

3982/13

E-mail Message

From: Orion [SMTP:orionofdoom@gmail.com]
To: lccouncil [EX:/O=LCMC EXCHANGE 2007
 ORGANISATION/OU=EXCHANGE ADMINISTRATIVE GROUP
 (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Lccouncil]
Cc:
Sent: 7/08/2013 at 1:57 AM
Received: 7/08/2013 at 1:57 AM
Subject: Re: Information Meeting: 150 Epping Road (former Shell Service Station)

To the Council

I am unable to attend such meetings due to a night work schedule. But I would like to register my concern at the reduction in the level of public housing, public housing is essential now more than ever. I read only today in the papers that homelessness has risen since 2006, furthermore I am concerned about the Lane Cove area becoming isolated from the larger community as it becomes a richer area, it is my belief that where one lives should not make obvious their economic status, suburbs should not become stratified on income. Please restore the full 10% public requirement.

In addition the deletion of requirements for a pedestrian overpass, a community bus and the Mowbray/Centennial Intersection works seem to me to be harmful and shortsighted. I oppose these changes in no uncertain terms. A pedestrian overpass is undoubtedly needed for this location in order for residents to have easy access to the 288 and other buses to the city, it is likely rushed residents will attempt an incredibly dangerous crossing of Epping road to catch their buses resulting either in an accident or the council having to construct this overpass anyway. It is better that it is done now. The community bus seems an excellent measure to handle the inevitable early problems with accommodating an influx of new residents on local transport systems.

And a study of the impacts of traffic and if necessary an upgrade to the intersection seems like a prudent and fair measure, I can see no reason why it should not go forward.

If the property developers can not bear the costs of these essentials then the project should not go forward at all as it is then economically unviable, they cannot become profitable by shifting costs onto the community or council services.

I liked it better as the "Space Station" Servo and McDonalds anyway, it was the only place to get a meal after a midnight shift.

Regards
 Mitchell John Garside
 42 Kullah Parade, Lane Cove

On 6 August 2013 16:05, Lane Cove Council wrote:

<https://promo-manager.server-secure.com/download/files/03894/89286/Council%20BANNER.jpg>

Information Meeting: 150 Epping Road (former Shell Service Station)

The 150 Epping Road site (previously known as the Shell Service Station site) was the subject of a Part 3A planning proposal to develop the land for mixed use purposes that included residential towers and commercial office space.

The Part 3A proposal was considered and determined by a Planning Advisory Committee (PAC) appointed by the Minister for Planning in August 2012. The PAC approved a Planning Concept Plan that overrides local controls and sets a range

39211/13

E-mail Message

From: David Harper [SMTP: dharper@westpac.com.au]
To: [lccouncil \[EX:/O=LCMC EXCHANGE 2007 ORGANISATION/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=Lccouncil\]](#)
Cc:
Sent: 8/08/2013 at 11:12 AM
Received: 8/08/2013 at 11:12 AM
Subject: Fw: Information Meeting: 150 Epping Road (former Shell Service Station)

Please pass this onto the Mayor of LCC

Thanks Mayor for allowing such hideous highrise in a suburban area. Completely out of character and out of line.

All for money no doubt.

Disgracful

Not 1 person in Lane Cove would have approved this

Who do you think you are allowing such revolting projects????

D Harper

Information Meeting: 150 Epping Road (former Shell Service Station)

The 150 Epping Road site (previously known as the Shell Service Station site) was the subject of a Part 3A planning proposal to develop the land for mixed use purposes that included residential towers and commercial office space.

