

Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Amy Watson

Dear Ms Watson,

**RE: THOMAS STREET CAR PARK SITE CHATSWOOD MP09_0066 MODIFICATION 3
PROPOSED MIXED USE DEVELOPMENT**

I refer to your email of 18 January 2013 advising of the Response to the Submissions on Modification 3 that was lodged by the Applicant, Meriton Property Services.

Council has viewed the documents and plans lodged with the Response on the Department's website.

Council advises that it supports the amended plans that result in no change to the height of the residential building. Council also acknowledges that the amended layout of the basement car parking has been resolved to separate the residential car spaces from the public and serviced apartment parking and to provide the 250 public spaces, 90 serviced apartment spaces and 168 residential spaces. The Proponent has advised that it will meet any shortfall in car parking as noted in Council's submission by way of monetary contributions to Council. This contribution is in addition to the applicable s94 contributions applying following the change of uses on the site.

The Proponent advises that it will provide the 4% of the residential building floor space as affordable housing units. The amended plans do not nominate or confirm the location of the affordable housing units and achievement of the 4% as requested in Council's submission but an undertaking is given in the Response. This can be addressed by way of condition of consent.

Council notes the floor space figures for the proposed modification have been clarified as 10.44:1 floor space ratio (FSR) calculated in accordance with the Standard Template definition that constitutes a slight increase from 10.4:1 FSR.

Council also notes that the Proponent has reiterated in its Response that it has no objection to a condition that precludes long-term leasing of the serviced apartments ensuring the availability and use as tourist accommodation. This should be complemented by a condition precluding strata subdivision of the serviced apartment building which the proponent has agreed to.

The head clearance over the right of way link to Fleet Lane from Thomas Street is noted to be 4.7 metres. This is acceptable. The amendments to the design of the child care centre are also acceptable subject to the detailed design incorporating the wind management requirements.

The additional Traffic Report by Transport and Traffic Planning Associates provided in the Response acknowledges that the proposed porte-cochere to the service apartments will not accommodate tourist coaches but claims that short stay "group accommodation" is not a feature of service apartment occupation. This is not accepted as serviced apartments can provide accommodation for tourists, conference attendees and other groups that may use coach buses. Council advises that it will not accept a proposal to provide a section of NO PARKING along the Albert Avenue frontage to accommodate a stopover by a coach. Albert Avenue is the primary southern link into and out of Chatswood that must not be blocked by coaches or similar vehicles. Kerbside parking in Thomas Street must be maintained to serve the local businesses and Albert Lane is unable to accommodate a coach bus or similar large vehicle. This issue will need to be addressed by the proponent to provide for a suitable drop-off location or other management arrangement to restrict coach access. The Traffic Report also considers that regardless of the porte-cochere activity in Albert Lane and Fleet Lane West it will still be less than the previous use as a public car park. This is not fully supported as the public car park had alternative access from Thomas Street and Albert Avenue. It did not rely on the Lanes for access. The main traffic in the Lanes was traffic from the properties that have access via the Lanes and local traffic connecting between Thomas Street and Albert Avenue. For the Department's information the properties at 20 and 22 Thomas Street are separately titled small office buildings that are strata subdivided. They do not have common ownership nor legally interconnected driveways.

The Traffic report also confirms that the maximum size waste vehicle that can access the site and manoeuvre in the loading docks is an 8 metre rear loader and, for any delivery truck to the site, is 8.8 metres. This will increase the frequency of the waste service that is required for the site. The report notes that traffic regulations allow trucks to turn from other than the kerbside lane. This may be acceptable in the case of older existing development but a new development site must accommodate the demands for servicing the site without impact on the surrounding road network and especially on a busy arterial road such as Albert Avenue. This needs to be addressed by the Proponent by adjustment of the entry layout.

The other matters and concerns of Council's submission are unchanged by the Response provided by the Proponent and remain relevant. This includes the architectural and landscape design matters. The three outstanding matters are:

1. The proposed use of painted finishes on the building that are less durable and result in higher long term maintenance costs for the residents and owners corporation. A finish involving a durable cladding is a more satisfactory outcome. This could be addressed by a condition of consent at least for the residential tower;
2. The achievement of passive surveillance of the plaza and Fleet Lane East from the gym /pool area. The Proponent has provided a sketch plan indication how this matter may be addressed using a combination of the proposed landscaped planter and 1000mm high translucent glass. This option is acceptable except that the translucent glass should be no higher than 500mm to enable occupants of the pool and gym area to have visibility of the plaza area. This can be addressed by a condition of consent with reference to the sketch plan with modification to the glass height;
3. The treatment of the fire stair access to Thomas Street. The approved plans (Ground Floor Plan A-0100/B) presented a narrow stair wall to the street with the stair access being setback from the site boundary and screened by planting. The current plan presents a longer blank wall face to the street. The Landscape Plan submitted with the application is inconsistent with the architectural plans. The Landscape Plan shows a landscaped planter box on the street frontage screening the stair structure. This matter can be addressed by a condition requiring that the architectural plans be modified to comply with the landscape plan including provision of screen planting

The proponent has not satisfactorily addressed the overarching issue of the change of use and specifically the loss of jobs- generating floor space attributable to an office development compared to serviced apartments. The original approval provided for 1,000-1,500 jobs in the office tower whereas the serviced apartment use will provide in the order of 100 jobs. The proponent argues that a range of indirect jobs will also be supported by the serviced apartments. The same argument applies to indirect jobs associated with an office use (cleaners, maintenance, couriers, trades, furniture, etc.). The significant variation in jobs potential is a critical factor in the Chatswood CBD and Metropolitan Plan.

Council reiterates that if this modification is approved then it will no longer be able to plan for or achieve the jobs targets set down in strategic metropolitan planning for Chatswood CBD to 2036. In combination with other major project approvals in Chatswood by the State Government, approval of this project will mean that the employment gains in Chatswood will not be realised within the life of the Metropolitan Plan. This would be at odds with the role for the Chatswood Centre that has been determined by the State Government having regard to its linkage to the north-west growth area, its position in the Sydney global economic arc as well as undermining the significant investment in public transport in Chatswood made by the government. This is a key strategic issue that must be resolved by the Department or PAC in its determination of the application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G Woodhams', with a stylized, cursive script.

Greg Woodhams
Environmental Services Director
Willoughby City Council