12 truck spaces/loading bays each on those same levels. Further there would be loss of 10 car parking spaces on Basement Level 1 to gain four truck spaces/loading bays. The total number of truck spaces/loading bays would then be increased from 20 to 48. This would involve an appropriate mix of vehicle and truck parking provision on the development site.

Further, the DCP requires developers shall provide 1 motorcycle parking space per 15 car spaces for all types of development. As 150 car parking spaces are required and to be provided, a total of 10 motorcycle spaces be provided and a total of 16 motorcycle spaces are provided for.

Also, 14 bicycle racks for the business and 7 bicycle racks for visitors which can hold a total of 42 bikes has been accommodated on site.

It is considered that an appropriate provision of motorcycle and bicycle spaces are provided for in accordance with Council's DCP.

(iia) Any planning agreement that has been entered into or any draft planning agreement that has been offered to enter into

There are no known VPA's that have been entered or proposed by the applicant or owners of the land.

(iv) The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The relevant matters of the regulation have been addressed.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The impacts of the development have been considered and it is considered that it would not adversely impact the locality. As discussed in greater detail above in this report, the proposed development would provide substantial economic gains whilst not containing significant adverse impacts onto surrounding properties.

(c) The suitability of the site for the development

The site suitability is acceptable having regard to the nature of the proposed uses involved and with the industrial zoned character of the subject site.

(d) Any submissions made in accordance with this Act or the regulations

The proposal was notified in accordance with Council policy and no submissions were received.

(e) Public Interest

The proposal would be contrary to the public interest based on the reasons provided above in this report.

SECTION 7.11 ASSESSMENT

In accordance with Council's Section 7.11 Contributions Plan are applicable to an industrial development at a rate of \$47.41 per m² of GFA (2022/2023 Fees & Charges Schedule). In this regard, the following contributions are payable:

- 11,287m² (GFA) x \$47.41 = **\$535,116.67.**
- Minus existing 4,959m² industrial (GFA) x \$47.41 = **\$235,106.19.**
- Total: **\$300,010.48.**

A relevant Section 7.11 Contributions condition is recommended to be imposed.

CONCLUSION

The matters in relation to Section 4.15 of the Environmental Planning and Assessment Act 1979 have been satisfied. The proposed development is not compliant with the numerical FSR development standard within LCLEP 2009. The submitted Clause 4.6 written request for the proposed breach is considered satisfactory and well-founded as detailed in this report. The proposed building is considered compatible with the local industrial character without having significant adverse impacts onto surrounding properties.

The proposed development has a minor landscaping DCP non-compliance with the minimum landscaped areas control. The subject development would achieve a reasonable landscaped outcome when viewed from the public domain areas and from adjoining developments. The development would have a reasonable visual impact.

The proposal was notified in accordance with Council policy and no submissions were received.

It is considered that the proposal involves a reasonable built outcome which is consistent with the existing built form in the locality. The proposed development would satisfy the employment needs of the Lane Cove West Industrial Precinct and would continue to maintain relevant amenity objectives to surrounding developments.

The Development Application is recommended for approval subject to conditions of consent.

RECOMMENDATION

The applicant has made a written request pursuant to Section 4.6 of the *Lane Cove Local Environmental Plan 2009*. After considering the request, and assuming the concurrence of the Secretary has been given, the Panel is satisfied that compliance with the Floor Space Ratio (FSR) development standard is unnecessary in the circumstance of the case and that there are sufficient environmental planning grounds to support the variation. The proposed development would be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.

That pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 the Sydney North Planning Panel at its meeting of 5 July 2023 approve Development Application DA135/2022 for the demolition of existing structures and construction of a light industrial/self-storage building development comprising a total of 19 light industrial units, 44 self-storage units and car/truck parking spaces over three basement levels with associated landscaping on land known as No. 67 Mars Road, Lane Cove West. subject to conditions (see Annexure 1 – Draft Conditions of Consent).

Mark Brisby
Executive Manager
Environmental Services Division

ATTACHMENTS:

There are no supporting documents for this report.