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An HYPERLINK "<https://promo-manager.server-secure.com/ch/3894/rvjtyk/607046/12c13qkp3.html>" \napplication to modify the approved 'Planning Concept Plan' has been lodged with the Department of Planning that includes:

- Construction of approximately 403 residential apartments in lieu of 400, with an increase in residential floor space from 31,615 to 35,203sqm;
- A basement car park for approximately 596 spaces in lieu of 645 spaces;
- 4% "affordable housing? apartments, in lieu of 10%;
- 258sqm of retail floor space, in lieu of 769sqm;
- Deletion of 800sqm of commercial floor space and replacement with a 650sqm childcare centre;
- Provision of 816sqm of communal floor space, in lieu of 1,850sqm;
- Deletion of the requirement for an overhead Pedestrian Bridge over Epping Road;
- Deletion of the requirement to provide a Community Bus as a Sustainability measure;
- Deletion of the requirement for a traffic analysis of the cumulative impact of the proposed development on the intersection at Mowbray Road/Centennial Avenue, and the requirement to make a proportionate monetary contribution to fund the upgrade of the intersection;
- Deletion of the Planning Agreement (VPA) with Lane Cove Council, in the terms outlined in a letter to Council dated 9th March 2011 and replacement with a

condition that any public benefit be offset against s94 Developer contributions;
 - Deletion of the requirement to dedicate the E2 Zoned Handle of the site (1.35ha) free of cost as outlined in the draft VPA; and
 - Provide that if Council prefers not to own the E2 Zoned Handle of the site, a covenant shall be placed on title to allow public access, although infrastructure works to be used by the public and ongoing costs will be sought to be offset against Section 94 obligations.

The proposed amendments to the Planning Concept Plan are currently on exhibition through the Department of Planning and will be assessed and determined by another State-appointed PAC.

Council and the community may make a submission to the PAC to assist their assessment of the proposed amendments to the original Planning Concept Plan approval.

Council will be conducting an information meeting on Tuesday 13 August, 2013, commencing at 6.30pm in the Council Chambers, Lower Level, 48 Longueville Road Lane Cove. The applicant will be attendance to detail and explain the proposed amendments to the original Concept Plan.

If you would like to attend, please HYPERLINK "<https://promo-manager.server-secure.com/ch/3894/rvjtyk/607047/12c13nb3b.html>" \nRSVP online.

For further information contact Council's staff member Chris Peltz on 02 99113516.

This email was sent by Lane Cove Council, Lane Cove Council, 48 Longueville Road, Lane Cove NSW 2066, Australia to HYPERLINK "<mailto:mariurgel@yahoo.es>"mariurgel@yahoo.es

HYPERLINK "<https://promo-manager.server-secure.com/forms/u/f910cbf/3894/664739840.html>" \nUnsubscribe

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41495/13

Attention: Planner

NSW Planning & Infrastructure
information@planning.nsw.gov.au

Dr. Ray Kearney
24 Alder Avenue
Lane Cove West, 2066
Phone: (02) 94285336 (h)
ray.kearney@sydney.edu.au

14th August, 2013

Head Office

23-33 Bridge Street, Sydney NSW 2000
GPO Box 39, Sydney NSW 2001
Tel: 02 9228 6111
Fax: 02 9228 6455
Email: information@planning.nsw.gov.au

RE: Modification No. 1 to MP10_0148 Mixed use redevelopment of 150 Epping Road, Lane Cove West

The application by the proponents proposes to modify the approved development to include:

1. A new child-care centre for approximately 85 children.
2. Deletion of 800sqm of commercial floor space and replacement with a 650sqm child-care centre.

My submission is to again draw attention to the fact that this development-complex is approximately 250 metres from the *unfiltered* Western Stack of the Lane Cove Traffic Tunnel and measures MUST be adopted to protect children in the proposed child-care centre from the adverse health impacts of highly toxic and proven carcinogenic exhausts from the Western Stack coupled with similar pollutants from the busy Epping Road.

Summary comments:

(a) This submission will NOT repeat the details provided in the attached Submission of Objection which was lodged in August, 2011. Furthermore, the Planning Reviewer is reminded that a Federal Senate Committee is about to release its inquiry into '*The Health Effects of Air Pollution in Australia*'. See link:
http://www.aph.gov.au/parliamentary_business/committees/senate_committees?url=clac_cltc/air_quality/index.htm

Noteworthy are some 162 submissions (and transcripts from interviews) including those from the various government/medical/research organizations whose submissions (with reference numbers) are for example:

