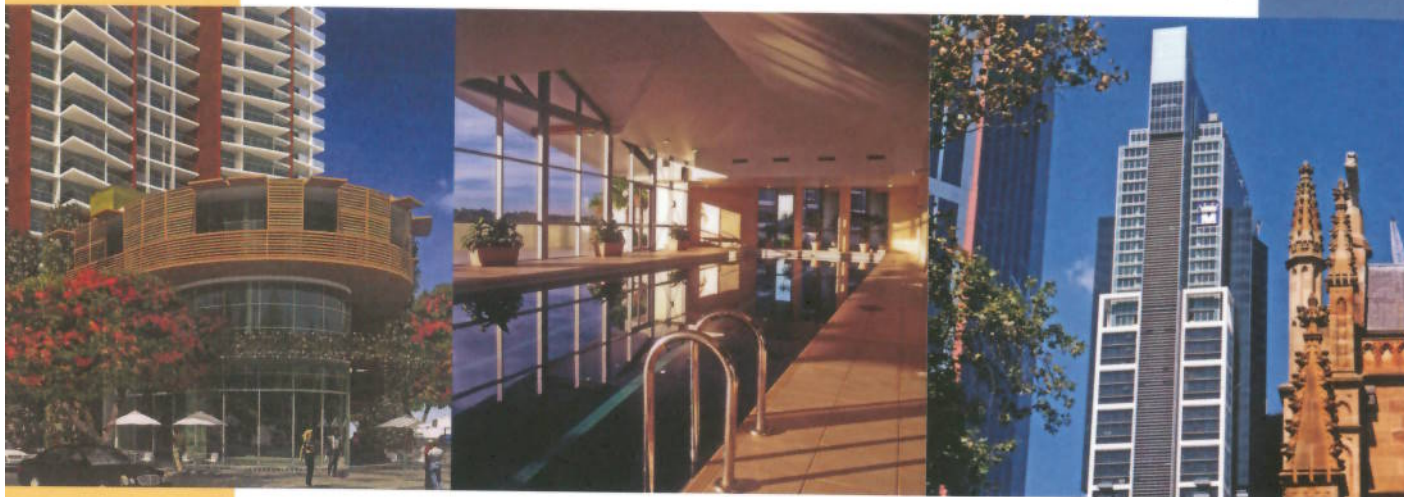


## **S75W MODIFICATION TO MAJOR PROJECT, MP09\_0066**



**16 THOMAS STREET, CHATSWOOD**

**DECEMBER 2012**



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## 1.0 INTRODUCTION

In accordance with Section 75W of the Environmental Planning and Assessment Act 1979 (as amended from time to time), a modification is sought to Project Approval MP09\_0066 that was granted consent on the 28 September 2010, and is known as the Thomas Street Car Park site in Chatswood.

The application seeks to modify the original consent in the following manner:

- Increase the height and number of units in the approved residential tower (refer to Architectural plans in **Annexure 4**);
- Change the residential unit mix within Building 1 (refer to **Annexure 4**);
- Reconfiguration of the retail uses at ground level (refer to **Annexure 4**);
- Change of use of Building 2 from commercial offices to serviced apartments. Note that at the time this application was lodged, a separate application is being considered by the NSW Department of Planning and Infrastructure to convert the office building into a serviced apartment use. Willoughby City Council considered the separate application to convert the office building to serviced apartments on the 27 November 2012;
- Increase the height of the proposed serviced apartment building (refer to **Annexure 4**);
- Increase the number of resident and serviced apartment car parking spaces;
- Relocate the public car park above ground and the private car parking to remain in 5 basement levels to improve future management and operations for Council.

### 1.1 Public Benefit

The proposed amendment will result in the following public benefits to the Chatswood CBD.

