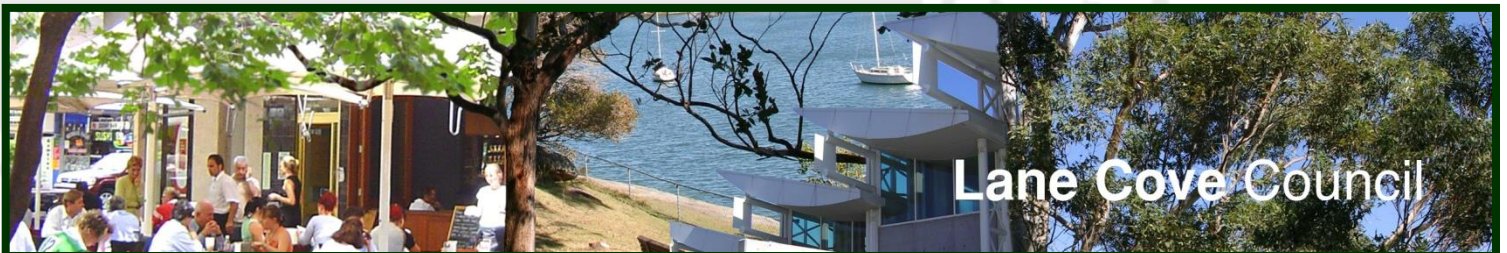


Minutes  
Lane Cove Local Planning Panel Meeting  
21 February 2024



**Lane Cove Local Planning Panel 21 February 2024  
MINUTES**

**PRESENT:** Hon David Lloyd, KC, Chairman, Mr Eugene Sarich, Planning Expert, Mr Graham Brown, Planning Expert, Mr David Johnson, Environmental Expert and Ms Melanie Naidoo, Community Representative

**ALSO PRESENT:** Mr Mark Brisby, Director Planning and Sustainability, Mr Rajiv Shankar, Manager Development Assessment, Mr Chris Shortt, Senior Town Planner, Mr Andrew Bland, Town Planner and Ms Angela Panich, Panel Secretary

Mr Robert Montgomery, Consultant Town Planner and Mr Henry Burnett, Consultant Town Planner

**DECLARATIONS OF INTEREST:** Nil

**APOLOGIES**

Nil

**LANE COVE LOCAL PLANNING PANEL REPORTS**

**62 CLIFF ROAD NORTHWOOD**

**DETERMINATION**

That pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979 the Lane Cove Local Planning Panel at its meeting of 21 February 2024 refuse the subject Development Application DA100/2023 for the proposed part demolition of an existing heritage dwelling house including site remediation on land known as No. 62 Cliff Road, Northwood for the following reason:

**1. LEP zoning objectives, aims of Plan:**

The proposed development would be inappropriate on the subject heritage site and is inconsistent with the following aims and R2 Low Density Residential of *LCLEP 2009* as follows:

Particulars:

*1.2 Aims of Plan*

*(2) The particular aims of this Plan are as follows—*

*(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, to establish, as the first land use priority, Lane Cove's sustainability in environmental, social and economic terms, based on ecologically sustainable development, inter-generational equity, the application of the precautionary principle and the relationship of each property in Lane Cove with its locality,*

*(b) to preserve and, where appropriate, improve the existing character, amenity and environmental quality of the land to which this Plan applies in accordance with the indicated expectations of the community,*

- (c) *in relation to residential development, to provide a housing mix and density that—*
- (ii) *is compatible with the existing environmental character of the locality, and*
  - (iii) *has a sympathetic and harmonious relationship with adjoining development,*
- (f) *in relation to conservation—*
- (iii) *to control all new buildings to ensure their compatibility with surrounding existing built form and natural environmental character, and*
  - (iv) *to conserve heritage items,*

**Zone R2 Low Density Residential**

- *To retain, and where appropriate improve, the existing residential amenity of a detached single family dwelling area.*
- *To ensure that landscaping is maintained and enhanced as a major element in the residential environment.*

**2. LEP Heritage provisions of the Plan:**

The proposed development would be inappropriate on the subject heritage site and is inconsistent with *Clause 5.10 – Heritage conservation of LCLEP 2009* and does not satisfy the relevant objectives as follows:

Particulars:

**Objectives** *The objectives of this clause are as follows—*

- (a) *to conserve the environmental heritage of Lane Cove,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.*

**3. LEP Earthwork provisions of the Plan:**

The proposed development cannot be granted due to the inability to fully satisfy the earthworks provisions of the Lane Cove LEP 2009:

Particulars:

*Clause 6.1A – Earthworks of LCLEP 2009. Including:*

- (3) *Before granting development consent for earthworks, the consent authority must consider the following matters—*
  - (f) *the likelihood of disturbing relics,*

The extent of earthworks proposed is not supported as it would be inconsistent with the heritage values currently present on the subject site and does account for the disturbance of heritage relics on the site.

