

Minutes
Lane Cove Local Planning Panel Meeting
5 March 2024



**Lane Cove Local Planning Panel 5 March 2024
MINUTES**

PRESENT: Ms Louise Byrne, Chairperson, Mr David Ryan, Planning Expert, Ms Kim Crestani, Planning Expert and Mr David Risbey, Community Representative

ALSO PRESENT: Mr Mark Brisby, Director Planning and Sustainability, Mr Christopher Pelcz, Co-ordinator Strategic Planning and Ms Angela Panich, Panel Secretary

DECLARATIONS OF INTEREST: Nil

APOLOGIES

Nil

LANE COVE LOCAL PLANNING PANEL REPORTS

PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

RECOMMENDATION

Pursuant to Section 9.1 of the *Environmental Planning and Assessment Act 1979*, the Lane Cove Planning Panel at its meeting of 5 March 2024 is recommended to support Planning Proposal No. 39, with the following amendments:

A. Amendments

- The Panel supports a site specific clause for low cost housing requiring 12% of gross floor area, expressed as either a percentage or a specific number.
- ~~Not proceed with amending LEP clause 7.6 (as this only applies to developments in St Leonards South)~~

The Panel supports the amended Proposal as it will pass the Strategic Merit Test and Site-Specific Merit Test for the following reasons:

B. Amended Proposal – Passes Strategic Merit Test

Reasons

- 1) Is now consistent with the following aspects of the *St Leonards/Crows Nest 2036 Plan*:
 - a. The 'tree-lined' vision of Oxley Street has been addressed;
 - b. The proposed height of 30 storeys complies with the Plan's recommendations;
 - c. While the FSR still exceeds the Plan's recommendations, it now complies with the Plan's recommendations for height in storeys;
 - d. The previous FSR bonus for design excellence has been removed;
 - e. 'Best practice' sustainability outcomes has been addressed and new development would be required to comply with Part S of Council's Development Control Plan;
- 2) Based on the above, the amended Planning Proposal is consistent with Section 9.1 Ministerial Direction 1.13 because it helps to deliver the vision,

objectives and actions of the 2036 Plan and any inconsistencies can now be considered of minor significance.

- 3) The amended proposal is consistent with Council's *Local Strategic Planning Statement*, in particular the 'Principles for Location of Additional Housing' as it directly across the road from the new Crows Nest Metro Station.
- 4) The amended proposal is consistent with Council's *Local Housing Strategy* action to "Only pursue planning proposals or other planning framework changes in the Lane Cove LGA if they include a principal affordable housing purpose and are consistent with Council's 'Principles for the location of additional housing' in its *Local Strategic Planning Statement*".

C. Amended Proposal – complies with Section 3.33 of the Environmental Planning and Assessment Act

Reason:

This section of the Act deals with the preparation, explanation and justification of Planning Proposals – which requires Proposals to state whether they will give effect to both a Local Strategic Planning Statement and comply with the relevant directions under section 9.1.

Having considered the above, the amended Planning Proposal is consistent with Section 3.33 (2)(c) of the EP&A Act because the Planning Proposal will "give effect to" Council's Local Strategic Planning Statement and complies with the relevant Section 9.1 Ministerial Direction (i.e. Direction 1.13).

D. Amended Proposal – Passes Site-specific Merit Test

Reasons

- Additional studies show that traffic generation has now been assessed ;
- Access to site has been addressed;
- New wind impact study has been provided;
- Reduction to 30 storeys has resulted in improved overshadowing outcomes, which are now consistent with the 2036 Plan recommendations.

E. Amended Proposal – now addresses all outstanding matters.

- F. That the Council delegate to the General Manager to prepare a site-specific Development Control Plan (DCP) in conjunction with the proponent to support the Planning Proposal, to be exhibited with the Planning Proposal after Gateway Determination.

Panel Reasons:

Apart from the minor change to the proposed Amendments (see dot points above) the Panel accepts and endorses the Report prepared by the Council officers. Accordingly the Panel accepts their recommendation to support the Planning Proposal put to the meeting on 5 March 2024. Staff were present in the meeting and dealt with issues raised in the public meeting. The Panel agrees with the *Reasons* for each of the steps set out above necessary for the recommendation to move the Planning Proposal forward and does not consider any further reasons from the Panel for its decision are necessary.

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The decision of the Panel was unanimous

The meeting closed at 6.30pm

CHAIRPERSON

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