- Cash contribution in accordance with Council's Section 94 Contribution Plan for the Chatswood CBD;
- 4% of the gross floor area in the residential building will be dedicated to Council for Affordable Housing.
- Enclosed public pedestrian thoroughfare that creates access from the south of the CBD towards Thomas Street retail and commercial use;
- 250 public car spaces that are independent from private use;
- Voluntary Planning Agreement to be entered into with Willoughby Council towards the upgrading of Council facilities in the CBD, which includes a monetary contribution for;
  - the upgrade of the Chatswood Oval:
    - a new playing surface;
    - renovation of the grandstand and change rooms;
    - new gymnasium for community and sporting club use;

- new regional playground; and
- new community garden and walking paths.
- the upgrade of the Chatswood High Oval by:
  - providing a synthetic surface; and
  - redevelopment of tennis courts for multi- purpose activities.
- the upgrade of Beauchamp Oval including:
  - a new playing surface;
  - drainage improvement;
  - upgrade of the change rooms.
- CBD streetscape improvements.

The Voluntary Planning Agreement proposal is contained in **Annexure 12**.

## 2.0 SITE AND URBAN CONTEXT

### 2.1 Site Description

The site is referred to as the Thomas Street Car Park and is legally described as:

- Lots 23-30 in DP2983, which form part of the southern block fronting Albert Avenue with a length of 80.465m and the width of 33.855m; and
- 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 33.855m.

Refer to **Annexure 1** for a copy of the Survey Plan.

### 2.2 Site Location and Characteristics

The site is located between Albert Avenue and Thomas Street, at the southern gateway to the Chatswood major regional centre, just west of the North Shore rail line. It is situated within the south western corner of the Chatswood CBD (within the Willoughby Local Government Area). The site has an area of approximately 4,323sqm and is bisected by Fleet Lane which runs east/west across the site. The land slopes from north to south with a gradient of 1 in 20 and a consistent fall from west to east of approximately 4.5m.

The eastern most point of the site is located some 50 metres from the Chatswood station bus/rail interchange.

The close proximity of these public transport facilities affords the site excellent connectivity to a wide range of public transport services, retail cultural, educational, entertainment and open space uses within the Chatswood CBD.



