

17 September 2012

Ms Sarah Roach
NSW Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000



HEAD OFFICE
Level 11, 528 Kent Street
Sydney NSW 2000
Tel: (02) 9287 2888
Fax: (02) 9287 2653

Dear Sarah

SECTION 75W APPLICATION
MP NO.09_0066 MOD 3: THOMAS STREET CAR PARK, CHATSWOOD

Reference is made to the Department's letter received on the 10 September 2012 and subsequent emails dated the 12 September 2012 relating to the abovementioned modification. Please find below our response to the issues raised.

Serviced Apartments Building (Building 2)

Although Serviced Apartments do not fall within the guidelines of the State Environmental Planning Policy SEPP 65, Architects PTW have prepared a design report, enclosed in **Annexure 1** as requested (**refer to annexure 8**) of the Environmental Assessment Report). The report references the key design elements within SEPP 65 and as applied to the proposed Serviced Apartment Building.

The commercial Serviced Apartments buildings will not be strata subdivided and its use will not be used for residential purposes therefore no BASIX certificate is required.

Child Care Centre

The Willoughby Council Development Control Plan Section G.10 "Child Care Services" applies to the site. A response to the Objectives of such is addressed below:

"1. Encourage the provision of child care services in the City of Willoughby to meet the needs of the community."

It is proposed to provide a Child Care Centre that will contribute to the educational development of preschool children. The facility has been designed for 49 children.

"2. Ensure quality child care facilities in terms of safety and design standards."

The Child Care Centre has been designed to comply with the Education and Care Services National Regulations 2011. No. 653 which establishes requirements for furniture, fencing, laundry and hygiene facilities, indoor and outdoor spaces, toilet facilities and standards for ventilation and natural light. All these criteria have been met within the design.

"3. Ensure child care facilities are designed and located to avoid adverse noise and air quality impacts on occupants."

The Child Care Centre is located on Level 1 and adjoins other recreational uses, such as the swimming pool and gymnasium. There will be suitable acoustic treatment to the Centre, this information will be lodged with a further Development Application. As the Child Care Centre is on Level 1 it is above the street and will not be exposed to vehicle related pollution, therefore there are unlikely to be any air quality or noise related issues.

“4. Provide for child care facilities that are complementary to their location and integrated into the local environment.”

The Child Care Centre will be an asset to residents of the building and to families in the surrounding neighbourhood. It has been designed to ensure that all regulatory conditions are met and is located on Level 1 where there are no surrounding residential apartments.

“5. Minimise potential adverse impacts on the surrounding area in terms of noise, traffic generation and car parking.”

As mentioned above the Child Care Centre is located on Level 1 therefore there are no immediate surrounding residential apartments. The noise levels will be controlled by the location of uses and types of materials to be used, (which will be detailed at Development Application and Construction Certificate stage).

The RTA Traffic guidelines for a Child Care Centre require 1 car park space per 4 children. Given that is proposed to accommodate 49 children, 12 car spaces are required. Accordingly 10 car spaces have been allocated within the basement car parking. This is considered adequate for the following reasons:

- It is anticipated that the majority of children will be from the existing residential building and parents will not need additional parking;
- The use of the bays will be intermittent as parents are dropping off and collecting over a range of times;
- If the child care draws on the broader, parents have the option to walk or use public transport; and
- The public car park is available.

Therefore the provision of 10 car spaces is considered to adequately meet the perceived demand.

A copy of the Child Care Centre Site Plan is enclosed in **Annexure 2 (refer to the Annexure 11 of the EA)**.

Shadow Diagrams

A detailed assessment of the impact of shadows is contained within the Environmental Assessment Report, under the heading, “Solar Access” (pages 43 – 45). Further A0 x 3 copies of the Shadow Diagram Plans have been provided with this submission which will assist in the assessment process.

Provision of Car Parking

This application is a Modification to Project Approval MP No.09_0066. The issue pertaining to the amount of car parking provided was the subject of rigorous negotiation between Willoughby Council and the previous owners, as is permitted by Clause C4.1A of the Willoughby Development Control Plan. The justification for the amount of car parking was addressed by the previous Major Project application. The final approval provided for a total of 506 car parking spaces, 250 of which have to be dedicated to

Willoughby Council for use as public car park, which leaves the remainder available for use by the rest of the site.

The current application, MOD 3 proposes to amend the provision of car parking by 2 car spaces, and provides a total of 504 car parking spaces. This is largely due to the reconfiguration of the layout of the basement car parking. Every effort has been made to ensure that there is only a very minor departure from the original approval.

An updated Traffic Report has been updated by Transport and Traffic Planning Associates and is enclosed in **Annexure 3 (refer to Annexure 6 of the EA)**.

BASIX

BASIX plans are currently being updated by Efficient Living and will be compatible with the architectural plans submitted.

As this stage of the project is the notification and exhibition phase of the proposal, we believe that all the necessary information has been provided to enable the community to gain a detailed view of the Modification.

Yours faithfully

MERITON GROUP



Walter Gordon

Manager Planning and Development