



MERITON
MERITON PROPERTY SERVICES
PTY LIMITED

15 October 2012.

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SYDNEY NSW 2000

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Dear Ms Jones

**STATEMENT OF ENVIRONMENTAL EFFECTS: SECTION 75W APPLICATION TO MAJOR
PROJECT MP NO.09_0066, THOMAS STREET CAR PARK – AMENDMENT TO CONDITIONS**

INTRODUCTION

Pursuant to Section 75W(1)(a) of the Environmental Planning and Assessment Act 1979, a 'modification of approval' is sought to vary the basement plans in Condition A2 pertaining to Major Project Approval MP No. 09_0066. The modification seeks to update the basement car parking plans with amended plans, that clearly identify the degree of encroachment of the basement car park underneath Fleet Lane.

THE SITE

Site Context

The site is located within the Chatswood CBD, within the Willoughby local government area (LGA). The site sits at the southern gateway of the Chatswood CBD. The Pacific Highway is to the west of the site and the North Shore rail line is to the east of the site.

The site is a reverse L-shaped block bounded by Thomas Street to the north, Albert Lane to the west, Albert Avenue to the south and low rise commercial properties to the east. The site has an area of approximately 4,323sqm.

The site is legally described as Lots 23-30 in DP2983, which forms part of the southern block fronting Albert Avenue with a length of 80.465m and the width of 33.855m. Lot 13 of DP 2983 and Lots A and B of DP 381223, which is the northern block fronting Thomas Street with a length of 40.23m and a width of 3.855m.

A site location plan is provided at **Figure 1** below:



APPROVALS BACKGROUND

In June 2007, Willoughby Council entered into a contract with Welles Thomas for sale of the Council car park site at Thomas Street and Albert Avenue.

On the 27 March 2009 Connybeare Morrison International Pty Ltd, on behalf of Welles Thomas, requested that the Minister of Planning declare the proposed mixed use development to be a Major Development subject to Part 3A of the EP&A Act.

On 24 April 2009, the Minister declared the proposed development to be a Major Development. Subsequently a Project Application was submitted and on the 28 September 2010, Project Approval MP09_0066 was approved for a mixed use development, comprising the following:

"Southern commercial building consisting of a three storey podium; and 18 storey commercial tower above. Northern residential building consisting of a three storey podium; and 26 storey residential tower above five level basement and public domain works".

REASON FOR MODIFICATION

The reason for the modification to the basement plans is to clearly identify the extent of the encroachment under part of Fleet Lane. The need for the encroachment is expedient for the following reasons:

- In order to construct a basement car park that can accommodate the approved number of car parking spaces it is necessary to design to the appropriate Australian Standards, in particular AS 2890 and other relevant sections. In meeting these standards the basement has had to extend beyond the boundary of the site and into a portion of the underneath of Fleet Lane;

- The physical encroachment includes a portion of the car parks, the construction of the shoring wall and support pillars, which push beyond the boundary of the site; and
- The overall extent of the below ground level encroachment varies from 1,791mm to 1,882mm. On average it may be rounded up to a 2m encroachment.

Therefore the encroachment is necessary in order to physically build the basement car park. Without which it would not be possible to provide the number of car spaces approved in accordance with the relevant Australian Standards.

PROPOSED MODIFICATIONS

The current approved plans are identified below:

Architectural Drawings prepared for the Environment Assessment/Preferred Project Report by PTW Architects			
Drawing No.	Revision	Name of Plan	Date
A-0111	B	Basement 1 plan	18/12/09
A-0112	B	Basement 2 plan	18/12/09
A-0113	B	Basement 3 plan	18/12/09
A-0114	B	Basement 4 plan	18/12/09
A-0115	B	Basement 5 plan	18/12/09

A copy of which are enclosed in **Annexure 1**.

It is proposed to update the above plans with the following plans:

Architectural Drawings prepared for the Environment Assessment/Preferred Project Report by PTW Architects			
Drawing No.	Revision	Name of Plan	Date
A-0111	F	Basement 1 plan	09/10/12
A-0112	F	Basement 2 plan	09/10/12
A-0113	F	Basement 3 plan	09/10/12
A-0114	F	Basement 4 plan	09/10/12
A-0115	F	Basement 5 plan	09/10/12

A copy of which are enclosed in **Annexure 2**.

CONCLUSION

The proposed encroachment allows for the number of approved car spaces to be built to the required Australian Standards. There has been no change to the bulk, scale or height of the approved buildings, and there are no impacts above ground. As such the modification is essential to bringing the project to fruition and should be supported.

Yours faithfully

MERITON PROPERTY SERVICES PTY LIMITED



WALTER GORDON
Manager Planning and Development