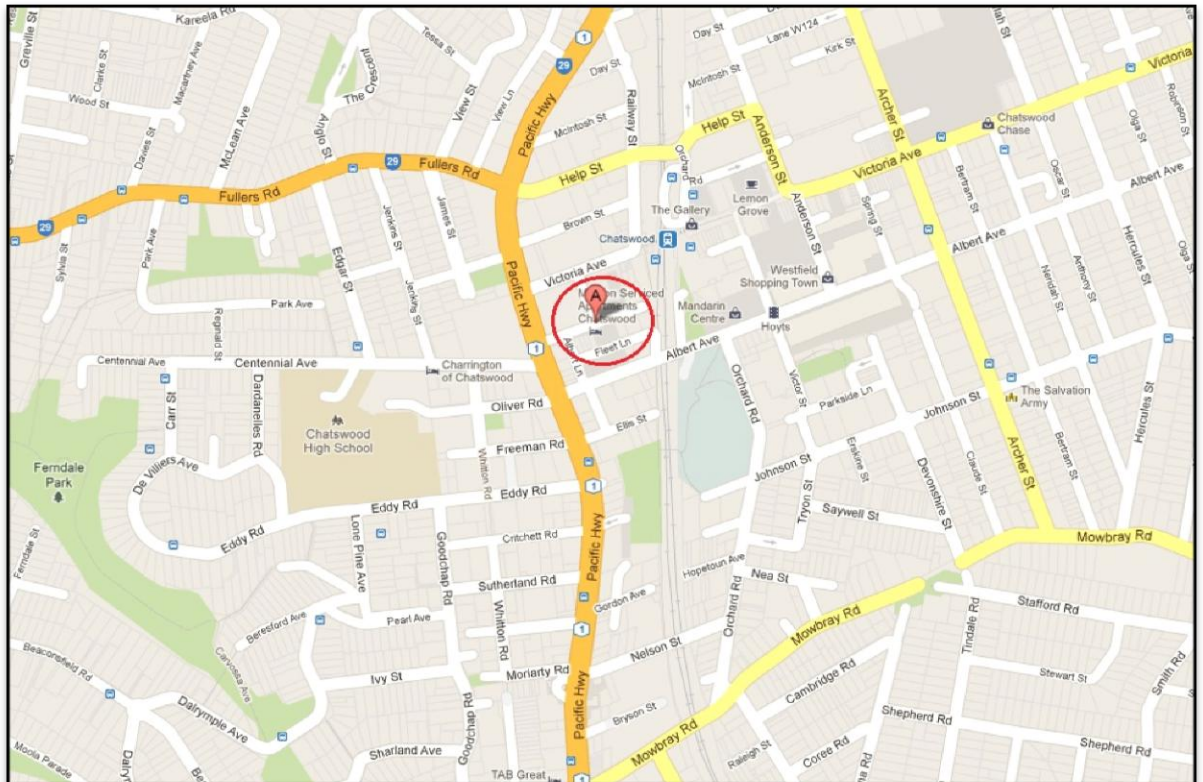


Figure 1 : Location Plan



Figure 2 : Aerial View

### 3.0 APPROVALS HISTORY

On 27 March 2009 Connybeare Morrison International Pty Ltd, on behalf of Welles Thomas, the then owners of the site, requested that the Minister of Planning declare the proposed mixed use development 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 comprising the following:

*A Mixed Use development consisting of:*

- *Building 1 - Northern residential building consisting of a three storey podium; and*
- *26 storey residential tower above.*
- *Building 2 - Southern commercial building consisting of a three-storey podium; and*
- *18 storey commercial tower above.*
- *Five level basement carpark; and*
- *Public domain works.*

Refer to **Annexure 2** for a copy of the full approval document.

The following amendments to consent have been made:

7 June 2012: The Minister for Planning and Infrastructure approved a modification to stage the construction.

1 November 2012: Conditions amended relating to Adaptable Units, stormwater and rain water saving measures for the non-residential building.

14 December 2012: Approval granted to widen the basement car park to comply with relevant Australian Standards.

## 4.0 PROPOSED MODIFICATION

The application seeks to modify the original consent MP09\_0066, as approved on the 28 September 2010 in the following manner:

- Increase the height and number of units in the approved residential tower;
- Change the residential unit mix within Building 1;
- Reconfiguration of the retail uses at ground level;
- Convert Building 2 from offices to serviced apartments (this is being considered by the NSW Department of Planning and Infrastructure in a separate application and has already been considered by Willoughby City Council at its' meeting on the 27 November 2012);
- Increase the height of the proposed serviced apartment building;
- Increase the number of resident and serviced apartment car parking spaces;
- Relocate the public car park above ground and the private car parking remain in 5 basement levels to improve future management and operations for Council.

The Table below identifies the changes from the original Project Approval, MP09\_0066 to the current proposed modification.

