

19.3 NOTICE OF MOTION - ALTERED SETBACKS OF PROPERTIES IN CHANDOS STREET BACKING ONTO HENRY LANE**RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER****MEETING DATE: 27 MARCH 2017**

Purpose of Report

Councillor Coppock has indicated his intention to move the following Notice of Motion.

Motion

That the Willoughby City DCP be amended to provide for altered set backs of properties in Chandos Street backing onto Henry Lane who seek to develop their sites in the future. The future set backs be in accordance with the set backs used in the DA approved for 64 - 66 Chandos St earlier this year.

Background

In the LEP 1998 when medium density was introduced across the City the land in Chandos St backing on to Henry Lane was rezoned for multi story buildings.

The interface between these buildings and the Conservation Zone adjoining these properties has always been a problem when approving development applications in Chandos St.

The solution reached between the developer of 64 - 66 Chandos St and the Council Officers was a good one and it was suggested at the Ward meeting that this might be used as a template going forwarded. The Officer present advised that the way to achieve this was to amend the DCP.

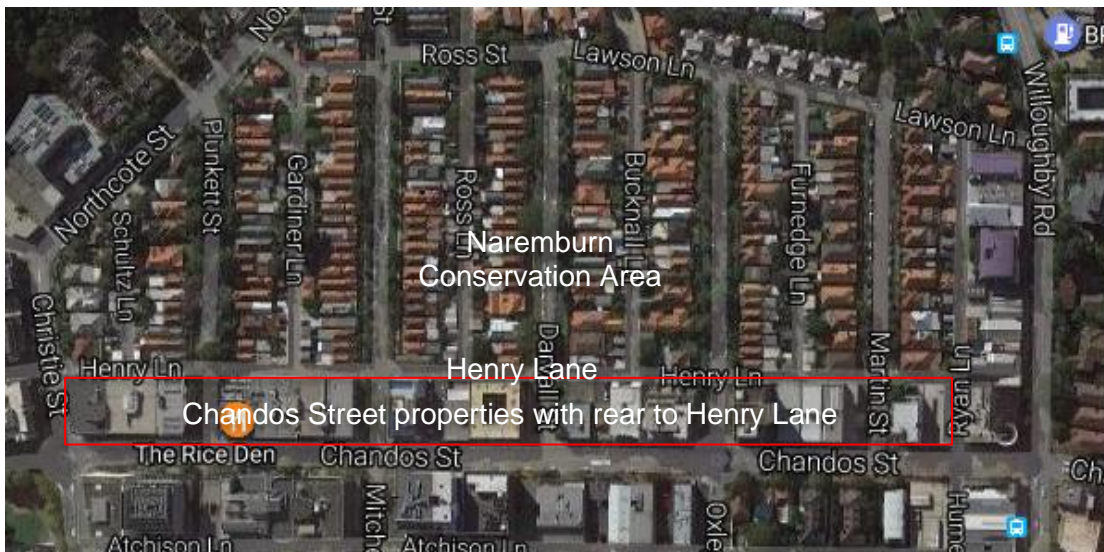
This motion seeks to do this.

General Manager's Comments

Properties 4 – 102 Chandos Street, between Christie Street and Willoughby Road, are zoned B3 Commercial Core which allows shop-top housing.

The rear of these properties adjoin Henry Lane with the Naremburn Heritage Conservation Area to the north, on the opposite side of Henry Lane (Figure 1).

Figure 1: Location Plan



Part E.1.4 of Willoughby Development Control Plan contains setback provisions for commercial and shop-top housing development. The setback controls are as follows:

- Ground floor
 - adjoining a public laneway - 2 metres
- Upper floors for land adjoining R2 zoned land whether or not the land is separated by a laneway
 - First floor - + 6 metres (ie 2+6)
 - Second floor - +1.2 metres (ie 2+6+1.2)
 - Third floor - + 3 metres (ie 2+6+1.2+3)
 - Fourth floor - + 1.2 metres (ie 2+6+1.2+3+1.2)
 - Fifth floor - + 3 metres (ie 2+6+1.2+3+1.2+3)
 - Etc

Development Consent 2012/181 approved construction of a shop-top housing development at 64-66 Chandos Street, St Leonards. Modifications to the consent were considered at a Naremburn Ward Councillor Committee meeting in January 2017 which included increasing the ground floor rear setback from that approved at two metres (consistent with the DCP control) to three metres. The increased setback enabled the provision of a one metre wide footpath and a two metre wide landscape strip.

The increased setback has some merit in potentially enabling greater opportunity for landscaping along the laneway frontage and as such is worthy of further investigation.

This Notice of Motion cannot affect the change in its own right as an amendment to the Development Control Plan requires:

- The amendment to be drafted;
- Resolution of Council to exhibit the draft amendment;
- The draft amendment must be exhibited for a minimum exhibition period of 28 days and notification of the exhibition is to be provided in a local newspaper;
- Resolution of Council to adopt the amendment;
- Notification in a local newspaper of the Council decision within 28 days of the decision being made;
- A copy of the amendment to be provided to the Department of Planning and Environment within 28 days of the plan coming into effect.

The results of any investigation would be reported back to Council.

As this provision applies to all commercial areas with rear laneways within the Willoughby Local Government Area it is advisable that any change form part of a more comprehensive review of the Willoughby Development Control Plan.

OFFICER'S RECOMMENDATION

That Council consider the Notice of Motion from Councillor Coppock.