

<b>JRPP No:</b>	2011SYE003
<b>DA No:</b>	DA524/10
<b>PROPOSED DEVELOPMENT</b>	Demolition of existing buildings and erection of new 8 storey mixed use development with basement car parking (amended plans)
<b>PROPERTY</b>	83-89 Chandos Street, St Leonards
<b>APPLICANT:</b>	Architects + Partners
<b>REPORT BY:</b>	Ian Pickles, Executive Planner, North Sydney Council
<b>DATE OF REPORT</b>	18 May 2011

## **Assessment of Amended Plans submitted in response to Panel's Decision.**

### **Report**

The JRPP at its meeting held on 29 April 2011 considered the above application and made the following decision:

- 1) The Panel accepts unanimously the opinion expressed in the planning assessment report that the proposal breaches the height control and setback requirement to an unacceptable extent.
- 2) The Panel would accept an amended proposal, provided the applicant submits it on or before 13 May 2011, and provided the proposal complies with the following:
  - a) Delete level 5, in order that the maximum height of the development is reduced by 3m, and the extent of non-compliance with the height control is reduced to approximately 22%.
  - b) Alter the design of levels 1,2 and 3 to relocate the 2m wide balconies 2m back from the Chandos Street alignment, and redesign the apartments in the north-western part of levels 1,2 and 3, in order that all living rooms have a minimum width of 4m and to accommodate the recessed balconies. This may involve a reduction in the number and/or size of these dwellings.
  - c) Reduce the size of the north-facing terraces on level 4, so that these terraces are set back 2m from the Chandos Street alignment.
  - d) Relocate the fire stairs serving the basement at the north-west corner of the development, to ensure that the stairs do not protrude into the 3m setback area for the Chandos Street alignment at ground level, and ensure permanent public access to this space.
- 3) The Panel requests the planning assessment officer to report on the amended proposal, if one is submitted, on or before 20 May 2011.
- 4) Following receipt of the revised planning assessment report, the Panel will determine the application by electronic means of communication, unless it considers that another public meeting is required.

- 5) If the applicant fails to submit an amended proposal by the required date, the Panel will refuse the application by communication through electronic means.

In response to the Panel's interim decision, the applicant submitted amended floor plans, sections and elevations on 9 May 2011 and 17 May 2011.

These plans have been assessed against the criteria (a) to (d) set out in paragraph 2 of the Panel's decision. The amended plans comply with the criteria as follows:

- (a) Delete level 5, in order that the maximum height of the development is reduced by 3m, and the extent of non-compliance with the height control is reduced to approximately 22 %.**

Level 5 has been deleted so that the new level 5 replicates the floor plan of level 6 in the previous plans and the new level 6 (now the top level) replicates the floor plan of the previous level 7. The maximum building height is reduced by 3.0m to 24.5m, being approximately 22 % in excess of the 20m maximum height control in the North Sydney LEP 2001.

- b) Alter the design of levels 1, 2 and 3 to relocate the 2m wide balconies 2m back from the Chandos Street alignment, and redesign the apartments in the north-western part of levels 1, 2 and 3, in order that all living rooms have a minimum width of 4m and to accommodate the recessed balconies. This may involve a reduction in the number and/or size of these dwellings.**

The amended plans achieve these requirements, involving the reconfiguration of the 1 x studio unit and 2 x 2 bedroom units on the north-west part of the building on levels 1, 2 and 3 with 1 x studio unit, 1 x 1 bedroom unit and 1 x 2 bedroom unit, to accommodate the recessed balconies to the northern elevation. The size and lay-out of these units in the amended plans are satisfactory, with each unit having a 4m wide living room and a 4m x 2m balcony, and unit sizes being in excess of the SEPP 65 'rule of thumb' minimum.