4. Doctors for the Environment Australia Inc. (PDF 981KB)
27. Environment Victoria (PDF 132KB)
29. Centre for Air quality and health Research and evaluation (CAR) (PDF 435KB)
35. Residents Against Polluting Stacks Inc (PDF 357KB)
48. CSIRO (PDF 439KB)

- 50. Asthma Foundation NSW ([PDF 365KB](#))
- 53. International Laboratory for Air Quality and Health (ILAQH), Queensland University of Technology ([PDF 130KB](#))
- 80. NSW Environment Protection Authority ([PDF 2146KB](#))
Supplementary Submission([PDF 123KB](#))
- 86. Dr. Raymond Kearney ([PDF 1291KB](#))
- 114. Australian Medical Association ([PDF 254KB](#))
- 162. Standards Australia ([PDF 1411KB](#))

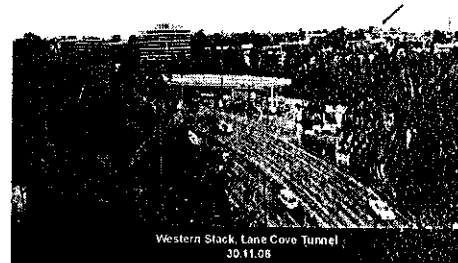
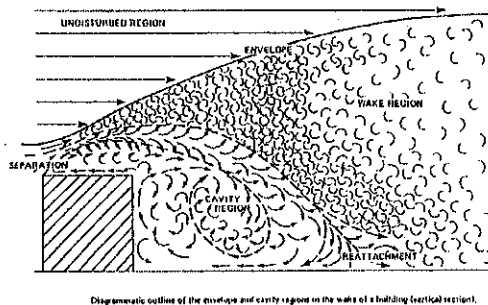
What is evident in these submissions is the current standards for air quality DO NOT relate to health impacts or to health risk. The report of the Senate Committee is about to be released and was due on the 12th August, 2013.

(b) Also noteworthy is that In June, 2012, the WHO declared **diesel fumes** to be a **Level-1 Human Carcinogen** i.e. proven evidence of carcinogenicity in human beings.
http://www.iarc.fr/en/mediacentre/pr/2012/pdfs/pr213_E.pdf

(c) You are reminded that NSW Planning by its '*Minister's Conditions of Approval*' gave authority for the annual discharge of pollution from both unfiltered stacks of the Lane Cove Tunnel being:

PM10 particles (excludes fine and ultrafine toxic particles).....	14 TONNES
Highly toxic Volatile Organic Chemicals (VOC's) e.g., benzene.....	154 TONNES

(d) Effect of 'downwash' on plume from exhaust stack by buildings in the development complex.



For site proposal of child-care centre see p5 of following link:

https://majorprojects.affinitylive.com/public/86f07b6dc575998412e7c12fd9fac04b/20130529taa_r1_child%20care%20acoustic%20assessment.pdf

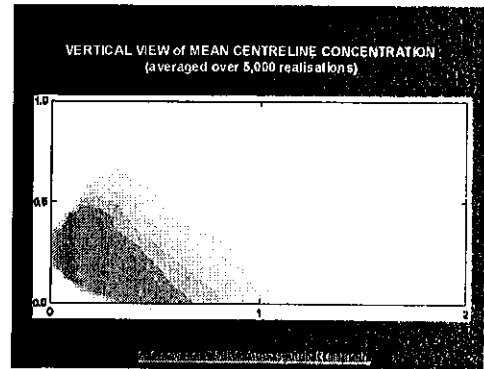
The concern is that adjacent buildings beside the child-care centre and near to the Western Stack will cause 'down-wash' of plume pollutants and expose vulnerable young children to the toxic effects of pollutants from both the stack and from the traffic on Epping Road. Also see live video of a plume trajectory at link:

<http://www.cmar.csiro.au/airquality/meander/index.html> Click on 'start'.

The RHS panel shows fallout of heavy particles in close proximity to a stack while light/fine particles remain in the air for days/weeks and travel 100's to 1000's of kms.