**4. DCP Heritage provisions:**

The development does not comply with the following requirements of *Lane Cove Development Control Plan (LCDCP) 2009 Part B – General Control* in respect of:

Particulars:

- *Part B General Objectives for the DCP*
  - Part 1.1 General Objectives –*
    - *Support the locality's sustainability in environmental, social and economic terms.*
    - *Conserve, protect and enhance the environmental and built heritage of Lane Cove.*
    - *Contribute to effective management of biodiversity.*

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- *Minimise any impacts of the redevelopment of uses not conforming to the zone they are in, by having regard to the scale and character of the surrounding neighbourhood.*
- *Balance individual and community interests to preserve and, where appropriate, improve the existing character and amenity of the municipality*

- *Part 9.1(d) Heritage Items and the Conservation Area.*

- (d) Photographic records of all heritage listed items to be demolished or to be changed is to be undertaken prior to release of the construction certificate.*

- (f) Development involving a heritage item may be required to be in accordance with an up - to - date Conservation Management Plan and/or Specific Element Conservation Policy (SECP).*

- (i) The proposed development would have an unreasonable impact upon the existing heritage values currently present on the subject heritage site. The impacts on the environmental, built, and social environments on the site and locality are unsatisfactory. The cumulative heritage impact of the proposal is unreasonable.
- (ii) The subject Development Application should be refused because the proposal would not be suitable for the subject heritage site having regard to the unnecessary heritage impacts that the proposal would have.
- (iii) The subject Development Application should be refused primarily for the reasons provided above, and approval of the application would be contrary to the public interest. Approval of the proposal would be contrary to the public interest as it would provide for an inappropriate form of development of the subject heritage site.

**5. Insufficient Information:**

Insufficient information has been submitted in support of the application in accordance with *Clause 36 of the Environmental Planning & Assessment Regulations (EPAR) 2021* with respect to:

Particulars:

- Inadequate documentation had been prepared with the subject application such as submission of a detailed photographic record and heritage conservation plan as required under Part B.9.1(d) – Heritage Items and the Conservation Area.
- The documentation does not include any potential for alternatives to demolition such as a genuine rebuild or replica of the existing dwelling.
- The applications fails to provide a comprehensive investigation, research, archival recording, and measured drawings to enable establishment of any site-specific controls.

**6. Public Interest:**

The proposal does not with the relevant evaluation provisions of clause 4.15 of the Environmental Planning and Assessment Act 1979 and is not in the public interest.

The subject Development Application should be refused primarily for the reasons provided above, and approval of the application would be contrary to the public interest. Approval of the proposal would depart from the existing local Northwood character which should respond to and be informed by a more sensitive approach

to the heritage status of the site.

Particulars:

**4.15 Evaluation (1) Matters for consideration - general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

*(a) the provisions of—*

*(i) any environmental planning instrument, and*

*(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,*

*(c) the suitability of the site for the development,*

*(e) the public interest.*

**Advisory Note**

Any future Development Application shall incorporate design details for any replacement dwelling.

**Panel reasons:**

The panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that report.

The decision of the panel was unanimous

**180 RIVER ROAD, LANE COVE**

**DETERMINATION**

That: -

A. The Panel is satisfied that the proposed modification:

- is of minimal environmental impact;
- is substantially the same development as the development for which consent was originally granted and before that consent was modified;
- has been notified; and
- has been assessed having regard to the relevant matters in s4.15(1) EP&A Act.

The Panel has taken into account the reasons of the consent authority that granted the consent that is sought to be modified.

