



**Lane Cove
Council**

Late Agenda Ordinary Council Meeting 23 April 2026, 7:00 PM

Council will commence consideration of
all business paper agenda items at 7.00 pm.

Notice of Meeting

Dear Councillors,

Notice is given of the Ordinary Council Meeting, to be held in the Council Chambers on Thursday 23 April 2026 commencing at 7:00 PM. The business to be transacted at the meeting is included in this business paper.

In accordance with clause 3.26 of the Code of Meeting Practice Councillors are reminded of their oath or affirmation of office made under section 233A of the Act, and of their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Yours faithfully



Louise Kerr
General Manager

Council Meeting Procedures

The Council meeting is chaired by the Mayor, Councillor Merri Southwood. Councillors are entitled to one vote on a matter. If votes are equal, the Chairperson has a second or casting vote. When a majority of Councillors vote in favour of a Motion it becomes a decision of the Council. Minutes of Council and Committee meetings are published on Council's website www.lanecove.nsw.gov.au by 5.00 pm on the Tuesday following the meeting.

The Meeting is conducted in accordance with Council's Code of Meeting Practice. The order of business is listed in the Agenda on the next page. That order will be followed unless Council resolves to modify the order at the meeting. This may occur for example where the members of the public in attendance are interested in specific items on the agenda.

The Public Forum Meetings are no longer part of Ordinary Council Meetings and are now held separately.

Public Forum Meetings are held on the Monday prior to the Ordinary Council Meeting. Register by using the online form no later than 10.00 am on the day of the Public Forum Meeting.

Please refer to the [Public Forum Meeting Guidelines](#) on Council's website for further information www.lanecove.nsw.gov.au/meetings

Alternatively, members of the public can submit their written address via email to service@lanecove.nsw.gov.au. Written addresses are to be received by Council no later than midnight, on the day prior to the meeting. (500 words maximum).

Please note that meetings held in the Council Chambers are webcast, and recordings are made publicly available on the Council's website. Should you require assistance to participate in the meeting due to a disability; or wish to obtain further information in relation to Council, please contact Council's Director - Corporate Services and Strategy on (02) 9911 3550.

0 MAYORAL MINUTES

**L.1 MAYORAL MINUTE - STATE SIGNIFICANT DEVELOPMENT
APPLICATION: 300 BURNS BAY ROAD, LANE COVE 4**

Item No: L.1
Subject: Mayoral Minute - State Significant Development Application: 300 Burns Bay Road, Lane Cove
Record No: SU5465 - 29697/26
Division: Lane Cove Council
Author(s): Councillor Merri Southwood

PURPOSE

This Mayoral Minutes provides information on the NSW State government approval framework for a State Significant Development Application (SSDA) and addresses Council's actions regarding the SSDA at 300 Burns Bay Road, Lane Cove.

RECOMMENDATION

That Council:

1. write to the NSW Minister for Planning and Public Spaces requesting:
 - a) confirmation that the State Significant Development Application (SSD87925706) for 300 Burns Bay Road, Lane Cove will be referred to the Independent Planning Commission for determination,
 - b) the exhibition period be reopened for the SSDA for 300 Burns Bay Road, Lane Cove given the complexity of the proposal and level of community interest,
 - c) until such time as the new statewide Community Participation Plan is finalised, a 28-day exhibition period is applied to all SSD applications.
2. write to the NSW Minister for Planning and Public Spaces to express that Council and the local community remain concerned about the proliferation of state-led approval pathways created by the NSW Government, in this instance attracting a proposal whose height, bulk and infrastructure demands are entirely inconsistent with desirable planning outcomes set out in Council's strategic planning policies.
3. write to the State Member of Lane Cove and Federal Member for Bennelong seeking their support and assistance in implementing the above actions.
4. note a comprehensive objection to the application has been prepared by Council's Planning and Sustainability Division and the submission has been placed on Council's website.
5. note there is now a dedicated webpage related to State Significant Development Applications on Council's website to help our community better understand SSDA processes.