(e) Measures must be adopted in this modified development to include a child-care centre outdoors to eliminate such health risks, keeping in mind also that young children are more likely to place contaminated objects in their mouth. The ultimate solution is to install filtration in the stack.

(f) The relationship between air pollution, death and disease has been studied for decades, leading to the consistent conclusion that combustion of diesel and petrol is among the most toxic sources of emissions today (USA Clean Air Task Force Report, Feb. '05) viewed at the link: <http://www.catf.us/publications/view.php?id=83>



See also NH&MRC Report (2008) on Air Quality Around Tunnels – link: <http://www.nhmrc.gov.au/guidelines/publications/eh42>

These exhausts contain numerous dangerous compounds, ranging from respiratory irritants to carcinogens including a host of air toxics, particulate matter, carbon monoxide and nitrogen oxides.

The very fine particles adsorb toxic gases and liquids onto their surfaces. On a weight basis, a billion ultra-fine particles are about equivalent to one coarse particle 10 micrometres in diameter (PM10), but have 1000 times the surface area. The fine particles are mainly soluble and penetrate deep into the lungs. Health research indicates that the invisible exhaust may be the most dangerous of all. Technology exists right now to clean up emissions from these engines and to remove such toxics from road tunnels *by filtration*.

Children are more susceptible than adults (except the elderly) to the adverse effects of air pollution because:

- Children are more active and breathe more rapidly.
- They have more lung surface area compared to their body weight and inhale more air kgm-for-kgm than adults.
- They have higher lung volume to body size, higher respiration rates and spend more active time in the polluted outdoor environment.
- When exposed to fine particles, children have slowed lung function growth, increased emergency room visits, increased incidence of asthma, bronchitis and crib death (CATF Report, Feb. '05).

Conclusion:

In the knowledge that toxic/carcinogenic pollutants are discharged into the atmosphere from the adjacent western unfiltered stack of the Lane Cove Tunnel, the presence of buildings in the subject proposal will cause 'downwash' of such pollution plumes (dependent on weather conditions). Measures **MUST** be adopted to protect children, for whom up to 85 places are planned in the proposed child-care centre, against additive exposure to such toxic pollution.

NOTE: This matter has been reported by me to Professor Wayne Smith, Director of Environmental Health, NSW Department of Health. Professor Smith who is a member of the NSW Health's Expert Committee on Air Pollution was also interviewed by the Senate Committee of Inquiry on Health Impacts of Air Pollution. The transcript is available at link: http://www.aph.gov.au/parliamentary_business/committees/senate_committees?url=clac_ctte/air_quality/index.htm



36707/13

Lane Cove & Bushland Conservation Society Inc

P.O Box 989, Lane Cove NSW 1595

ABN 50 518 833 556

27 July 2013

SUBMISSION BY THE LCBCS ON MODIFICATION NO. 1 TO MP10_0148 MIXED USE REDEVELOPMENT OF 150 EPPING ROAD, LANE COVE WEST.

We note that the proposed changes to this development are relatively minor, however we do have some concerns, which we address below by referring to particular documents lodged with this application.

Future Environmental Assessment Requirements

1 Building Design

We do not agree with the watering down of the requirements for building design quality. The original requirements set out in Building Design a) and c) should prevail. In particular, the requirements of SEPP 65 should be adhered to.

20 Section 94 contributions

We do not accept any need for offsetting the cost of bushland upgrade works, as Council is the best body to determine the most appropriate use of these contributions. The developer has had the benefit of the inclusion of the "handle" in the FSR calculations.

22 Sydney Water

We note that the initial application for the development, the Department's assessment and the determination by the Planning Assessment Commission did not include **any consideration of the capacity of existing wastewater mains**. The current document acknowledges "the possible upsize and/or relocation of existing waste water mains". This should include remediation under Council supervision of any affected bushland.

23 Public Access

This section only refers to public access through the undeveloped riparian bushland but not the developed site itself. The drawings do not show any public access through the development. This should be provided to link the access from the bushland in the "handle" to the bushland tracks to the West of this site. We believe that there has always been an easement for this purpose.

