

ASSESSMENT REPORT

THOMAS STREET CARPARK, CHATSWOOD MP 09_0066 MOD 16

1. BACKGROUND

This report is an assessment of a request to modify the Project Approval (MP09_0066) for a mixed use residential and serviced apartment redevelopment of the Thomas Street Car Park site at Chatswood.

The modification request has been lodged by Karimbla Construction Services (the Proponent) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to install way finding, building and business identification signage on the site.

2. SUBJECT SITE

The site (formerly known as the Thomas Street Car Park) is located within Chatswood CBD in the Willoughby Local Government Area. It was formerly owned by Council and occupied by a public car park.

The site has an area of 4,323m² with frontages to Thomas Street to the north and Albert Avenue to the south. The site is located within 200 metres of the Chatswood Transport Interchange (**Figure 1**).



Figure 1: Aerial view of the site under construction Source: Nearmaps 2014

3. APPROVAL HISTORY

On 28 September 2010, the then Minister for Planning approved the construction of a mixed use commercial, retail and residential development contained within two towers, above a three storey retail/commercial podium with:

- a 26 storey residential tower above on the northern portion of the site (Building 1);
- a 18 storey commercial tower on the southern portion of the site (Building 2);
- a basement level car park containing 506 car parking spaces (including 250 public car parking spaces); and
- public domain works including:
 - publicly accessible open space with a through site pedestrian link; and
 - a vehicular right of way between Thomas Street and Fleet Lane.

The Proponent has lodged 15 applications to modify the original Project Approval. The previous modification applications are summarised in **Table 1** below.

Table 1 Previous Modifications

	Application details	Determination
MOD 1	Staging of construction related conditions.	Approved by Acting Director Metropolitan & Regional Projects South on 7 June 2012.
MOD 2	Amendment to conditions relating to adaptable units, on-site detention, rainwater harvesting, stormwater, dilapidation report and car parking.	Approved by the Planning Assessment Commission (PAC) on 1 November 2012.
MOD 3	Change of use of commercial building (Building 2) to serviced apartments and other associated changes.	Approved by the Executive Director Major Projects Assessment on 18 February 2013.
MOD 4	Encroachment of the basement car park structure into Fleet Lane.	Approved by the Director, Metropolitan & Regional Projects North on 14 December 2012.
MOD 5	Increase in the height of the buildings, floor space, and car parking including above ground car parking.	Withdrawn by the Proponent on 22 November 2012.
MOD 6	Increase in the height of the buildings, floor space, and car parking including above ground car parking.	Approved by the NSW Land and Environment Court on 29 January 2014.
MOD 7	Amend basement layout within approved building envelope.	Approved by the Acting Director, Metropolitan and Regional Projects South on 21 June 2013.
MOD 8	Amend conditions of approval relating to construction hours.	Withdrawn by the Proponent on 15 November 2013.
MOD 9	Amend the basement design to separate the loading dock from the public car park circulation.	Withdrawn by the Proponent on 20 January 2014.
MOD 10	The installation and display of two illuminated building identification signs on Building 2.	Approved by the PAC on 14 August 2014.
MOD 11	To reduce the total apartment numbers and number of adaptable units within the residential tower to a total of 271 dwellings, amend the mix of units, car parking allocation and Section 94 Contributions.	Approved by the PAC 10 September 2014
MOD 12	To delete Condition B16 relating to Energy Star Ratings.	Withdrawn by the Proponent on 20 August 2014
MOD 15	To amend the timing of satisfaction of conditions C47, E35, E37, E41, E42 and	Approved by the PAC on 26 November 2014

	E45.	
MOD 13	To make various internal and external alterations to Buildings 1 and 2.	Approved by the PAC on 22 January 2015
MOD 14	To erect roof and wall structures to enclose the approved bridges that connect the two buildings and install a security room.	Approved by the PAC on 22 January 2015

The development as modified under MOD 6 established the key development parameters of the site which consists of the construction of a new mixed-use development consisting of:

- a serviced apartment tower building part 32 and 33 storeys high containing 337 serviced apartments;
- a residential tower building 38 storeys high containing 271 dwellings;
- a three storey podium containing above ground car parking, apartment uses, child care, retail and other mixed uses;
- a five level basement containing car parking, including a public car park for 250 cars;
- a gross floor area of 51,426m²;
- total car parking of 570 spaces;
- public domain works comprising:
 - publicly accessible open space with associated landscaping works;
 - a pedestrian through site link;
 - a vehicular right-of-way between Thomas Street and Fleet Lane; and
 - an accessible crossing of the vehicular right of way for pedestrians including a lift.

