

Planning Report

Section 75W Application

16 Thomas St, Chatswood (Thomas Street Carpark)

Delete louvres

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Annexure 1: Proposed Plans

Annexure 2: Modified Condition

1 Introduction

This Planning Report relates to a Section 75W Application which seeks consent from Department of Planning and Environment to amend Major Project Application MP09_0066.

The subject Section 75W Application seeks to amend the approved design by deleting external louvres to the eastern and western elevations of Building 1.

This report:

- Describes the site and its surrounding area;
- Details the nature of the proposed development; and
- Undertakes an assessment of any likely impacts arising from the proposal.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

2 Site and Surroundings

The subject site is commonly known as the Thomas Street Car Park and is located on the southern side of Thomas Street and northern side of Albert Avenue, Chatswood (**Figures 1 and 2**). The legal description of the property is Lots 13 and 22-30 in DP 2983, Lots A and 8 DP 381223, and Lot 3 in DP 1160905.

The site is irregular in shape, with a northern frontage to Thomas Street of 40m, a southern frontage to Albert Avenue of 80m, providing a total site area of 4,323m². The site stretches over an existing portion of Fleet Lane.

The site is currently undergoing construction of two mixed use towers that range in height between 32 and 38 storeys and are connected by a 3 storey podium. The development was approved on 28 September 2010 by the Minister for Planning under the now repealed Part 3A of the *Environmental Planning & Assessment Act, 1979*, and has subsequently been modified on a number of occasions.