Schedule 4 Statement of Commitments

B12 Developer Contributions

The original condition of entering into a planning agreement (VPA) with Lane Cove Council should be maintained.



Lane Cove Bushland & Conservation Society Inc

P.O Box 989, Lane Cove NSW 1595

ABN 50 518 833 556

B13 Dedication and Titling Arrangements

Council has maintained the "handle" 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.

If Council does become the landowner, then the developer/owner should enter into an agreement with Council to contribute to its maintenance for at least the next 10 years. Our preference is for council to own the "handle". This is the best way of ensuring the long-term integrity of this bushland.

Landscape Design Report

We are pleased to see that the report proposes that "the proposed plant material will be substantially selected from Lane Cove Council and relevant authorities approved planned species lists "(p. 10). However we do not support the proposal that "exotic plants will be incorporated to civic places and courtyard areas where suitable to provide variety..." (p. 10). This is inconsistent with the first proposal and we contend that variety can be attained using native species.

Bushfire Assessment Report

The report by Building Code And Bush Fire Hazard Solutions shows, in attachment O2, that the Asset Protection Zone extends beyond the site boundary. Although the extension is not great, we believe it is important that this zone be all within the site.

Schedule 2

Part A Terms of Approval

A1 Development Description

It is clear that this large development will increase the demand for amenities in the Lane Cove area. It is therefore appropriate that the original 1850 m² of community floor space be retained and that it be clear that this is available to the Lane Cove community and not only the residents of this development.

Graham Holland
For LCBCS.

Attn: Jane Flanagan
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39 Sydney 2001

41374/13

McLoughlan
group

Planning Assessment Committee (PAC)

Re: Request for changes to conditions on the Planning Concept Plan approval at 150 Epping Road, Lane Cove

This submission is put forward by the community members of Lane Cove Council's Bushland Management Advisory Committee. Our comments thus focus on issues that affect, or could affect, bushland arising from the request for changes.

There are three areas of bushland potentially affected by this development, the first two are matters directly included in the proposed changes:

1. the bush 'handle', owned by the proponent but also part of a larger bushland area known as Yangoora Bushland
2. bushland on both sides of Epping Road (the opposite side to the development site) that could be impacted by a pedestrian bridge.
3. bushland adjacent to the development site that is not part of the land owned by the proponent

1. The bush handle

Yangoora bushland, including the bush 'handle', is part of an almost continuous strip of bushland that runs the length of Stringybark Creek from just below the Pacific Highway through Batten reserve to the Lane Cove River. It is adjacent to a dam and wetlands on lower Stringybark Creek and forms a part of a valuable wildlife corridor that support diverse plant communities and wildlife. It is therefore essential this area is preserved and maintained at a high standard.

The whole area was dedicated as bushland as part of a development agreement with the owners SC Johnson in the 1990s. This agreement provided for the bushland track access by the public and provided funds for regeneration of the bushland over a 10 year period. The handle was subsequently sold to Rosecorp and enabled an advantageous FSR on the developable land in the original rezoning and concept plan for the 150 Epping Road site. However, at this time the assessors placed conditions on the retention, enhancement and maintenance of the bushland area.

In respect of this development approval, we maintain that:

- The handle is an important part of Yangoora bushland and there should be no deletion of the planning Agreement with Lane Cove Council and that the developer should be held to the conditions outlined in the approval or, preferably, that the land be given to Lane Cove council to protect as a bushland reserve in perpetuity.
- Transfer of the land should not be offset against the s94 developer contribution as the developer has already received a substantial monetary advantage with the increased FSR that this land provided..
- The development conditions should include upgrading of the track and provision for regeneration of the bush regeneration to a good standard in the area of the handle. Neither of

these two items are costly in terms of the overall development, yet would provide enhanced amenity for prospective buyers of the apartments.