A Voluntary Planning Agreement (VPA) was negotiated and executed between the Proponent and Council as part of the increased floor space achieved by MOD 6.

4. PROPOSED MODIFICATION

On 1 June 2015, the Proponent lodged a section 75W modification application (MP 09_0066 MOD 16) seeking approval for the installation of 22 business identification, building identification and way finding signs to the building.

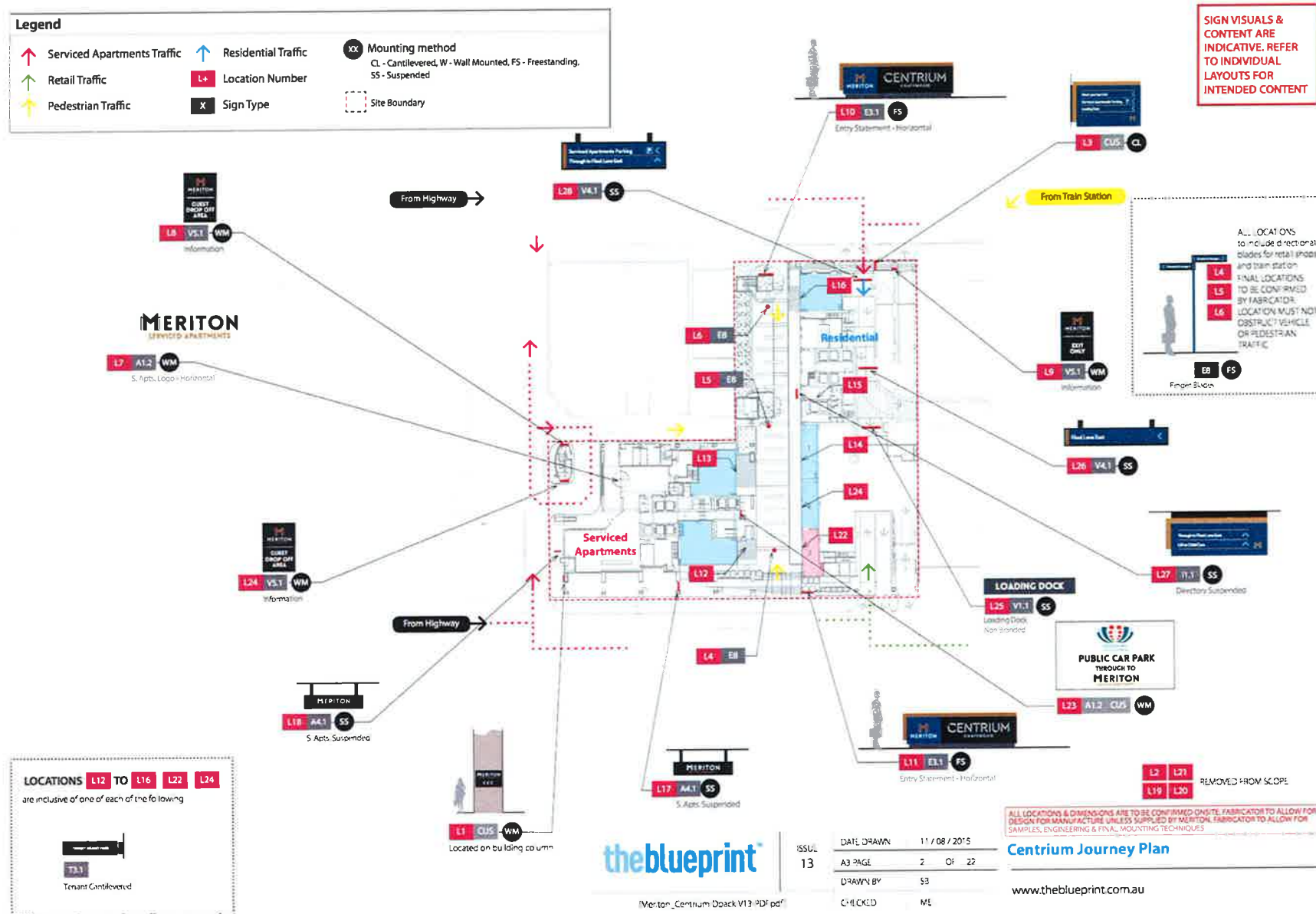
Following a detailed review of the proposed signage by the Department and Willoughby Council, the Proponent issued final amended plans that made the following key amendments:

- deletion of proposed tenant signage in locations 12, 13, 14, 15, 16, 22 & 24;
- additional directional signs to the childcare centre and public carpark at locations 4, 5 and 6;
- new directional sign at location 27;
- re-configuration of a number of directional signs at locations 3, 25, 26 and 28 to Thomas Street, Fleet Street and Loading Dock;
- amended directional sign for Council and Meriton Apartments at location 23; and
- clarification of errors and anomalies in the plans.

The modification request now seeks approval for 26 signs at ground level including wayfinding and business identification signs. A summary of the amended signage plan for the building is detailed below (**Table 2** and **Figure 2**).

Table 2 Final amended proposal

Signage Ref	Description	Location and Size
L1	- Minor centre brand column wrap. - Internal LED illumination. - Meriton serviced apartments directional sign.	Ground level colonnade. 800 x 1280 mm
L3	- Parking directional. - Internal LED illumination. - Car parking directional signage.	Ground level near north parking entry. 1155 x 1760 mm
L4	- Finger blade signs. - No illumination. - Directional signage for train station, serviced apartments and retail shops.	Ground level through site link. 200 x varies depending on message on sign
L5	- Finger blade signs. - No illumination. - Directional signage for train station, serviced apartments and retail shops.	Ground level through site link. 200 x varies depending on message on sign
L6	- Finger blade signs. - No illumination. - Directional signage for train station, serviced apartments and retail shops.	Ground level through site link. 200 x varies depending on message on sign
L7	- Serviced apartments - horizontal logo. - Internal LED illumination. - Meriton serviced apartments sign.	Above serviced apartments entry doors. 1654 x 455 mm
L8	- Vehicle information. - Internal LED illumination. - Meriton serviced apartments guest drop off sign.	At vehicle entry drop off zone to serviced apartments. 600 x 900mm
L9	- Vehicle information. - No illumination. - Exit only sign at parking portal.	Northeast parking portal. 600 x 900mm
L10	- Entry statement – horizontal. - Internal LED illumination. - Shopping plaza and branding signage.	Ground sign located at north entry to through site link. 920 x 2990 mm
L11	- Entry statement – horizontal. - Internal LED illumination. - Shopping plaza and branding signage.	Ground sign located at south entry to through site link. 815 x 2990 mm
L12 – L17 , L22, L24 (T3.1)	- Tenant sign – suspended. - Internal LED illumination. - Retail tenancy	Under awning in colonnade. 400 x 1500 mm
L17	- Serviced apartments – suspended. - Internal LED illumination. - Meriton serviced apartments sign.	Under awning in south colonnade. 400 x 1500 mm
L18	- Serviced apartments – suspended. - Internal LED illumination. - Meriton serviced apartments sign.	Under awning in west colonnade. 400 x 1500 mm
L23	- Serviced apartments - horizontal logo. - Internal LED illumination. - Public parking and serviced apartments sign	Above serviced apartments entry doors. 1100 x 1900 mm
L24 (A5.1)	- Vehicle information sign - Internal LED illumination. - Guest Drop Off sign	Ground sign located adjacent to serviced apartments entry. 600 x 900mm
L25	- Loading dock direction sign - Internal LED illumination.	At loading dock entry portal. 400 x TBC mm
L26	- Car parking directional sign - Internal LED illumination. - Fleet Lane direction	Within Fleet Lane East link 280 x 1600 mm
L27	- Directory sign - Internal LED illumination. - Fleet Lane direction	Ground floor level in plaza area 530 x 1250 mm
L28	- Car parking directional sign - Internal LED illumination. - Parking directions	Within Fleet Lane East link 400 x 1600 mm



5. STATUTORY CONSIDERATION

5.1 Section 75W

The project was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although Part 3A was repealed on 11 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former Section 75W of the Act.

The Department is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and do not constitute a new application.

5.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, consistent with the Minister's delegation of 14 September 2011, the application can be determined by the Planning Assessment Commission.