B. Pursuant to the provisions of Section 4.55 of the *Environmental Planning and Assessment Act, 1979*, the Lane Cove Local Planning Panel at its meeting of 21 February 2024, exercising the functions of Council as the consent authority, approve the modification to Development Consent DA 147/2022 for the demolition of existing structures and construction of a (part two and part three storey/mezzanine) sports and recreation facility at 180 River Road Lane Cove, subject to the following updated conditions:

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**Condition A.1 is amended as follows:**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No	Revision	Plan Title	Drawn By	Dated
DA0001	A	Cover Sheet	AJ&C	<del>13/10/22</del>
	B			13/10/22
DA0002	A	3D Views	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA1001	A	Site Plan	AJ&C	<del>24/11/22</del>
				13/10/23
DA1002	A	Site Analysis	AJ&C	24/11/22
DA1003	A	<del>Notification Site Plan</del>	AJ&C	24/11/22
DA1004	A	<del>Notification Elevations</del>	AJ&C	24/11/22
DA1101	A	Demolition Plan	AJ&C	24/11/22
DA2101	A	Level 1 Plan	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA2102	A	Level 2 Plan	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA2103	A	Level 3 Plan	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA2104	A	Roof Plan	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA2901	A	Shadow Diagrams – 9AM	AJ&C	24/11/22
DA2902	A	Shadow Diagrams –12PM	AJ&C	24/11/22
DA2903	A	Shadow Diagrams – 3pm	AJ&C	24/11/22
DA3101	A	Elevations – Sheet 1	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA3102	A	Elevations - Sheet 2	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA3201	A	Sections – Sheet 1	AJ&C	<del>24/11/22</del>
	B			13/10/23
DA3202	A	Sections – Sheet 2	AJ&C	<del>24/11/22</del>
	B			13/10/23
3610-LD-G12	7	Tree Protection & Removal	Environmental Partnership	<del>Nov 2022</del>
	Oct 23			Oct 2023
3610-LD-CA01	7	Civil Alignment Plan	Environmental Partnership	<del>Nov 2022</del>
	Nov 23			Nov 2023
3610-LD-	7	General Arrangement:	Environmental	<del>Nov 2022</del>

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GA01	Oct 23	Ground Floor	Partnership	Oct 2023
3610-LD- GA02	7 Oct 23	General Arrangement: First Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- PL01	7 Oct 23	Planting Plan: Regeneration Areas	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- PL02	7 Oct 23	Planting Plan: Ground Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- PL03	7 Oct 23	Planting Plan: First Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- IR01	7 Oct 23	Irrigation Areas: Ground Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- IR02	7 Oct 23	Irrigation Areas: First Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- SP01	7 Oct 23	Soil Plan: Ground Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- SP02	7 Oct 23	Soil Plan: First Floor	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- CR01	7 Oct 23	Cross Sections 1	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- CR02	7 Oct 23	Cross Sections 2	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- DE01	7 Oct 23	Hard Landscape Detail 1	Environmental Partnership	Nov-2022 Oct 2023
3610-LD- DE01	7 Oct 23	Soft Landscape Detail 1	Environmental Partnership	Nov-2022 Oct 2023
257-11G L01 [06]		Subdivision Plan / Lot Layout	Craig and Rhodes	4/5/21

Document Title	Prepared By.	Dated
Spill Light Study	Steensen Varming	25/11/22
Aboricultural Impact Assessment Report Aboricultural Statement for 2 trees located within 180 River Road Lane Cove	Seasoned Tree Consulting Seasoned Tree Consulting	29/11/22 9/10/23
Remediation Action Plan	Douglas Partners	Nov 22
Stormwater Management Report	TTW	29/11/22
Construction & Demolition Waste Management Plan	Elephants Foot Recycling Solutions	28/11/22
Operational Waste Management Plan	Elephants Foot Recycling Solutions	28/11/22
Ecologically Sustainable Development	Steensen Varming	24/11/22

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Noise Impact Assessment	Acoustic Logic	29/11/22
Access Review	Funktion	26/11/22
BCA Compliance Statement	Blacket Maguire & Goldsmith	28/11/22

**Condition A4 is amended as follows:**

**A.4 Tree preservation and approved landscaping works**

All landscape works shall be undertaken in accordance with the approved landscape plan(s), Arboricultural Impact Assessment Report, tree management plan and transplant method statement as applicable, as modified by any conditions of consent.