2. Impact of construction of an overhead pedestrian bridge

Possible construction of such a bridge, given the footprint we believe would be required to include ramps, raises a number of issues of serious concern for bushland:

- The bushland area on the northeast side of Epping Road (opposite the development site) contains a number of Rare or Threatened Australian Plants (ROTAPs) as well as being an ecological community that is rare in Lane Cove. A pedestrian bridge at any location other than opposite, and connecting to, the ramp from Cumberland Street, will have substantial impact on this bushland, its natural sandstone rock outcrops and native species.
- On the other side of Epping Road (the southwest) a footbridge at any location other than directly in front of the development or at the road turnaround site will require massive staunchions in, and consequent incursion into, Yangoora Bushland, as Epping Road east of the 150 Epping Road site is retained above this bushland by a high rock wall and the drop from the road into the bushland is substantial, making access for construction a particular problem.

It thus seems that wherever such a footbridge is located it will have substantial impact on bushland. It is important that the residents be able to cross Epping Road safely, but also that this should not result in more destruction of the scarce bushland resource. In order to have a safe crossing, we suggest that either a footbridge solution is found that does not impact bushland, or that traffic lights be seriously investigated as an alternative. The latter would also solve significant vehicle access problems for residents by making provision for residents approaching from the west to turn right into the apartments, and for those wanting to turn right out of the apartments to travel east. Activated only by pedestrian buttons or by cars stopped to make these turns, the interruption to traffic on Epping Road can be minimised.

However, construction/installation of these lights must be funded by the developer in place of the pedestrian footbridge, along with construction of a footpath and traffic barrier fence along Epping Road on the northeast side as far as the southbound bus-stop near Cumberland Street.

3. Bushland adjacent to the development site

While these issues may be addressed in more detail in subsequent phases of the development approval process, we wish to note that location of the Asset Protection Zone (APZ), the construction phase, and later resident use, have great potential for adverse impacts on adjacent bushland and must be managed with appropriate conditions.

Thank you for the opportunity to comment,

Lynne McLoughlin, 16 Bridge Street, Lane Cove, 2066

Norma Stuart, 21A William Edward Street, Longueville, 2066

Yvonne Barber, 44A Ronald Avenue, Greenwich, 2065

Frances Vissel, 14 Fraser Street, Lane Cove, 2066

Gaye White, 3 Ronald Avenue, Lane Cove, 2066

Shauna Forrest, 41 Dettman Avenue, Lane Cove 2066

19 August, 2013

E-mail Message

38836/13

From: Richard Tibbitts [SMTP:rtibbitt@bigpond.net.au]
To: lccouncil [EX:/O=LCMC EXCHANGE 2007
 ORGANISATION/OU=EXCHANGE ADMINISTRATIVE GROUP
 (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Lccouncil]
Cc:
Sent: 6/08/2013 at 4:36 PM
Received: 6/08/2013 at 4:36 PM
Subject: Re: Information Meeting: 150 Epping Road (former Shell Service Station)

Dear Councillors,

Hopefully LC will provide a lot more additional car parking spaces before this project is completed as with another 403 apartments plus the two apartments blocks currently being built in Burns Bay Road next to Caroline Chisholm, parking is going to be a nightmare in Lane Cove, which is bad enough now with the current car parks being almost to capacity.

Kind regards Richard Tibbitts (local resident)

On 06/08/2013, at 4:05 PM, Lane Cove Council wrote:

<https://promo-manager.server-secure.com/download/files/03894/89286/Council%20BANNER.jpg>

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- Deletion of the Planning Agreement (VPA) with Lane Cove Council, in the terms

39177/13

E-mail Message

From: Megan Chatterton [SMTP:meganchatterton@bigpond.com]
To: lccouncil [EX:/O=LCCM EXCHANGE 2007
 ORGANISATION/OU=EXCHANGE ADMINISTRATIVE GROUP
 (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Lccouncil]
Cc:
Sent: 8/08/2013 at 12:22 PM
Received: 8/08/2013 at 1:58 PM
Subject: Re: Information Meeting: 150 Epping Road (former Shell Service Station)

Holy crap. Have you read this? Talk about taking the piss. It's outrageous. They've approved one thing then totally changed it to the developers interest.

On 08/08/2013, at 9:24 AM, "Lane Cove Council" wrote:

<https://promo-manager.server-secure.com/download/files/03894/89286/Council%20BANNER.jpg>

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