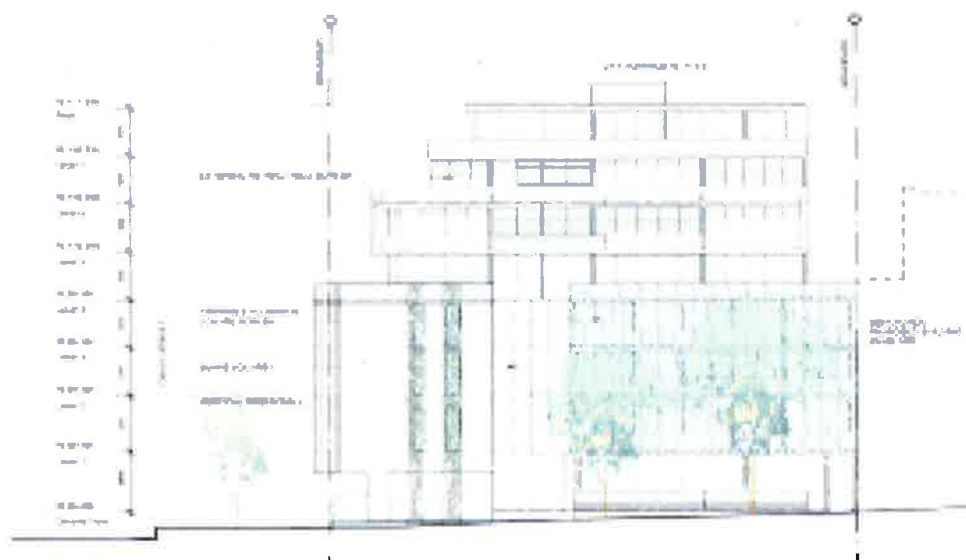
- c) Reduce the size of the north-facing terraces on level 4, so that these terraces are set back 2m from the Chandos Street alignment.**

The amended plans achieve this requirement.

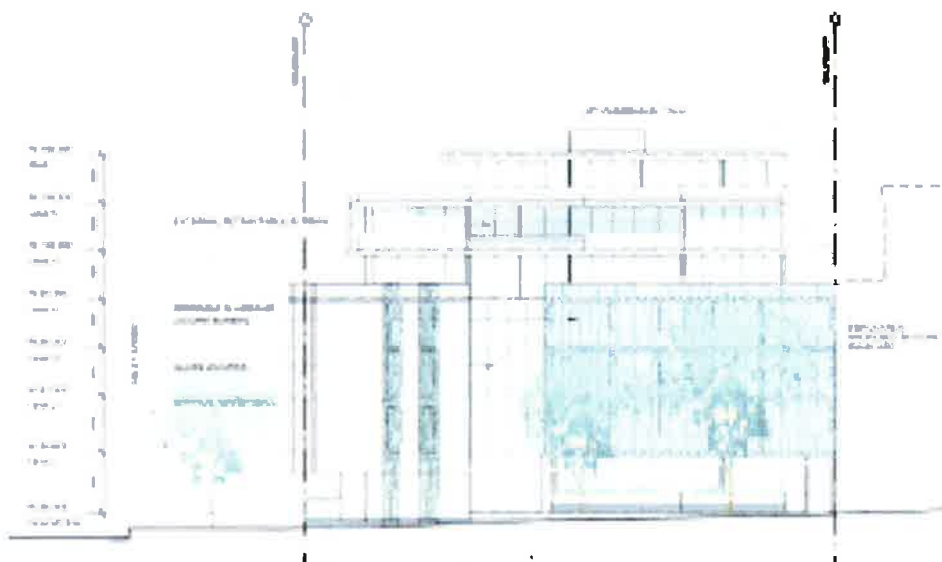
- d) Relocate the fire stairs serving the basement at the north-west corner of the development, to ensure that the stairs do not protrude into the 3m setback area for the Chandos Street alignment at ground level, and ensure permanent public access to this space.**

The amended plans achieve this requirement. A consent condition is recommended to require an easement for public access to be created

over the 3m setback area between the footpath and the ground floor building alignment.



**Northern Elevation:  
Plans considered by Panel on 29 April 2011 (ie: 8 storey building)**



**Northern Elevation;  
Current amended plans showing deletion of level 5 (ie: 7 storey building)**

The amended plans result in a reduction in the total number of apartments from 47 to 43, with a change in the apartment mix as follows:

	Studio units	1 bedroom units	2 bedroom units	3 bedroom units	Total
Previous plans received 25/2/11	3	5	36	3	47
Current plans received on 9/5/11	3	7	30	2	42

The altered mix of units is considered satisfactory and provides an adequate range of unit sizes and types.

A set of consent conditions in relation to the amended plans is attached. Compared to the conditions previously recommended, the following alterations have been made to the conditions set:

- a new condition G18 has been added to require an easement for public access to be created in respect of the Chandos Street setback area;
- a new condition A3 has been added to clarify the schedule of materials and finishes,
- previous condition C1 (requiring a residential garbage bin holding area adjacent to the laneway frontage of the building) has been deleted since this garbage bin holding area has been provided in the amended plans;
- the Section 94 contributions in conditions C7 and C8 have been amended to reflect the altered unit mix, and
- condition G16 has been amended to reflect the reduced maximum height of the development.

## Conclusion

The amended plans comply with the criteria set out by the Panel at its meeting held on 29 April 2011, and **accordingly the application is recommended for approval subject to appropriate conditions as attached.**

  
**Ian Pickles**  
**Executive Planner**

  
**Stephen Beattie**  
**Manager Development Services**

18 May 2011