



PROPOSED DEVELOPMENT BY ROSECORP FOR 150 EPPING ROAD – the big one!

(artist's impression, 26 storey tower seen from the west.)

This is the one with the now 20 storey residential tower. It was 26 storeys, but the developer responded to the Department of Planning's comments by reducing it. The rest is more or less the same with six and ten storey blocks.

This is now known as the "Preferred Project" and has been assessed by the Department of Planning and Infrastructure and been forwarded to the Planning Assessment Commission (PAC) for determination. Lane Cove Council has no authority in this matter. The Department supports the "Preferred Project".

Full details of the original and Preferred Proposal are at:
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4283

There was a public hearing on June 18 at which three assessors from the PAC heard our submission and six others. None supported the proposal. There was only a small audience, probably because few knew that it was happening. (We suspect that few know of this proposal).

Our submission on the original proposal urged rejection of the rezoning to residential and the size of the proposed development, including the 26 storey tower.

LCBCS Submission to the Department of Planning on the original proposal, 1 September. 2011.

The Lane Cove Bushland and Conservation Society Inc (LCB&CS) has been in existence for 40 years as an independent advocate for the environment. We comment on any development that could impact on bushland and conservation issues in the municipality. This is our reason for commenting on this application.

The applicant has presented 4 options and the LCB&CS have a number of real concerns about this application which asks for major rezoning to Council's LEP 1009 and approval for the clients preferred Option No 4 – including a signature building on lower podiums.

Location

We think that this is a completely unsuitable location for residential development and oppose this use on this site.

Residential use will have a greater impact on bushland than the uses allowed under the existing zoning.

This is an isolated site for residential use and does not easily relate to other residential or community facilities. It is not isolated in relation to industrial/business centre use as it adjoins similar uses at SC Johnson's, 160 Epping Road and over the river at North Ryde developments. Residentially there are no community facilities close by other than those that will be provided on site, which could make this a very inward looking community with little or no relationship to the overall community of Lane Cove. To access facilities other than those on site will require travel of some distance, the majority of which will be made by car – to Lane Cove Village Centre, Macquarie Centre or Chatswood.

There is no reason that this site is needed to fulfill Councils targets of increased residential capacity as set out in the Northern Suburbs Regional Strategy 2007 as this has been achieved elsewhere in the LGA.

Even employment locations are no better off than any other location in relation to access to public transport or ease in getting to places of

employment. Citing the ease of access to employment locations is not a major advantage for the use as residential as quoted in the report.

The Options

Area

All options are a gross overdevelopment of the site, and Option 4 in particular has a number of problems with the figures presented.

We object to the size of this option or any development built to the proposed FSR.

The claimed FSR of 1.25:1 is based on the total site and is already above the LEP allowance by 13.6%. A not insignificant increase. The buildable area is stated as being 58% of the total site – 18,410m². This makes the claimed total area of 39,675m² produce an FSR of 2.15:1 over the buildable area – a major increase on any sites nearby.

The claimed precedent of nearby sites allowing an FSR of 2.1:1 is spurious as the applicant must know that there are a number of applications in this area that have been refused and the precinct is under review by the Department of Planning and Lane Cove Council. Also not one of the applications has achieved the FSR of 2.1:1 due to the height restrictions on the sites. The average best achievable is an FSR of approximately 1.6:1

The calculation of Gross Floor Area (GFA) in the LEP template now does not include many visible and physical areas of the building which contribute to its bulk – external walls, vertical circulation areas, balconies, plant rooms etc. If Council's DCP minimum balcony of 10m² per unit, and the other exclusions are included in a Gross Building Area (GBA) it would show that the GBA is over 47,000m² – meaning that the FSR (using the GBA) on the total site would be 1.5:1 and on the buildable site to 2.55:1.

This is massively over the allowable in the LEP 2009 of 1.1:1

A reduction in the Gross Building Area would mean a reduction in the number of units and in the number of cars required to be provided for those units.

An Industrial/Business Park use development would not require the same amount of external walls, building areas for balconies and vertical circulation etc and if retained at 1.1:1 should not be any more bulky than the residential option. (A bulky industrial building is claimed as a reason for not building this type of development)

Other Planning Matters

The retail is shown opening onto Epping Road. To be viable this would require a stopping area on this major traffic artery which would interfere with the slip road and the exit from the parking levels which is shown just east of the retail building. We do not think that this is acceptable.

The retail is also at a much higher level than the main entrance to the units requiring residents to climb up stairs to access the shops.

Just on half of the units are one bedroom units and only 10% are three bedroom units – just complying with council’s codes. As the development seems to be planned as an upmarket “signature” development we question the wisdom in so many single bedroom units.

Pedestrian Access

The required public access across the site connecting the track in the bushland handle (Yangoora reserve) is not shown but is a requirement that has been placed on the site for many years. Keeping this is a major priority of the community. The report states that it will be provided but we cannot see any evidence on the plans of its location.