Original Approval MP09_0066, as approved on the 28 September 2010	Proposed Modification, November 2012																				
Change and increase unit mix within Building 1. The approved unit mix is as follows:	Proposed unit mix within Building 1 is as follows:																				
<table> <tr><td>Studio</td><td>10</td></tr> <tr><td>1 Bedroom</td><td>12</td></tr> <tr><td>2 Bedroom</td><td>146</td></tr> <tr><td>3 Bedroom</td><td>34</td></tr> <tr><td><b>Total Units</b></td><td><b>202</b></td></tr> </table>	Studio	10	1 Bedroom	12	2 Bedroom	146	3 Bedroom	34	<b>Total Units</b>	<b>202</b>	<table> <tr><td>Studio</td><td>0</td></tr> <tr><td>1 Bedroom</td><td>137</td></tr> <tr><td>2 Bedroom</td><td>186</td></tr> <tr><td>3 Bedroom</td><td>30</td></tr> <tr><td><b>Total Units</b></td><td><b>353</b></td></tr> </table>	Studio	0	1 Bedroom	137	2 Bedroom	186	3 Bedroom	30	<b>Total Units</b>	<b>353</b>
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<b>Ground floor level</b>	<b>Ground Floor level</b>																				
Retail 5 units	Retail 3 units																				
Office 1 unit	Office 1 unit																				
Building 1 – residential 32 storeys.	Building 1 – Residential 49 storeys.																				
Building 2 was approved as a commercial building.	Building 2 is proposed to be a Serviced Apartment building.																				
Building 2 was approved for 31 storeys.	Building 2 is proposed to be 38 storeys and a 3 storey podium for public car parking.																				
Total number of car parking spaces approved was 506 car spaces.	Total number of car parking spaces proposed is 740 car spaces.																				
5 basement levels of public and private parking.	5 basement levels of private parking and 3 separate above ground public parking levels for Council.																				

Refer to **Annexure 3** for the approved Architectural Plans, MP 09\_0066 and **Annexure 4** for the proposed Architectural Plans.



## 5.0 PUBLIC BENEFIT

The proposed amendment will result in the following public benefits to the Chatswood CBD.

- Cash contribution in accordance with Council's Section 94 Contribution Plan for the Chatswood CBD;
- 4% of the gross floor area in the residential building will be dedicated to Council for Affordable Housing.
- Enclosed public pedestrian thoroughfare that creates access from the south of the CBD towards Thomas Street retail and commercial use;
- 250 public car spaces that are independent from private use;
- Voluntary Planning Agreement to be entered into with Willoughby Council towards the upgrading of Council facilities in the CBD, which includes a monetary contribution for;
  - the upgrade of the Chatswood Oval:
    - a new playing surface;
    - renovation of the grandstand and change rooms;
    - new gymnasium for community and sporting club use;
    - new regional playground; and
    - new community garden and walking paths.
  - the upgrade of the Chatswood High Oval by:
    - providing a synthetic surface; and
    - redevelopment of tennis courts for multi- purpose activities.
  - the upgrade of Beauchamp Oval including:
    - a new playing surface;
    - drainage improvements; and
    - upgrade of the change rooms.
  - CBD streetscape improvements.

The decision of the Voluntary Planning Agreement will be decided at a full Council meeting at a future date. The proposed agreement can be found at **Annexure 12**.

## 6.0 JUSTIFICATION

### 6.1 Change to Residential Unit Mix in Building 1

The residential unit mix within Building 1 has been modified to address market demand. The mix has changed to accommodate more one and two bedroom units which are more affordable in the current and foreseeable market.

### 6.2 Additional Residential Units in Building 1

The additional height creates the opportunity to provide more units to address a significant shortfall in the supply of housing in New South Wales. The Sydney Metropolitan Plan, 2036 states that housing is a *“critical factor in making Sydney a sustainable, affordable, liveable and equitable city”*.

The report states that Sydney will need 770,000 additional homes by 2036, a 46 % increase on the current 1.68 million homes. The report goes on to state that the location of additional dwellings should make, *“efficient use of existing urban areas where small, medium and large centres enjoy good access to services, jobs and public transport”*. Chatswood CBD is ideally situated for additional density.

Within the Sub Regional Strategies of the Sydney Metropolitan Plan, Chatswood CBD is located within the Inner North region. The Willoughby Council area is to provide an additional 6,800 dwellings by 2031. The proposed residential units will only account for just over 5% of the additional housing required in the Council area.

Overall the modification with its additional height will provide 353 additional residential units to the area. This will assist Willoughby Council to achieve the objectives of the Metropolitan Strategy. It also ensures that the dwellings are provided in the appropriate location that is access to public transport and a full range of amenities. Further, it ensures that high rise development does not occur within low density areas of Willoughby.