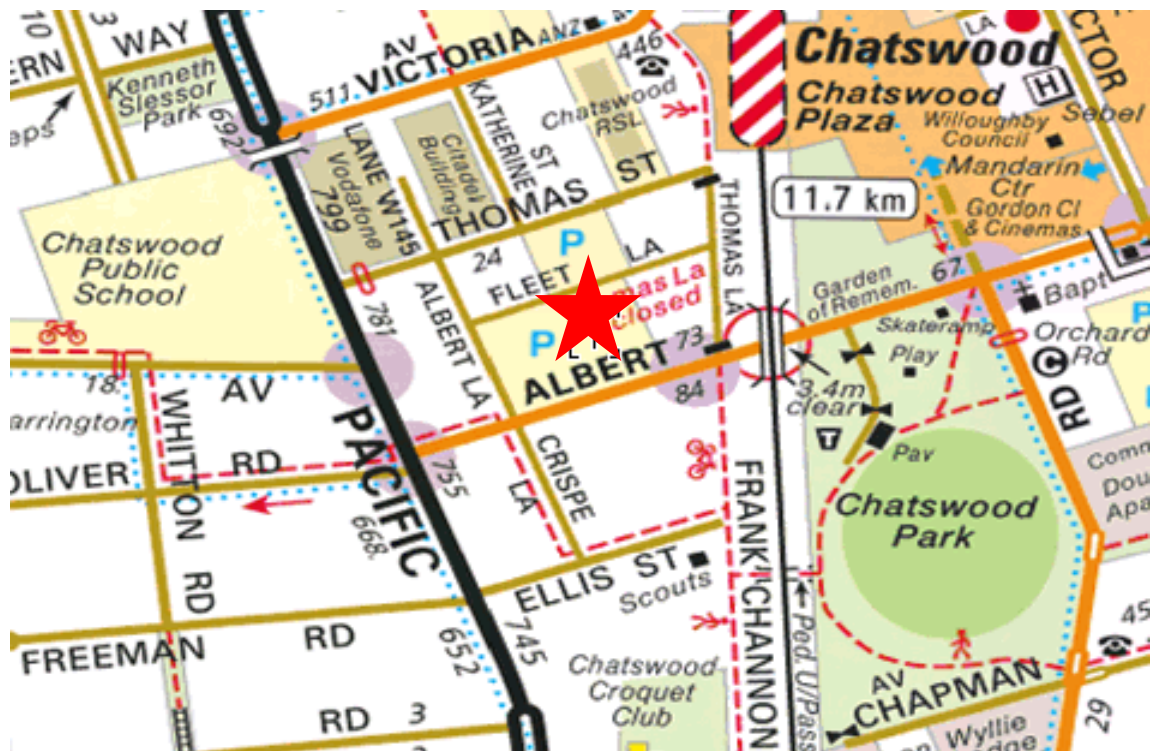


Figure 1: Site location - marked with star

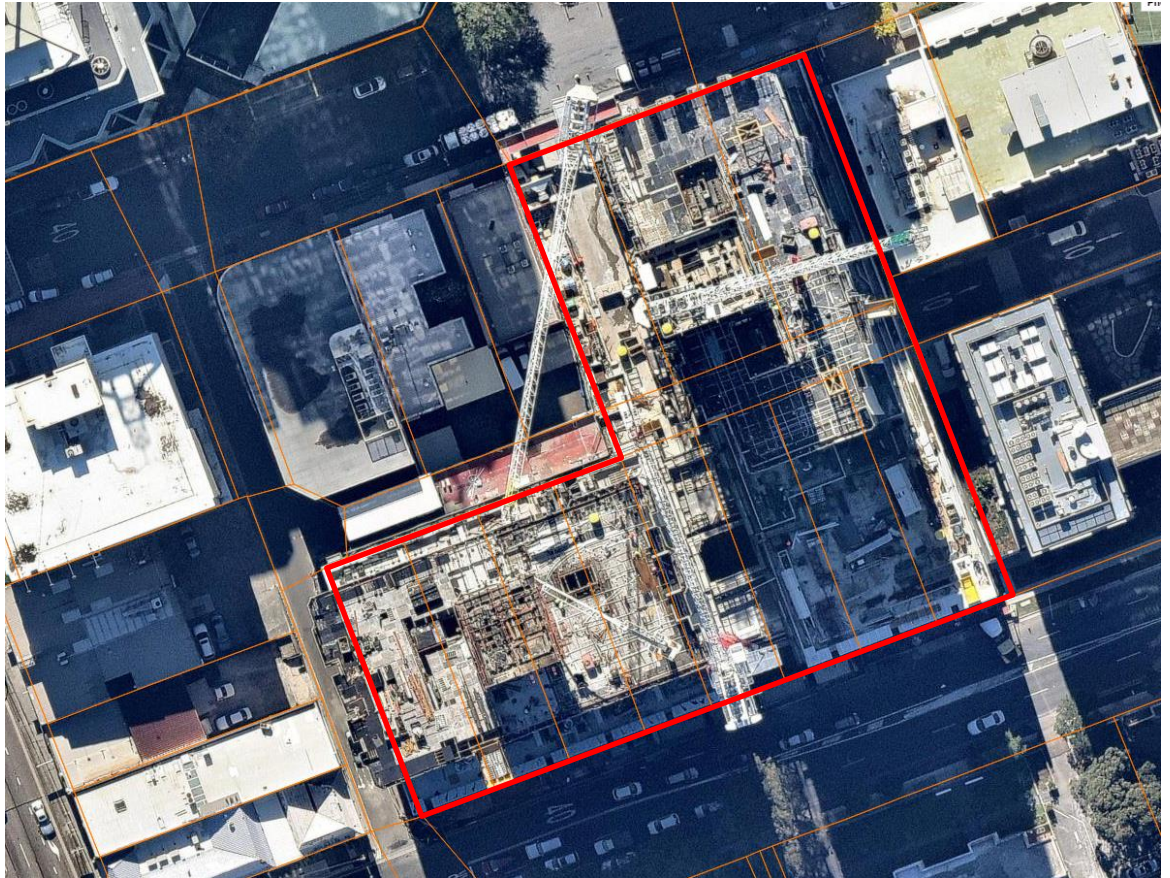


Figure 2: Site Aerial – boundary outlined

3 Proposed Modifications

3.1 Existing Consent

On 28 September 2010, the Department of Planning issued its consent (MP09_0066) for the following development:

- the construction of a commercial building (Building 1) on the southern portion of the site comprising of a 3 storey retail/commercial podium and 18 storey commercial tower above;
- the construction of a residential building (Building 2) on the northern portion of the site consisting of a 3 storey retail/commercial podium and 26 storey residential tower above;
- a 5 level basement level car park containing 506 car parking spaces (including 250 public car parking spaces); and
- public domain works including:
 - publicly accessible open space and a through site pedestrian link; and
 - vehicular right of way between Thomas Street and Fleet Lane.

3.2 Proposed Amendments

The proposal involves design changes to Building 1. It proposes the deletion of the external louvres on the eastern and western elevations of the approved building. The proposed changes are shown on the amended architectural plans at **Annexure 2**.

The proposed modification will result in the removal of selected louvres as follows:

- Eastern elevation: Level 19 - 27
- Western elevation: Level 19 - 22

Their removal is sought in the interests of improving the internal amenity of the proposed apartments. The impact of the louvres on the outlook and access to light from apartments is dramatic. Their removal will result in considerably improved amenity to future residents allowing increased natural light to enter the apartments and providing a more open / airy feel.

The louvres were intended to serve an aesthetic purpose only, providing articulation to the building façade. They do not perform any environmental function. As a result the proposed removal of the louvres will not result in any adverse impact on the environmental performance of the building.

Additionally, the louvres are not intended to safeguard the privacy of any adjoining property or the privacy of the occupants of the units to which they are attached. Their removal will not result in potential overlooking issues.

3.3 Proposed Conditions

The proposal requires an amendment to the table which lists the approved drawings and documents as contained within Condition A2 as detailed in **Annexure 2**.

4 Planning Assessment

This section undertakes an assessment of the proposal under Section 79C of the *Environmental Planning and Assessment Act 1979*.

4.1 Part 3A of the EP&A Act, 1979

Pursuant to Clause 75W continues to apply to Transitional Part 3A Projects. As such, the proposal is submitted in accordance with the requirements of the Act and the Minister (or his delegate) is the approval authority.

Transitional Part 3A Projects are defined in Clause 2 of Schedule 6A of the Act and includes a project that was approved pursuant to the now repealed Part 3A of the Act.

4.2 Environmental Impacts

The proposed deletion of the louvres to Building 1 will not have any adverse impacts. The environmental performance of the buildings will not be adversely affected, and the architectural integrity of the buildings will not be compromised. The buildings will retain the overall presentation of the originally approved development.

The proposal will result in buildings that have an improved outcome in terms of internal amenity. Any improved situation in terms of overall amenity is within the public interest.

5 Conclusion

The subject Section 75W Application seeks to delete the external louvres proposed to the eastern and western facades of Building 1 above Level 19.

The proposal will result in significantly improved amenity for future residents without compromising the architectural integrity of the development.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

The proposal satisfies assessment of all relevant issues and all relevant provisions of the applicable planning controls.

It is therefore submitted that the Minister grant approval to the Section 75W Application and amend the Major Project approval in the manner requested.

Annexure 1: Proposed Plans

Annexure 2: Modified Condition