**The following trees shall be retained:**

4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 23, 24, 26, 28, 30, 49, 50, 51, 54, 53, 55, 56, 57, 58, 59, 62, 63, 64, 65, 68, 69, 70, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 158, 159, 160, 161, 162, 163, 164, 165, 166, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 276, 277, 279, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 234, 235, 236, 237, 238, 321

**61, 76, 86, 94, 167, 185, 278, 280\* all dead trees**

(161 total)

**This consent approves the removal of the following trees as identified in the approved Arboricultural Impact Assessment Report**

10, 16, 18, 19, 20, 21, 22, 25, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 62, 60, 66, 67, 71, 72, 81, 92, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233,

(80 total)

**Condition C.11 is amended as follows:**

**C.11 – Entry Design**

Prior to the issue of any construction certificate for building structures, the applicant shall submit detailed plans to Council for approval of treatments to be implemented to provide a sense of arrival to the building. The treatments shall include, but are not limited to the following:

- ~~Patterned, coloured and/or textured finish to concrete surfaces;~~
- Signage is to be integrated and/or recessed into concrete panels;
- Additional detail of proposed metal cladding, including product specification and colour;
- Additional detail of proposed glass and louvres to the eastern elevation;
- ~~Additional landscaping as appropriate at the base of concrete wall;~~



- Decorative paving and delineation between pedestrian and vehicle movement paths;
- Drop off area shall be positioned to allow direct access to the pedestrian pathway, so as to avoid car/pedestrian conflicts.
- Installation of low planter boxes with suitable species within the external drop off area.

**Reason: To provide an appropriate sense of entry to the building.**

**Amend Condition E.9 as follows:**

**E.9 - Tree protection**

While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of *AS 4970-2009 Protection of trees on development sites*. Any arborist's report approved under this consent inclusive of conditions listed within section B of this determination.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Particular attention should also be given to the protection of trees which overhang the proposed Stevenson Street extension during construction.

**Reason: To protect trees during construction.**

**Additional condition C.13 and G.2**

**C.13 Wildlife Crossing**

Prior to the issue of any construction certificate for driveway works, the applicant shall submit detailed plans to Council for approval of the proposed wildlife crossing to be located under the new access driveway. Construction shall occur in accordance with the detailed plans and must be operational prior to issue of the relevant Occupation Certificate.

**Reason: To protect native wildlife**

**G.2 Lot Consolidation**

The final lot which encompasses the recreation centre shall include all land which is required for the ongoing operation of the centre. Including the part of the proposed Stevenson Street extension required for maintenance access.

Reason: Compliance with National Construction Code

**Panel Reasons:**

The Panel supports the findings contained in the Assessment Report and endorses the reasons for the approval contained in that Report.

The decision of the Panel was unanimous

**KINGSFORD SMITH OVAL, STUART STREET, LONGUEVILLE.**

**DETERMINATION**

That pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979, the Lane Cove Local Planning Panel, at its meeting of 21 February 2024, exercising the functions of Council as the consent authority, grants development consent to Development Application 116/2023 for construction of lighting for two tennis courts (numbers 4 and 5) at Kingsford Smith Oval, Longueville, subject to the following conditions:

**PART A – GENERAL CONDITIONS**

1. **A.1 – Approved plans and supporting documentation**

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

<b>Drawing No</b>	<b>Plan Title</b>	<b>Drawn By</b>	<b>Dated</b>
A.01	Full Site Plan	-	30 October 2023
A.02	Partial Site Plan, Courts	JR	30 October 2023
B.01	Proposed North Elevation	JR	30 October 2023
B.02	Proposed West Elevation	JR	30 October 2023

<b>Document Title</b>	<b>Version No.</b>	<b>Prepared By.</b>	<b>Dated</b>
Obtrusive Light Report	22089-02-B	Apex Lighting	-
Obtrusive Light Report Calculations	22089-03	Apex Lighting	29 September 2023
DA Acoustic Assessment	12466 R01v1	PKA Acoustic Consulting	25 November 2022
Environmental Assessment	-	Applied Ecology	23 November 2022

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.**

2. **A.12 – Construction Certificate**

The submission of a Construction Certificate and its issue by Council or Principal Certifier PRIOR TO CONSTRUCTION WORK commencing.

**Reason: To ensures the detailed construction plans and specifications comply with the requirements of the Building Code of Australia (BCA) and any relevant Australian Standard.**

3. **A.3 – Payment of security deposits (if applicable)**

Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the Certifier:

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<b>Security deposit</b>	<b>Revision</b>
<b>Infrastructure Damage Bond</b>	\$4000

A \$4000.00 cash bond or bank guarantee shall be lodged with Council to cover the satisfactory construction of the above requirements.

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates.
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent.

**Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.**

4. **A.9.T Works on Council land**

Separate application shall be made to Council's Urban and Services Division if there is any associated works on Council property. Written approval is to be obtained prior to the start of any works on Council property.

**Reason: To manage impacts to Council's assets.**

**PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

5. **Construction Management Plan**

The applicant must submit a construction plan of management to the satisfaction of Council including an erosion and sediment control plan prepared by a suitably qualified hydraulic engineer prior to the issue of a Construction Certificate.