The impact of the increased height has been carefully assessed in terms of overshadowing, noise, wind and access to sunlight. Refer to **Annexure 4** for a copy of the Shadow Diagrams, **Annexure 7** for the Acoustic Report, **Annexure 8** for the Wind Impact Report and **Annexure 10** for the SEPP65 assessment which addresses solar access.

### 6.3 Change of Commercial use to Serviced Apartment Building

The commercial building has been changed to a Serviced Apartment Building due to a strong demand for tourist and business accommodation in the Chatswood locality.

This growing demand for affordable tourist and business accommodation will boost retail expenditure in the Chatswood CBD.

Serviced apartments being a **permissible use** within Council's existing and future planning controls is recognition of another form of business that will create employment and business services, without relying on offices. The serviced apartment building will generate employment opportunities in a variety of sectors as listed below.

- Central Reservations
- Marketing
- Accountants and book keeping
- Executive Housekeepers
- Guest Services and management
- LINEN – sheets, towels, bath mats etc.
- AMENITIES – Shampoo, Soaps etc.
- HOUSEKEEPING – contracted cleaning staff per day
- FURNITURE – set up and replacements
- CROCKERY & CUTLERY – set up and replacements
- LINEN - mattress protectors, pillows, duvet covers etc. – set up and replacements
- PHONE & INTERNET – set up and maintenance
- UNIFORMS – manufacturer, purchase, replacements and upgrades
- ELECTRICALS – TV/DVD/STERO etc. – set up and replacement
- COLLATERAL – Guest Registration cards, Express C-out forms, Key Wallets etc.
- GARBAGE/WASTE collection
- CHEMICALS – used for cleaning apartments
- BOTTLED WATER – for guests
- IN ROOM DINING services – from various Cafes/Restaurants in the area
- TWO WAY RADIOS – set up and replacements
- PEST CONTROL – required on a regular basis
- GUEST PROVISIONS – tea/coffee/sugar
- POOL AND GYM MAINTENANCE – once a week by external contractors
- GAS/ELECTRICITY/WATER maintenance, once a week by external contractors
- FOXTEL – maintenance upgrade of boxes
- FURNITURE SALES – when upgrading, old furniture is sold off
- SIGNAGE – set up and improvements, maintenance.
- GUEST ITEMS – cots/rollaway beds/slippers/coat hangers etc.-set up and replacement
- ODOUR CONTROL – garbage rooms on guest floors
- CARPET & FURNITURE CLEANING – on a weekly basis
- WEBSITE/TELEVISION/ GAMES maintenance
- APARTMENT & BUILDING ACCESS – electronic door locks etc. – set up and maintenance
- BUILDING MAINTENANCE – building wash, window wash.

The demand for office space currently sits at 13.7% as of July 2012, and will continue to be placed under pressure from other centres such as Barangaroo, Ultimo, Sydney CBD, North Sydney CBD, Hornsby CBD and Parramatta CBD to lure commercial tenants. Property Developers are not going to build empty office space and have no income to pay for the construction. This would be financially and commercially irresponsible. Serviced Apartments will provide an immediate economic boost to the CBD once occupied by tourists and business travellers.

Our proposal is to build a 5 star serviced apartment development that will create hundreds of jobs during the construction period and continue to provide employment for years to come. Significant tourist and business dollars will be spent in the Chatswood CBD shops, cafes, cinemas, the theatre, supermarkets and the like. This will create spin offs by boosting employment opportunities in existing CBD businesses, and can contribute towards new business being created that supports the serviced apartment operations.

The economic, financial and commercial drivers of the serviced apartment's business will add employment that is consistent with targets identified in previous Metropolitan Strategies for Chatswood.

### 6.3.1 Additional Floor Space Building 2

The impact of a taller building for Serviced Apartment use will have a positive impact on the Chatswood CBD as it will attract visitors to the area, who will utilise the amenities associated with the Chatswood CBD. They will contribute positively to the economic activity of the area.

