



Lane Cove Bushland & Conservation Society Inc

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Submission to the Sydney North Planning Panel meeting on 11th July 2018

The LCB&CS has been advocating for the environmental well-being, amenity and character of Lane Cove, and wider areas, now for 47 years. It is in this context that we have been concerned about this site right from the Major Projects Strategic Plan of 2007 up until this latest development.

We are concerned with 3 aspects of the approval which are contrary to the DCP and which if allowed to stand will be used as precedents for all future developments in Lane Cove

We are primarily concerned with the cumulative effect that the precedents set in the assessor's report can be applied to all future development applications. We feel that these precedents are unwarranted and should not be allowed to proceed.

Our objection to the first proposed precedent is to allow level 7 units. This is a blatant disregard from the height limit set, which is already being exceeded by a marginal amount, which we accept. The justifications outlined in the Clause 4.6 application can only be described as an attempt to provide more accommodation, and thus more profit in both an immediate return, and an ongoing one, as the units are on-sold in the future. It may be required to fulfil the allowable FSR, but most developments do not achieve that result so that this extra FSR should not be criteria for its acceptance.

We totally oppose the approval of the level 7 units.

Also in regard to the height limits, the roof top garden area, now moved to Block C, has a requirement for 50% of the roofed area to provide shade. This is, in effect, another floor, albeit a lower level than required for accommodation, but nevertheless is some 3 m above the height limit. It will be visible from the golf course, as can be observed now in relation to the end of Timber Tops. It should be setback from the edge of Block C at least the height of the roof.

Our objection to the second proposed precedent is the ability to bypass the required buffer between the building and the E2 zoned bushland by the use of the "ground truthing line" – a completely new concept with regards to environmental protection of remnant bushland. As we stated in our submission this precedent should not be allowed as it will be applied by all residents adjoining bushland to say that the area below their boundary is degraded, most times by the resident or previous resident, and therefore they can use the bushland line as the lower edge of their buffer zone, and not their legal boundary, as is the intention of the Code.

This ground truthing area can be restored to good bushland, as has been demonstrated many times in the municipality, by regeneration principles and replanting and would add greatly to the ambience of the units facing the bush as well as the lower units in Timber Tops.

We urge you to maintain the code requirements for a 10 m buffer zone from the site boundary and not use the ground truthing area as part of that buffer.

Monies should be set aside by the developer to restore the area at the present time and an amount set aside for ongoing maintenance of the area in the future.

Our objection to the third proposed precedent is the dismissal of the requirement to set the building back above the 4th storey. This may not be necessary on the northern end of blocks B and C, but we believe that it is imperative on the eastern and southern facades of Block C. Once again, if the precedent is allowed then it will be used by all developers who build over 4 storeys in the LGA in the future, and Council will have no legal redress to refuse its application. This set-back would also improve the sunlight to this end of Timber Tops in winter.

We ask that the required code set back above the 4th level be adhered to on the east and south facades of Block C.

Several other concerns arise in reading the assessor's report and the conditions of approval. If the building is moved 1 m northward, as requires in condition roman (ii), does this mean that the 12 m and 25 m set back from the northern boundary is reduced to 11 m and 24 m? This would be a retrograde step and contrary to the DCP, particularly in relation to the intrusion of the carparking levels and generator space into this set back. It would reduce the amount of deep soil landscaping that can be provided as well as causing other problems with the walking track and landscaping.

Our concerns regarding the area above the generator space outlined in our letter of 12th June 2018 have not been addressed, and still stand. Is the area open space or is it covered and landscaped? The drawings are ambiguous. Drawing 230 shows it as sunken landscaped area, drawing 240 shows it as landscaping on ground level, sections C and D on drawing 311 shows a sunken pit with no landscaping above. What is really proposed here?

Our concern with the balconies of the level 6 units facing Longueville Road projecting into the 8 m set back greater than the 600mm allowed has not been addressed.

Our concerns regarding Aged Care units B3.18 to B3.24 and B4.27 to B4.29, facing a retaining wall up to 5 m high, and only a few metres from the windows, appear not to have been considered in the appraisal, of the development as acceptable in terms of the various SEPPs.

We do commend the exhaustive conditions placed on trees and landscaping and urge the construction team to comply with the conditions to protect the existing trees required to remain, including the employment of an arborist to supervise the work.

This Society urges the Panel to consider this submission as a thoughtful one, that has considered the environment as well as the developers desire to produce a good building with acceptable accommodation for people of an older age.

Doug Stuart for the Committee, Lane Cove Bushland and Conservation Society.