



Lane Cove Council

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Ingham Planning Pty Ltd
19/303 Pacific Highway,
LINFIELD NSW 2070

Date: 21 November 2019
Doc Ref: 69944/19

18098

Attention: Mr Brett Brown



scanned + emailed to BB

Dear Sir,

Re: Planning Proposal No. 36 – Notification of outcome

We refer to your Planning Proposal for the site located at 166 Epping Road, Lane Cove West. Council received your proposal and supporting documents on 30 August 2019.

The Planning Proposal was then forwarded to the Lane Cove Local Planning Panel for advice on 5 November 2019. The Panel supported the staff recommendations with some additional comments.

At its 18 November 2019 meeting, Council considered the Panel's advice and resolved to reject Planning Proposal No. 36 in full and such not be forwarded to the Minister for a Gateway Determination.

I have attached the full Council resolution which contains the list of reasons to this letter for your information.

If you have any further questions, please don't hesitate to contact me on (02) 9911 3516 or cpelcz@lanecove.nsw.gov.au.

Yours sincerely,

Christopher Pelcz
Coordinator, Strategic Planning

Given the direct inconsistency with Planning Priority N11 and Action 46 of the North District Plan, dated March 2018, the Planning Proposal does not 'give effect' to the North District Plan.

C. Fails the site-specific merit test.

Reasons:

- 6) The Planning Proposal has not satisfactorily addressed SEPP 33 – Hazardous and Offensive Development and SEPP 55 – Remediation of Land. The proponent's Planning Proposal does not consider the potential impacts of air pollution from multiple sources including the adjoining Ingredion flour mill and the Lane Cove Tunnel Air Vent Stack;
- 7) The rezoning of the site to permit residential land uses would compromise future IN2 Light Industrial uses in the precinct and would likely result in land use conflicts with surrounding industrial properties;
- 8) The Planning Proposal actually reduces the amount of employment floorspace to less than the current maximum permissible FSR of 1:1 – thus resulting in a net loss of employment floor space. This will restrain future employment growth in a potential reduction of commercial floorspace and associated employment density/yield;

D. Fails to consider Other Related Matters

- 9) The Department of Planning, Industry, and Environment has identified and mapped the subject site as an 'employment lands precinct', as it is a valuable contributor to the 'Eastern Economic Corridor';
- 10) The subject site is isolated from social and community infrastructure, both existing and planned, as it is not located within an accessible commuting distance of a strategic or local precinct;
- 11) Only one entry/egress route is available, which is a risk to emergency vehicles under Rural Fire Service policies, and only one entry for pedestrians into the site; and
- 12) The Planning proposal would further compromise district views from adjoining Local Government Areas, Willoughby and City of Ryde including the National Park.

E. That Council notify the applicant of its decision in writing as soon as practicable.

For the Motion were Councillors Palmer, Bennison, Brent, Brooks-Horn, Strassberg, Vissel and Zbik (Total 7).

Against the Motion was Nil (Total 0).

**Ordinary Council 18 November 2019
MINUTES**

PLANNING PROPOSAL 36 – 166 EPPING ROAD, LANE COVE WEST

226 RESOLVED on the motion of Councillors Strassberg and Zbik that having considered the advice of the Lane Cove Local Planning Panel meeting of 7 November 2019, Council rejects Planning Proposal No. 36 in full and such not be forwarded to the Minister for a Gateway Determination, as it:-

A. Fails the strategic merit test.

Reasons:

- 1) The Planning Proposal is **not consistent** with **Objective 23 (and Action 11)** of the Greater Sydney Commission's, '**A Metropolis of Three Cities**' which is to preserve and manage industrial and urban services land;
- 2) The Planning Proposal is **not consistent** with the following aspects of the **North District Plan:-**
 - a) **Planning Priority N11** which is to retain and manage industrial & urban services land;
 - b) **Principles for managing industrial and urban services land**; and
 - c) **Action 46** which is to retain and manage industrial and urban services land and preventing conversion of the land to residential development, including mixed use zonings.
- 3) The Planning Proposal is **not consistent** with **objectives 8 and 21** of the **Lane Cove Community Strategic Plan** (LCCSP), as the proposal is not consistent with the community priorities and actions for housing supply and retention of commercial land;
- 4) The Planning Proposal is **not consistent** with **Planning Priorities 3, 5 and 7** of the **Draft Lane Cove Local Strategic Planning Statement** (DLSPS). The site is not identified as a strategic precinct, nor is it considered an appropriate area for housing.

The Lane Cove West employment lands are specifically identified in the DLSPS to be protected and managed for industrial and commercial land uses;

- 5) Given that the strategic planning documents (i.e. *A Metropolis of Three Cities* and *North District Plan*) identify this site as an area for employment growth (existing and proposed), the existing planning controls are considered appropriate;

B. Inconsistent with Section 3.8 of the Environmental Planning and Assessment Act

Reason

This section of the Act deals with the 'Implementation of Strategic Plans' which requires all Planning Proposals to 'give effect' to any applicable district strategic plan.