The pedestrian bridge may connect to the north side of Epping Road, but to provide access in either direction beyond that point will require major intrusion into the cliff face/bushland.

This is not acceptable to the LCB&CS nor we believe will it be acceptable to the community.

Environmental Issues

It is vitally important that the Voluntary Planning Agreement over the bushland handle is agreed and signed prior to an approval for any development on this site. This area was set aside by SC Johnson himself as a bushland area never to be built upon so as to maintain its natural state when the development of their site was agreed. Council has maintained this over the last 25 – 30 years and it is vitally important for the visual amenity, environmental integrity and protection of the dam below it on Stringy Bark Creek.

Such a large increase in permanent residents will impact on the bushland surrounding the site. Some will be acceptable use others will be create abuse, so that this impact must be considered in any determination of development.

Residential use will have a greater impact than industrial use on the natural environment.

As mentioned above the access at the northern end of the pedestrian bridge cannot be allowed to adversely impact on the cliff face or bushland along that side of Epping Road. This is a major concern of this Society.

Another concern is the increase in sewage being discharged to the main line. Sydney Water Sewerfix section has told community liaison groups at workshops discussing sewer overflows and remedial action that sewers were designed for a 25% flow during dry weather, thus allowing for increased flow due to wet weather infiltration. Sewers generally on the North Shore, including the one in this area, are now running at 75% dry weather flows causing the number of overflows in wet weather that are being experienced. This development will increase the dry weather flows and consequently wet weather overflows from the sewer main. Further investigated of the capacity of this sewer must be undertaken before any approval is granted.

Traffic Access to and from the site.

The site has major traffic problems irrespective of its use. Access from the west requires a U turn across west flowing traffic. (which must be almost impossible in evening peak hour traffic.) Traffic leaving the site and wishing to travel in an easterly direction has to firstly turn left into Epping Road and then to make a right turn at Mowbray Road and add to the already heavily congested traffic on that road system. The number of cars proposed for this development will really add to the problems experienced on Epping Road and Mowbray Road as there is no chance of using the Lane Cove Tunnel for any traffic to or from the site.

Industrial/commercial use would probably produce far fewer cars using the site given its location on public transport routes.

Conclusion

In summary the LCB&CS; -

- Oppose the use of this site for residential development.
- Object to the over-development of the site and urge a return to the FSR in the LEP 2009 – 1.1:1

- Suggest that the Voluntary Planning Agreement over the bushland handle must be in place before any approval is granted to build on the remainder of the site
- Full studies must be completed on the sufficiency of the infrastructure services and the effect on the environment of upgrading them where necessary – particularly the sewage system.
- Traffic movements into and out of the site to be fully investigated and resolved before approval.
- Pedestrian movement from the northern end of the pedestrian bridge not to impinge on the cliff face or the bushland on that side of Epping Road.

These objections remain for the “Preferred Proposal”.

Those making submissions to the PAC hearing were asked to focus on the Department of Planning’s assessment of the Preferred Proposal.

Our main points were:

We supported the general thrust of the submissions of Lane Cove Council and Willoughby Council, but disagree with LCC’s resolution to rezone to mixed use. It should remain light industrial, with a maximum FSR of 1.1 to 1 and a maximum height of 18 metres.

We supported WC’s submission that: “The lack of justification for the loss of employment land and inconsistency with the strategic objectives of the Metropolitan Plan 2036 and State government policies for the protection of industrial land”

The DoP stated that: “The stock of residential accommodation in Lane Cove is mainly characterised by detached suburban houses. There is an undersupply of housing alternatives such as medium or high density development”, but offered no evidence to support these assertions. We showed by referring to readily available Census data that this was not so. Briefly, the proportions of the housing stock in 2006 were: separate houses, 46.4%; medium density, 12.1%; high density, 33.9%.

Similar proportions have prevailed for at least 25 years. This invalidated the DoP’s support for housing.

Our submission on bushland was as above, but in addition we insisted that any Asset Protection Zone (APZ) required by the Rural Fire Service (RFS)

must be on the Proposal's land and not include adjacent bushland. We know from experience in the Mowbray Road precinct that developers will try to have an APZ in bushland.

The developer has made much of the tower as a "Gateway" to Lane Cove and it being a "signature" building. The DoP supports this. We strongly indicated that we don't need a "gateway" or a "signature" building.

The bush is our "gateway".

We also questioned whether Sydney Water, in assessing the capacity of the sewer line, had taken into account the probable extra load from the Mowbray Precinct. We pointed out that the capacity of the line receiving this extra load has not been assessed by anyone and urged the PAC to ask questions before deciding.

The other submissions complemented ours neatly, particularly that by Norma Stuart for BMAC (see below).

The PAC will now determine the proposal.

A lot of power in the hands of three people!