The impact of the increased height has further been carefully assessed in terms of overshadowing, noise, wind and access to sunlight. Refer to **Annexure 4** for a copy of the Shadow Diagrams, **Annexure 7** for the Acoustic Report and **Annexure 8** for the Wind Impact Report.

## 6.4 Overall Increase in number of Car Parking Spaces

The site is uniquely located to take advantage of a range of public transport options. Specifically, Chatswood Railway Station and the Bus Interchange. Given the high availability of public transport and the specific land uses proposed the following car parking provision is proposed.

Land Use	Rate	Provision
Public Car Park for Willoughby Council	250 car spaces	250 public car parking spaces
Residential 1 bedroom	1 car spaces per 1 bedroom unit	137
2 bedroom	1 car spaced per 2 bedroom unit	186
3 bedroom	1.25 car spaces per 3 bedroom units	38
visitor	1 per 10 spaces	36
Residential Total		397 car spaces
<b>Building 2</b>		
Serviced Apartments	0.25 spaces per unit	89 car spaces
Retail	1 per retail unit	4
<b>Grand Total</b>		<b>740 car spaces provided</b>

The above rates have been based on the Willoughby Development Control Plan.

Refer to **Annexure 6** for a copy of the Traffic Report.

## **6.5 Split of Car Parking Provision (above and below ground)**

250 car parking spaces will be provided in the podium, for the exclusive use of the public. This separation of ownership will allow for a much more efficient management of the facilities and is preferable to a shared ownership arrangement, where private and public parking share entrances/exits, ventilation and the like.

## **6.6 Environmental Sustainable Development**

Modification 4 to amend condition 10 has been an initiative of Meriton to incorporate water saving measures consistent with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, for the proposed serviced apartment building. This is above and beyond what is normally required for ESD measures to a serviced apartment building.

The serviced apartment use will also have to comply with Part J of the Building Code of Australia which requires stringent Environmental Sustainable requirements. Such requirements include:-

- Identifying the requirements for the annual energy consumption of services.
- Requirements to insulate the building's fabric and the inherent thermal properties of roof, ceiling, wall and floor materials.
- Reduce air conditioning energy consumption attributed to glazing.
- Energy efficiency requirements for roof lights, sealing of doors, windows, roofs, walls and floors.
- Compliance with the relevant requirements for heating and cooling systems and exhaust systems.
- Satisfy the provisions for artificial lighting and power inside and outside of the building.
- Energy efficiencies for hot water supply, swimming pools and spas.
- Requirements for maintenance and monitoring energy use.
- Detail the relevant properties attributed to the construction materials used in the building, such insulation, wall materials, floor construction, services insulation and light timers.

The Residential building will be required to comply with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 to address environmental sustainability.

## **6.7 Adaptable Units**

20% of Adaptable units in the residential flat building will be provided in accordance with the approval, which was granted by the Planning and Assessment Commission. The architectural plans have been notated to show the location of Adaptable Units.



## 6.8 SEPP 65

State Environmental Planning Policy No. 65 and the associated Residential Flat Design Code applies to the residential building. **Annexure 9** contains a table showing compliance with the relevant design guidelines and a statement prepared by PTW Architects.

## 7.0 CONCLUSIONS

The modification address the increasing demand for apartment style residential accommodation in close proximity to employment, public transportation, retail complexes, open space and community services.

The demand for serviced apartments is ever increasing for tourist and business short-stay accommodation with links to the Sydney CBD, Macquarie Park/Ryde Business Parks, North Sydney CBD and importantly the Chatswood CBD.

Public benefits will be significantly improved by dedicating Affordable Housing Units to Council for residents wanting to live closer to the CBD, that otherwise cannot afford to.

Importantly a Voluntary Planning Agreement will be entered into with Council for future upgrade of CBD open space and services.