

Site Amalgamation and lot size

The subject site is the smallest lot of the subject block bounded by Ellis Street, Frank Channon Walk, Albert Avenue and Crispe Lane. It is considered an isolated site due to the adjoining 8-9 storeys substantial size of residential developments.

The urban design analysis and architectural conceptual design demonstrated that the subject site despite the non-compliance with the minimum site area of 1,200m² can be suitably redeveloped without significant adverse environmental impact to adjoining buildings, neighbouring properties and public open spaces in the vicinity.

The sections below provide detail discussion on lot size and potential site amalgamation.

- *A convincing case is needed to be made to Council as to:*
 - *Any unique circumstances and why a substantial variation is able to be considered in this case.*
 - *Why Council support for the proposal will not set a precedent in regards the minimum lot size and undermine the objectives / benefits in terms of the outcome intended to be achieved on a redeveloped site.*
 - *How any lot size variation is consistent with the DPIE letter dated 9 July 2020 (discussed above).*
- *Under the Strategy, this site is encouraged to be amalgamated with a neighbouring property / properties. All attempts to amalgamate the site with neighbouring properties are to be provided (relevant details such as which neighbours, when, how).*

Comments:



Figure 1. Subject site & surroundings (Source: Urban Design Report by GMU Urban Design & Architecture)

The subject land has a site area of 808.6m², which is 391.4m² less than the required minimum area of 1,200m². Despite the shortfall in the numerical compliance, the proposal has made provisions to meet the objectives of

amalgamation in its resolution of façade treatments, provision of potential shared driveways and the design of the bulk and scale capable of arriving at a harmonious built form outcome should adjacent sites redevelop in the future. The subject site itself is unique in that it has become isolated due to the approval of the last remaining undeveloped site within the subject block with the recent redevelopment of 84-86 Albert Avenue.

The adjoining sites have been developed as 8 to 9 storey apartment buildings with FSRs ranging from 1.5:1 (No. 88), 1.6:1 (No. 96-100) and 1.7:1 (No. 84-86) and are effectively built to or close to their development capacity under the current LEP's maximum FSR (1.7:1). The proposed maximum FSR of 2.5:1 offers insufficient additional floor space incentives to make redevelopment of those sites feasible in the foreseeable future.

The adjoining sites consist of medium to large scale strata buildings (37 lots for No.88, 63 lots for No. 96-100 & 23 lots for No 84-86) which make negotiations with owners difficult to coordinate. In addition, there are large groups of owners currently domiciled overseas.

Genuine attempt has been made to provide an offer to the next-door neighbour at No. 84-86 Albert Avenue and its managing agents. The exercise has become fruitless due to the property valuation report outcome and the logistical problem of tracking and negotiating with various owners. Refer to attached draft legal EOI prepared by Colin Biggers & Paisley lawyers.

A valuation report prepared by Rockworth Pty. Ltd. is attached in this submission for Council's record. The summary of the valuation is that the collective value of the apartments is higher than the redevelopment value of the land.

Justification

Council support for the proposal will not set a precedent in regard to the minimum lot size and undermine the objectives / benefits in terms of the outcome intended to be achieved on a redeveloped site. This is summarized as follows:

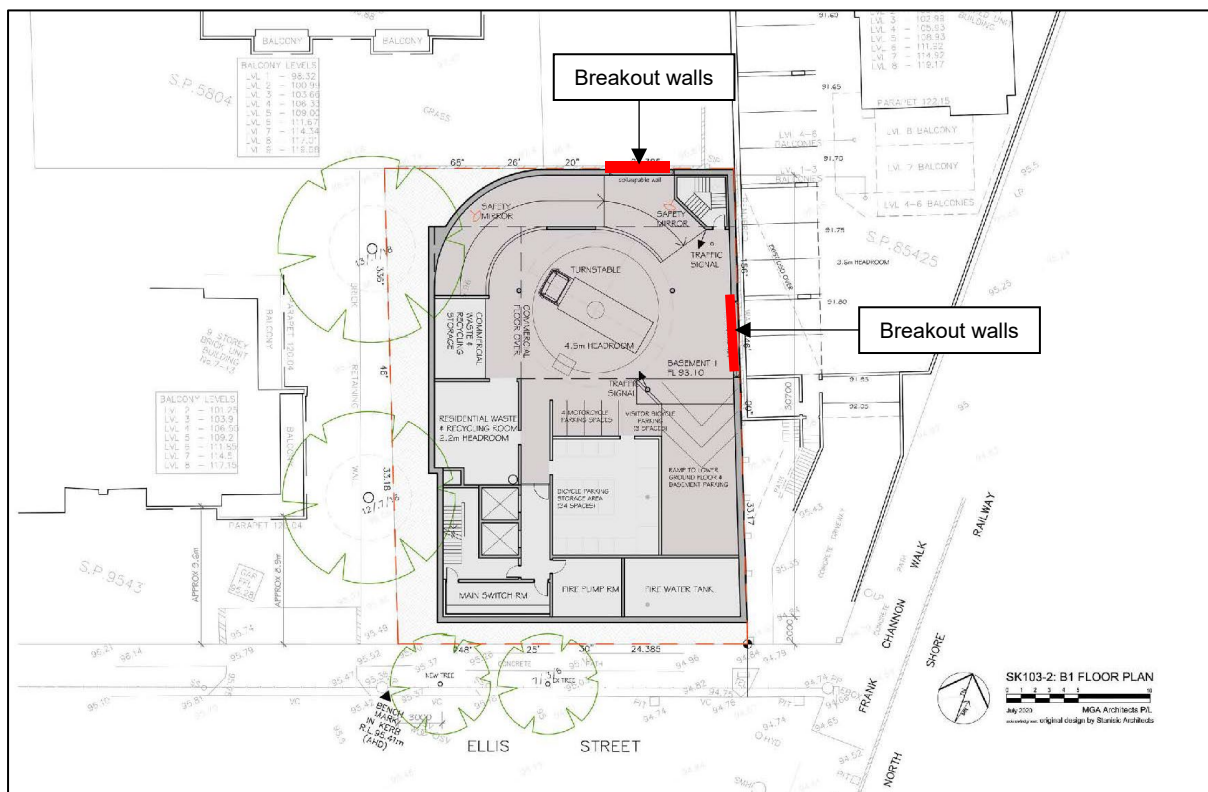
- that adjoining sites all have an area of at least 1,200m². Accordingly, development of the site, as proposed, would not create any isolated development sites
- The site is unique and highly visible being located near the publicly accessible Frank Channon Walk and close to Chatswood CBD and Pacific Highway
- That the proposal satisfies the various objectives of the Chatswood Strategy, which is described in detail in GMU's Urban Design Report, which include, *inter alia*, the following principles:
 - Ability for adjacent sides to consolidate driveways through collapsible walls in the basement and easements in favour of neighbouring properties thus providing the opportunity to reduce the number of vehicle entry points
 - Increased development potential for 84-86 Albert Avenue over its driveway area, which can become additional communal open space or a development site that can in turn complete the streetscape and transform its driveway entry
 - Well-designed podium and elevations that will harmoniously combine with future development on the property to the east at 84-86 Albert Avenue
 - Improved public domain for the entirety of the footpath up to Frank Channon Walk to consolidate the quality of treatments beyond the subject site
- That the proposal provides high levels of internal amenity and meets the objectives and recommendations of the ADG

- Measures are encouraged and are to be detailed in regards how the subject site addresses neighbouring sites if in future amalgamation / linking of sites is possible. Particular attention is drawn to connection of basements between sites.

Comments:

Potential to share a single driveway access between the neighbouring site to the east at No. 84 Albert Avenue have been investigated. Due to level differences and existing stormwater drainage infrastructure, including detention tanks, it is not possible, at present, to obtain access from a future basement at 3 Ellis Street to the existing driveway off Ellis Street, servicing the basement of 84 Albert Avenue. The correspondence between proponent and neighbours are recorded and attached for Council's information. However, with the provision of additional redevelopment potential in the form of an 8-9 storey tower as shown in the Urban Design Study by GMU, the additional value add might make the reconfiguration of the basement levels a viable and attractive proposition.

The Proposal



The proposal includes breakout walls in the eastern and northern walls of the basement, with a right-of-way in favour of Nos. 84 and 88 Albert Avenue, providing legal access from Ellis Street along the driveway to the proposed breakout walls in the northeast corner of the uppermost basement. If 84 or 88 Albert Avenue are redeveloped, these properties will be able to obtain access through the basement of the future building on 3 Ellis Street. This will allow removal of the driveway off Ellis Street that currently provides vehicular access to 84 Albert Avenue. Such an outcome not only facilitates a single shared vehicular access but could significantly increase the extent of landscaped area that can be provided to the Ellis Street frontage of 84 Albert Avenue. This would further activate the street, provide further open space facilities to the residents, neighbours and passers-by.



*Figure 2: Communal Open Space Scenario
(Source: Urban Design Report by GMU Urban
Design & Architecture)*

In summary, the proposal has put in place a number of practical measures to meet the amalgamation objectives of the controls. Having been isolated by previous developments, the Applicant should not be denied the opportunity to make a contribution to the streetscape on its own. However, the Applicant is also proposing adequate and practical measures to enhance the public domain, servicing and built form outcomes in the case that adjacent sites opt to redevelop in the future thus ensuring harmonious outcomes as a single site or as part of an integrated future streetscape.

Attachments

1. Draft legal EOI prepared by Colin Biggers & Paisley lawyers
2. Valuation report prepared by Rockworth Pty. Ltd.
3. Correspondence with 84-86 Albert Ave in relation to driveway access