6. CONSULTATION

The Department made the modification application publicly available on its website, and consulted with Willoughby City Council (Council), Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) on the proposed modification.

Council made a detailed submission on the proposed modification in relation to a number of signs. On 2 September 2015, the Proponent submitted final amended plans, which address Council's concerns.

TfNSW and **RMS** raised no objection to the proposal and there were **no public** submissions received on the proposal.

7. ASSESSMENT

The Department considers the key assessment issue associated with the proposed signage is compliance with State Environmental Planning Policy 64 – Advertising and Signage.

7.1 State Environmental Planning Policy 64 – Advertising and Signage

The Department undertook an assessment of the proposed signage, as modified, against the provisions of *State Environmental Planning Policy 64 – Advertising and Signage* (SEPP 64), which is provided at **Appendix C**.

Consideration was given to key assessment criteria including compatibility of the signs with the character of the area, the streetscape, and with the site and building. The Department's assessment considers that the proposed signage:

- is compatible with the desired amenity and visual character of the area;
- is of an appropriate size and scale in the context of the approved building and approved public domain;
- does not result in visual clutter or have a detrimental impact on the architectural design of the building or associated public domain;
- is of a high quality design and finish; and
- provides effective communication in suitable locations, providing suitable way finding to the building, carpark, childcare centre and required site through link.

Consideration was also given to the proposed illumination of the signs and potential safety and amenity impacts. Of the 26 proposed signs, 22 are proposed to incorporate low level internal LED illumination.

TfNSW and RMS raise no objections to the proposed signage in relation to road safety issues.

The Department's assessment therefore concludes that the proposed signage is consistent with the objectives and the assessment criteria of SEPP 64.

7.2 Other Issues

Given the multi-functional use of the building and its interface with the public domain, the proposed signage strategy needs to provide clear and well illuminated directional signs as well as identification of tenants and key functions, including the apartments and carpark.

The Department and Council have undertaken a comprehensive review of the proposed signage and identified a number of design and accuracy issues relating to:

- minor plan errors and sign content errors (such as incorrect directions);
- additional directional signs needed to the public carpark, childcare centre and Fleet Street;
- location of signs to be wholly within the boundary and impacts on view lines to public art;
- location of signs to ensure no obstruction of the public footpath;
- clarification of height and clearance of under awning tenant signs;
- shopfront signage should not to obscure the glazed shopfronts; and
- other minor design changes (such as the need for Council's logo to be incorporated on the car park signage).

The Proponent has responded to the above issues by amending the proposed signage to clarify errors, improve way finding for the general public, ensure accuracy of directional signage, ensure signs would be located wholly within the property boundaries, not obstruct views of public art, or obstruct the footpaths. The Proponent has also deleted proposed shopfront signs (Locations 12-16, 22 & 24), which obscured the shopfront and limited passive surveillance of the public domain. The shop front signs are now limited to under awnings with a minimum clearance of 2.7 metres to the footpath level, which is acceptable (**Figure 3**). Council's logo has been incorporated on the car park signage as requested.

The proposal, as modified, has addressed the concerns raised by Council and the Department and would provide appropriate wayfinding and business identification signage.

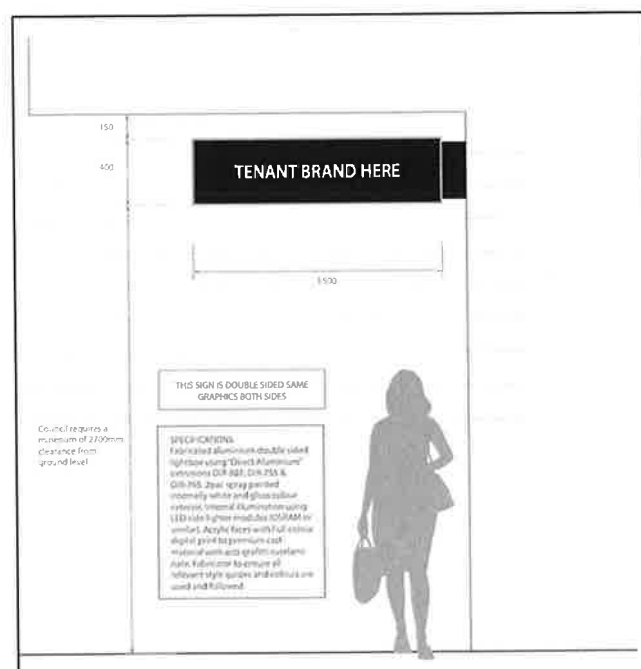


Figure 3: Amended plans indicating future under awning tenant signage (Source: 75W application)

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- it is consistent with SEPP 64;
- it would not result in visual clutter or have a detrimental impact on the architectural design of the building or associated public domain;
- it provides suitable way finding to the building, carpark, childcare centre and required site through link; and
- it would not have an adverse impact on vehicle or pedestrian safety.