**Reason: To manage impacts to Council's assets and waterways.**

**PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

6. **C.1 – Erosion and sediment controls in place**

Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

**Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.**

**PART D – WHILE BUILDING WORK IS BEING CARRIED OUT**

7. **D.1 – Hours of work**

The principal certifier must ensure that building work is only carried out between:

Monday to Friday (inclusive)                      7.00am to 5.30pm

Saturday    7.00am to 4.00pm

With NO high noise generating activities, to be undertaken after 12 Noon on Saturday.

A Notice/Sign showing permitted working hours and types of work permitted during those hours, including the applicant's phone number, project manager or site foreman, shall be displayed at the front of the site.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

**Reason: To protect the amenity of the surrounding area.**

8. **D.7 – Construction noise**

While building work is being carried out where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or works does not exceed an Laeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where these works are being carried out.

**Reason: To protect the amenity of the neighbourhood.**

9. **E.18.B – No obstruction of public way**

The public way and Council verge must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

**Reason: To ensure public safety.**

**PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

10. **E.1 – Works-as-executed plans and any other documentary evidence**

Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:

The following matters that Council requires to be documented:

- Certification from suitable licensed contractor that all works have been constructed satisfying relevant Australian standards (including lighting standards).
- Certification from qualified structural engineer that the proposed construction has been completed according to approved plan and structurally certified.

The principal certifier must provide a copy of the plans to Council with the occupation certificate.

**Reason: To confirm that the proposed works have been constructed satisfactorily as per approved plans**

**PART F – OCCUPATION AND ONGOING USE**

11. **Operational Restrictions - Noise Management**

The use of the tennis courts 4 and 5 is subject to the following restrictions when illuminated:

- The on-line booking facility is to advise patrons to be mindful of nearby residences when arriving and leaving.
- Appropriate signage is to be provided reminding patrons to conduct themselves in an orderly manner at all times and to limit excessive noise.
- a maximum of four (4) persons per court at any one time;
- Amplified music/announcements is not permitted.

**Reason: protect the amenity of the neighbourhood.**

12. **Operational Restrictions of Lighting**

The use of the tennis court lighting is subject to the following restrictions:

- Lighting is permitted between 7am to 9pm, Monday to Saturday;
- The court(s) are only to be illuminated when they are being used for playing tennis. The lighting is to be installed to allow the courts to be illuminated individually so that if one of the courts is not in use, that court is not illuminated.
- Compliance with *AS/NZS 4282 – Control of the obtrusive effects of outdoor lighting* (with the version being as applicable at time of issue of the Construction Certificate);
- Lighting is to be turned off when the tennis court is not in use;
- Lighting is to be in accordance with the lighting specifications (including BL1 louvres) detailed in the Longueville Tennis Club Obtrusive Light Report and Calculations prepared by Apex Lighting submitted with the Development Application.
- Dimmers are to be installed with appropriate monitoring technology so that the illumination does not exceed an average 350 lux with a tolerance of +5%.
- Dimmers are to also automatically reduce the lux at 9pm before switching off the lighting at 9:10pm

**Reason: protect the amenity of the neighbourhood.**

13. **H.1 - Release of securities / bonds**

When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with **Condition 3**. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

**Reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.**

Panel Reasons:

1. The land is zoned RE1 Public Reserve and the development is consistent with the zoning.
2. The subject site is Council managed land which is dedicated to the public for public recreation and the Panel is of the opinion that the proposed development fulfils that purpose.
3. Questions of demand are not planning considerations and the Panel determines the matter solely on whether the application is acceptable subject to conditions which can minimize any adverse impact, or not.
4. The principle issue is whether the proposed lighting can have an adverse impact on wild life. The Panel accepts the opinion expressed in the expert's report as follows:

*"The proposal impacts a very small area of habitat that is suitable for a number of threatened and protected species. No vertebrae fauna species would be significantly impacted. Small shifts in behaviour are likely during hours of illumination, however these shifts should not impact the ability of any species, or even any individual, to persist in the area."*

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5. The Panel supports the findings contained in the Assessment Report and endorses the reasons for approval contained in that Report.

It follows that approval of the Development Application is acceptable subject to relevant conditions, knowing that the lighting complies with the relevant Lighting Standards and the Acoustic Standards and impacts such as traffic and parking are marginal and acceptable.

The decision of the Panel was unanimous

The meeting closed at 7.10pm

**\*\*\*\*\* END OF MINUTES \*\*\*\*\***