

RECORD OF THE PRE-DEVELOPMENT APPLICATION MEETING

Ref No 35045014

Date-26/03/2018 /Time of meeting: 2:00 PM

Applicant/Proponent details: Wesley Chong and Jason Wasniak

Property: 3 Ellis Street, Chatswood

Description of Proposal: Construction of a 14 storey Residential Flat Building

Council officers: Ritu Shankar and Craig O'Brien

Zoning: R4 - High Density Residential

Max. Height of Building: 34m

Secondary Dwelling: N/A

Max. Floor Space Ratio: 1.7:1

Conservation Area: No

Heritage Item: No

Foreshore Building Line: N/A

Bushfire Prone Area: No

Flood Related Planning Control: No

Classified Road: No

Within 25m from a railway line: YES

Description of Proposal

Demolition of existing residential flat building dwelling and construction of an 14 storey residential flat building.

Site Area (Council records): 809.38m²

Willoughby Local Environmental Plan (WLEP)

Floor Space Ratio: 1.7:1.

Therefore max. floor space is 1375.94m² (Application proposes 3996m² - Unchecked) . This results in an FSR of 4.9:1. The proposed development fails to comply with the required controls and is not likely to be supported in its current form.

CI 4.6 variation under WLEP required if proposal exceeds numerical controls and is suggested that the proposal be amended to comply

Height of Building: 34m (Application proposes 46.9m - Unchecked).The proposal results in a breach of building height and result in a 14 storey building which is not likely to be supported

in its current form and it is recommended that the proposal be amended to comply.

CI 4.6 variation under WLEP required if proposal exceeds numerical controls.

Minimum Lot size: 1,100m² – Zone R 4 High Density Residential

The existing site is 809.38 sqm (as per Council records) which fails to meet the minimum lot size requirement for residential flat buildings.(A Survey Plan prepared by a Registered Surveyor should be submitted to confirm the site area).

To meet the objectives of this control, the applicant should explore the possibility of amalgamation with adjoining site to ensure compliance with this control.

CI 4.6 variation under WLEP required if proposal exceeds numerical controls.

Infrastructure SEPP

Railway Noise:

Clause 87 of State Environmental Planning Policy (Infrastructure) 2007 applies to development (including a building for residential use that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise vibration. Before determining a development application for development to which clause 87 applies, the consent authority must take into consideration guidelines issued by the Director General for the purposes of this clause and published in the Gazette. Clause 3.5.1 of the Development near Rail Corridors and Busy Roads – Interim Guideline provides advice on the most appropriate methods of attenuating noise. In particular Appendix C of the guideline provides examples of acoustic treatments necessary. An assessment of the guidelines has revealed that it is possible to satisfy these requirements provided that appropriate conditions are imposed on the consent

In accordance with Clause 87 of State Environmental Planning Policy (Infrastructure) 2007 and Clause 3.5.1, 3.8.5 and 3.8.6 of the interim guideline entitled “Developments near rail corridors and busy roads” and to minimise the impact of railway noise on the occupants of the building.

Discussions and Concerns:

The current status of the Chatswood CBD Strategy and the Willoughby Council Planning Proposal process was outlined.

There was a fundamental issue with a Planning Proposal on this site based on the Chatswood CBD Strategy:

- Chatswood CBD Strategy requires 1,200m² minimum site area and the subject site in approximately 809m²
This results in a variation of approx. 390m².

It was indicated that it would be difficult to support such a variation.

The reason for the 1,200m² site area minimum was given as ensuring requirements of the Strategy could be satisfactorily addressed such as accommodating building massing and loading facilities within basement.

Sites below the minimum area were expected to amalgamate. It was recommended that the

subject site amalgamate with neighbouring properties to achieve the 1,200m².

Concept plans were shown, with the following issues identified:

- The site is in a mixed use zone and should provide a 1:1 commercial component.
- A 2.5:1 FSR has been identified in the Strategy for this location and surrounding small area within the CBD – this has had to do with ensuring minimal sun impacts to the key public space to the south.
- Height is limited in the Strategy for this location and surrounding small area within the CBD - this has had to do with ensuring minimal sun impacts to the key public space to the south.
- The importance of the key public space to the south was emphasized.

Conclusion

It is unlikely that Council would support the proposal as submitted due to excess FSR, Building height, bulk and scale .There are a number of issues to be resolved including site amalgamation before lodgment of any application.

S94A Development Contributions apply to Developments with Cost of works > \$100,000

<http://www.willoughby.nsw.gov.au/Development/planning-rules/development-contributions-s94-s94a-vpas/>

Forms, Fees & Checklists including Electronic Application requirements

<http://www.willoughby.nsw.gov.au/Development/Fees-Forms---Checklists/>

Planning Legislation & Guidelines

<http://www.willoughby.nsw.gov.au/Development/planning-rules/>

e-Planning Portal (Application Tracking)

<https://eplanning.willoughby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx>

Heritage & Conservation

<http://www.willoughby.nsw.gov.au/Development/Heritage---Conservation/>

Pre-lodgement Meetings

<http://www.willoughby.nsw.gov.au/Development/do-i-need-approval/pre-lodgement-meetings/>

Council thanks you for coming in and hopes that the meeting was of assistance. You are reminded to continue referring to and checking the relevant planning documents (LEP, DCP etc) as you develop your proposal further to ensure compliance with those documents as these will be the basis for assessment of your application when it is lodged.

Council Officers have not inspected your site for this meeting. They have drawn on their general experience and knowledge of the area in providing you this with advice.

COUNCIL OFFICERS HAVE USED THEIR BEST ENDEAVOURS TO ASSIST YOU AND CANNOT BE HELD RESPONSIBLE SHOULD ANY OTHER MATTERS ARISE DURING THE PROCESSING OF THE APPLICATION. NO UNDERTAKING OR GUARANTEE CAN BE GIVEN THAT YOUR APPLICATION WILL BE APPROVED WHEN IT IS LODGED NOR CAN ANY UNDERTAKING BE GIVEN THAT THE DEVELOPMENT CONTROLS WILL NOT CHANGE BEFORE YOU LODGE YOUR APPLICATION.