Submission to the Planning Assessment Commission Proposed Mixed Use Development at 150 Epping Road, Lane Cove From The Community members of The Bushland Management Advisory Committee Lane Cove Council

Lane Cove River Corridor

The Lane Cove River corridor is quite unique in the Sydney Basin as it provides extensive lengths of shoreline with indigenous vegetation cover, stretching from The Fig Tree Bridge to Fullers Rd. People from all over Sydney enjoy this corridor of quiet natural beauty from both walking tracks and the water. The Great North Walk passes through the area adjacent to this development. The building of a twenty story tower will be a massive unwelcome visual intrusion into a beautiful natural area which has provided many people with quiet enjoyment and some respite from the built environment. This is an area of great environmental value, close to the city and available to many for passive recreation. LCC has actively managed our bushland areas since the late 1970s and formalised this in 1991 with the

adoption of a Plan of Management for all bushland reserves. This careful management needs to be respected and not exploited for development.

This is a very special area that needs to be cherished and protected.

I would like to table for your information a recent photographic survey of the Lane Cove River Foreshore showing how little intrusion of the built environment there is

The twenty storey building in this development is totally out of character with the surrounding area and the municipality in general. Development of apartment buildings in the LCLGA has height restrictions usually of 6 stories. This tower is triple that height.

This tower is presented as something the community should be pleased about. A Landmark or Signature building or a “Gateway” for Lane Cove. This is a theoretical planning concept and not one that has any currency in the community. At present we have a natural “Gateway”, a corridor of native vegetation and sandstone escarpment which according to a recent survey is far more representative of community values. Other so called land mark buildings that come to mind such as Blues Point Tower and the Horizon Building are some of the most disliked or even hated buildings in Sydney.

While some might describe this building as Landmark others might describe it as a blot on the landscape, standing out like a sore thumb, representing an “I am the king of the castle mentality”. All very well for those who will benefit from the scheme, the Architect with great advertising the developer with increased density and the residents who can afford the good views. While some residents will be stuck with extensive views of the ever increasing traffic on Epping Rd . The community however is stuck with the consequences. It is not a building that can be softened with some landscaping but a tall intrusive building casting a large shadow and visual impact on the landscape for the next hundred years.

More concerning is that if this tower building is approved it will set a precedent and we will have more developers clamouring for similar massive developments on other sites.

Instead of a building designed to stand out from the environment we should be encouraging designs that are more sympathetic to and compatible with the existing natural and built environment of Lane Cove and consistent with our recently approved LEP. The public needs to have confidence that these planning instruments mean something. We also need to know that consent authorities will uphold them.

One needs to ask whether this push for the maximisation of building sites is really the way we should be redeveloping our suburbs.

Bushland Area and Handle

If this building, or any other development is approved on this site, the bushland handle needs to be dedicated as bushland and maintained as bushland by the development in perpetuity. There is also a need to insure continuing public access across the developable site to access this track.

This area will require a plan of management for the vegetated areas and upgrade of bushland tracks as well as the management of stormwater.

This needs to be done in consultation with Lane Cove Council's Bushland Manager and be compatible with Plan of Management for Bushland in Lane Cove and be reviewed on a regular basis at least every five years.

This plan needs to be developed by a consultant suitably qualified in Bushland Management and Bush Regeneration and not by a landscape architect or landscaper.

The previous owners of this site, S C Johnsons, paid for bush regenerator contractors under the direction of Lane Cove council to carry out work on this site for 10 years. Since it was sold to the present owners no work has been done to maintain the site thus allowing weeds to move back in.

So this site needs both remedial work and long term follow up and ongoing management to restore it to a healthy and viable bushland site

Rural Fire Service

The Rural Fire Service's requirements for APZ's and a defensible space must be achieved outside the bushland areas or with building standards. To say that under story plants and groundcover can be removed from a bushland area to create an APZ is to destroy the bushland. It would no longer be bushland.

A complete complex vegetation structure is needed to provide diversity, habitat and continuity with adjoining bushland areas. Any clearing of vegetation would compromise that.

The clearing of weed could be desirable for the environment, but not if the objective is to open the area up. From bushland management experience opening an area up and increasing light penetration, only encourages more weed growth.

What is required is the restoration of bushland using proven bush regeneration methods. However this will not achieve the APZ standard required

From our point of view all fire protection must be confined to the developed site and be achieved in the design and material of the buildings.

In its present form the design does not seem to address the issue of fire protection. Too often we have seen inappropriate development in bushland areas and then the bush land either destroyed or under constant pressure for clearing, thus destroying a valuable natural and community asset and the very environment of “a bushland setting” that the developer sought to exploit in promoting the development.

We rely on the consent authority and the Rural Fire Service To ensure that adequate fire protection is achieved within the developable site so that demands for clearing of bushland will not be made in the future.

We urge the Commission not to approve this development and to give more informed consideration to the protection of the natural environment and to the impact on the broader community

Thank you for this opportunity to address the commission.

Norma Stuart For the community members of The Bushland Management Committee Lane Cove Council.