Consequently, the application is in the public interests and it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is RECOMMENDED the Planning Assessment Commission, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 75W, subject to conditions; and
- **signs** the notice of modification (**Appendix A**).



Anthony Witherdin
Acting Director
Regional Assessments



Daniel Keary
Acting Executive Director
Infrastructure Industry Assessments

Prepared by:
Michael Woodland
Consultant Planner

10/9/15

APPENDIX A: NOTICE OF MODIFICATION

Refer to the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7092

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7092

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7092

3. Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7092

APPENDIX C: SEPP 64 - ADVERTISING AND SIGNAGE

State Environmental Planning Policy No 64- Advertising and Signage (SEPP 64) applies to all signage that under an Environmental Planning Instrument can be displayed with or without development consent and is visible from any public place or public reserve.

Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria, which are contained in Schedule 1. **Table 3** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table 3: SEPP 64 Compliance Table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is appropriately located and integrated into the design and scale of the building and adjoining public domain. The proposal is compatible with the existing and desired character of the locality in this urban CBD location.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with an urban CBD locality and generally consistent with Council's relevant DCP.	Y
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas or open space areas.	Y
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage is integrated with the approved buildings and public domain. The original proposal included some directional signs which have been relocated to preserve views to council public art work located in the public domain. The amended proposal does not obscure or compromise important views or vistas.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	N/A. All signs are proposed at ground level.	N/A
Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not impact upon the viewing rights of other advertisers.	Y
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signage is proportionate to the scale of the approved building and adjoining public domain.	Y
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage would contribute to the visual interest of the building by contributing to the identification of the building, public domain and associated uses of the building and carpark.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage responds to the building design, uses and its interface with the adjoining public domain. The proposal provides well-articulated, clear and simple signage that is functional and does not result in clutter or adverse visual impacts. The proposed signs are of high quality finish and are sympathetic to the architectural design treatment of the building and surrounds.	Y

Does the proposal screen unsightliness?	N/A	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage is at ground level and does not protrude above the parapet line of the building or impact on trees.	Y
Does the proposal require ongoing vegetation management?	The proposed signage would not require ongoing vegetation management.	Y
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage has been designed to be functional and compatible with the proposed building and its architecture..	Y
Does the proposal respect important features of the site or building, or both?	The proposed signage has been located in the most architecturally appropriate locations to assist in place identification and way-finding to uses within the building, the carpark and other uses.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been fully integrated with the building architecture and adjoining public domain.	Y
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The Meriton and Willoughby City Council logos have been incorporated into the design, which is acceptable given the function of the signage as tenant signs, building identification and directional signage. Future tenant signs may include logos to the proposed under-awning signs, which are an appropriate size and scale for the building and urban context.	Y
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	22 signs are proposed to contain low internal LED illumination. The location, size and context and signs would not lead to any safety issues for pedestrians, vehicles or aircraft. TfNSW and RMS have not raised any objection to the proposal.	Y
Would illumination detract from the amenity of any residence or other form of accommodation?	The location, size and context and signs would not lead to any adverse amenity impacts on adjoining residents or other forms of accommodation.	Y
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	A number of signs are proposed to contain internal LED internal low illumination. The Proponent has advised that the illumination may be adjusted if required. The illumination would not be subject to a curfew as it results in no adverse impacts to nearby residents.	Y
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signs would not obscure sightlines to or from public areas. The way finding and directional signs would increase pedestrian safety by providing direction to and from the site including the carpark	Y
Would the proposal reduce safety for any public road?	As the signs are of an appropriate size and scale and would not obstruct sightlines or cause glare, no safety concerns arise. TfNSW and RMS have not raised any objection to the signage including any road safety issues.	Y