

## **Presentation to Sydney North Planning Panel – Development Application LDA2021/0095, 307 Lane Cove Road (Eden Gardens) 26.2.24**

Good morning, my name is Julian Ledger, President of the 416 Group. Thank you for this opportunity to address the Court on the appeal for the Eden Gardens proposed development at 307 Lane Cove Road.

The 416 group aims to represent the 750 households in Killara and Lindfield who live west of Lady Game Drive. That's the part of those two suburbs adjoining the Lane Cove National Park. The group has been active for more than 20 years and has acted as one of the guardians of the Park. For example, it was successful in lobbying for a rail tunnel under the park for what is now the Metro train line instead of the railway bridge originally proposed.

Our submission made seven main points:

1. excessive height
2. impact on values of the Lane Cove National Park
3. bushfire hazard
4. office high-rise development in this location inconsistent with investment in public transport
5. addition to traffic congestion
6. pedestrian unfriendly location
7. viability of other nursery businesses.

We thank the City of Ryde for its report and for its recommendation that the application be refused as it indeed was by the Sydney North Planning Panel.

What is disappointing, with regard to this appeal, is that the applicant could have taken heed of Ryde's report, could have listened to the objections, taken on board the remarks made by the Planning Panel and submitted a new application for a lower rise scheme sympathetic to the site and its location next to the National Park. The Council and the Planning Panel stated the impact of a tower of this size in this location was high. Instead, from the applicant we have changes which are little more than design tweaks along with a pedestrian bridge which if built has every likelihood of being little used.

The proposal is inconsistent with the NPWS guidelines that development near national parks be stepped back from boundaries. A large tower impacts the natural resource visually and undermines the concept of a national park where flora, fauna and human outdoor recreation can be free from the developed world. The proposed 18 storey structure is both high and broad. Located on a knoll it would dominate the ridgeline and the river valley both north and south. Noise from the four function centres (proposed hours to 11.00pm) and light spill would affect the Park. The application and its supporting documents fail to acknowledge or address the impact.

Remarkably the submission from consultants Smith and Tzannes claims that the alternative of "A low rise building with a similar floor space ratio would have a more significant visual impact.....and likely result in more significant view loss from adjacent residential development". There's barely consideration of the aspect from the National Park and from across the valley. It is as if the national park is some abandoned scrub. Similarly, we find it disappointing that consultants Heritage 21 can assert that the proposed development would generate a neutral impact on the heritage significance.

There is no benefit to having a tower acting as a point marker at the intersection of the M2 and Lane Cove Road. The M2 opened 27 years ago. Eastbound drivers successfully find the Lane Cove Road by means of road signs. There is no west bound exit at Lane Cove Road.

The Lane Cove National Park is long, narrow, precious and fragile. The park provides habitat for the powerful owl and there is currently a nesting pair we can hear at night down below the Eden Gardens site near the Riverside Drive bridge over Porters Creek. Under the New South Wales [Threatened Species Conservation Act 1995](#), the powerful owl is scheduled as "vulnerable". One of the features of the park is that light pollution is negligible because there is no high rise adjacent.

With respect to the bushfire risk, historically fires have come down the valley from the northwest. In 1994 the devastating fire crossed Lane Cove Road at De Burghs bridge and almost encircled the future Eden Gardens site. It reached homes in Albert Drive, Killara only 11 minutes later. Four homes were destroyed whilst one end of our own home caught fire. In a bushfire in catastrophic or severe conditions upto 1750 people in the proposed office tower development would have to be urgently evacuated. In each fire over the years (both controlled and uncontrolled) helicopters have been used for water bombing including using the airspace around Eden Gardens.

The NSW government has invested heavily in the rail link from Chatswood to Epping and beyond including undergrounding the route to remove impact on the National Park and upgrading the line to a Metro. This year the line will be opened from Chatswood for a fast service to and from the CBD and beyond. The Macquarie Park master plan (this site falls outside that precinct) envisages substantial growth. But due to traffic congestion this can only be viable if new development supports the use of the public transport rail corridor by new residents and workers. If Sydney is to claw back and preserve its livability, we have to rely on public transport as do other large successful cities. That starts by favouring development around public transport hubs. Not by allowing increased parking on this site from the present 193 to the 463 in the original application and the 539 now proposed.

Our neighbourhood in the west part of Killara and Lindfield is serviced by Lady Game Drive linking to Lane Cove Road in the north and Delhi Road/Fullers Road in the south. Congestion on Lady Game Drive used to be during a narrow peak. Now it's peak hours morning and evening. There is an increasing wait time on traffic light rotations to exit Lady Game Drive onto Lane Cove Road affects cars and the local 565 bus service which is unreliable due to the traffic. The worst congestion on Lane Cove Road is caused by the three traffic lights close together at Fountenoy Rd (Eden Gardens), the M2 and Talavera Rd. Each development adds incrementally to the problem which cannot be solved by additional roads. Development in Macquarie Park is best clustered around the rail stations so that more people leave cars behind and take public transport.

I suggest making the walk to or from the site to the nearest Metro station just under a kilometre away. Because Eden Gardens is effectively an island with natural bush on two sides and a freeway and a major arterial road on the other sides it is isolated. The area is dominated by heavy traffic and the walk is particularly unpleasant. The route lacks street activation, there are many lanes of traffic to cross (27). There is little shade or shelter. Similarly, the walk from the site to the nearest shops, which involves crossing Lane Cove Road twice, is also time-consuming and unpleasant. The proposed pedestrian bridge at Fountenoy St would only make a marginal improvement and could expect little patronage as it would service only this site. A pedestrian bridge further south would have much greater utility. Workers in the proposed office development in this location would be captives of their cars.

The site is in fact particularly well suited to its present purpose of garden centre where traffic activity is mainly outside peak hours and visitors don't walk but use their car to transport their purchases home. When the 416 group met the DA's proponent they heard an argument that garden centres were no longer a good use of land and it was suggested no longer viable. We find it strange therefore that garden centres in locations like Terrey Hills and Dural with much smaller population catchments have multiple checkouts and tills ringing. In our submission we referred to bullish forecasts and research regarding the nursery sector. Eden Gardens has an excellent location with a very large population catchment and we believe could be a highly successful garden centre.

The community has now had the proposed development of this tower hanging over it for three years. This includes residents thinking of selling, buying or rebuilding.

We believe that if approved this tower adjacent to a national park would set a dangerous precedent in NSW and in Australia. We urge the Court, having considered all the evidence, to dismiss the appeal and for the applicant to reconsider and come back with a proposal sympathetic to the location. The site being sufficiently large to accommodate a lower rise campus style development.

Thank you for your attention today.