BACKGROUND

Earlier this month Council was made aware that the NSW Department of Planning, Housing and Infrastructure (DPHI) commenced the public exhibition of a State Significant Development Application (SSD 87925706) related to 300 Burns Bay Road, Lane Cove. The application seeks approval for the following:

1. Approval of a rezoning request: To support the proposed residential development, a rezoning request is being sought concurrently with the SSDA under the Housing Delivery Authority (HDA) pathway. The rezoning request seeks to amend the Lane Cove Local Environmental Plan 2009 by amending the applicable maximum building height control from 21m to part 38.5m, part 45m and part 54.5m, and floor space ratio (FSR) control from 2:1 FSR to 3.22:1 for the site.
2. Development consent for the proposed development: The SSDA seeks concurrent consent for the proposed development, being a residential scheme comprising 7-15 storey residential flat building, comprising of 225 dwellings, including 34 affordable dwellings for a period of 15 years.

Lane Cove Council is not the consent authority for this project. The Minister of Planning and Public Spaces (or their delegate) is the consent authority.

The SSDA at 300 Burns Bay Road was publicly exhibited for a period of 14 days (Wednesday 8 April 2026 to Tuesday 21 April 2026). The limited public exhibition, whilst consistent with the recently amended DPHI Community Participation Plan requiring a 14-day exhibition period for residential development, is not acceptable, and does not provide the community with sufficient time to review and make comments on this very significant development which also seeks an amendment to the planning controls of the Lane Cove Local Environmental Plan.

The DPHI Community Participation Plan provides discretion to extend exhibition period timeframes for more complex applications to allow more time for consultation with the community and stakeholders when required. Given this, Council made representations to DPHI for the public exhibition period to be extended to 28 days given the complex nature of the application and the broad community interest in the proposal, however the request was declined.

Council has made a written submission to DPHI. Our submission strongly objects to the rezoning request and development proposal and seeks refusal of the SSDA. Council's submission highlights the following issues:

- Overdevelopment and non-Compliance
- Unacceptable amenity impacts
- Failure to meet design and planning standards
- Inappropriate site for rezoning
- Environmental and infrastructure concerns
- need for a reduced, compliant scheme

A full copy of Council's objection is available for the public to view on Council's website – under the State Significant Development Applications page.

The Minister for Planning and Public Spaces is the consent authority for any SSDA unless the Independent Planning Commission (IPC) is specifically declared to take on that role.

The IPC is generally the consent authority for an SSDA where the applicant is not a public authority (or acting on behalf of one), and one or more of the following applies:

- the local council has lodged an objection.
- 50 or more public objections are received during exhibition.
- the applicant has made a reportable political donation.

Because of the significant community opposition to this project and Lane Cove Council objection it is our expectation that the application will be referred to the IPC for determination, however, it is important for Council to write to the NSW Minister for Planning to formally request that the application be referred to the IPC for determination for the avoidance of doubt.

To assist our community in understanding the emerging number of projects that are being proposed as State Significant Development and bypassing local council planning systems, Council has developed a dedicated webpage to help explain the SSDA process, highlight the current SSDAs on public exhibitions, and publishing Council submissions.

I further highlight that the NSW Government is currently requesting feedback on a new statewide Community Participation Plan. This new Plan seeks to continue the current practice of 14-day public exhibition for residential SSDAs. Lane Cove Council are preparing a submission regarding the Statewide plan and will advocate for exhibition periods being extended to 28 days.

I seek the support of my fellow Councillors in advocating that until such time as the new Community Participation Plan is finalised that DPHI's current 14-day timeframe for residential SSDAs be extended to 28 days to be consistent with all other SSDAs. In addition, given the significant community interest in 300 Burns Bay Road, the exhibition for that development be reopened to allow 28 days of public consultation.

Councillor Merri Southwood
Councillor

ATTACHMENTS:

There are no supporting documents for this report.