

NSW Department of Planning and Infrastructure
23-33 Bridge Street
Sydney NSW

18 October 2012

Attention: Sara Roach

RE: Submission to MP09_0066 MOD 3 Thomas Street Carpark, Chatswood

Dear Ms Roach

Thankyou for considering this submission in relation to the above modification application for the Thomas Street Carpark in Chatswood. The submission is made from the Executive Committee for Strata Plan 22904, 12 Thomas Street, Chatswood.

Access

I don't understand what the proponent means by "Improved access connection from Thomas Street to Fleet Lane (southbound)" as part of the modifications.

It is my understanding that the ROW access arrangements off Thomas Street (beside 12 Thomas) shown in Figure 22 of the EAR, were superseded in the original development approval by plan no. SK002 dated May 2010. Despite this plan showing major access changes, the public was never given an opportunity to make any submission or comment on the changes. The changes directly affect 12 Thomas Street.

The design of the ROW raises issues of security and safety, particularly for disabled access (discussed in more detail below). This is now further compromised by the location and design of the proposed childcare centre, which overhangs the entrance and corner of the ROW where it joins with Fleet Lane.

What is the reason for changing the ROW direction of traffic on the ground floor plan lodged with MOD 3 from the approved plan SK002?

Is there enough height under the Level 1 childcare centre for the garbage truck that services 12 Thomas Street?

Disabled access and change to ROW

12 Thomas Street is owned and tenanted by several medical services including a neurologist, meditation, massage, sleep apnoea clinic, wellness centre, remedial therapies, dentist and orthodontist. Several of these are open after hours and have disabled clients/patients attending the building after dark.

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The entry to the disability ramp to 12 Thomas Street is located at the rear of the building off Fleet Lane. Prior to the sale of the carpark, access to the ramp entrance from Thomas Street had always been along a cordoned off (safe) walkway along the edge of the carpark, adjacent with 12 Thomas St western boundary.

The approved development (Figure 22) included a shared ROW for disabled pedestrian access and vehicles.

While this situation is not ideal and potentially dangerous for people with disabilities, the proposal for the shared ROW in MOD 3 is significantly worse.

The proposed egress ramp onto Thomas Street from the basement carpark pushes the proposed shared ROW further under Building 1, in effect, making it a tunnel between the corner of Fleet Lane and Thomas Street. This raises several issues.

How is security being addressed? What lighting is proposed? There is already a problem with young people loitering and drinking alcohol in Fleet Lane behind 12 Thomas Street. It is not uncommon to find syringes and empty beer bottles. The proposal is making this area worse and more dangerous with dark enclosed areas.

How do disabled people get from the proposed new public carpark to the disability ramp at 12 Thomas Street?

There is no longer anywhere for people to park close to the entrance of the disability ramp, with a level grade for them to access the disability ramp. This is a problem during and after construction.

It is not a feasible solution to request disabled people to access 12 Thomas St disability ramp by going along Thomas Lane and right into Fleet Lane because:

- Fleet Lane is not well lit,
- The ground in both lanes is uneven
- The pathway along Thomas Lane is blocked with parked motorbikes.
- Fleet lane doesn't have a footpath
- Fleet Lane is on the northern boundary of a separate development site to the rear of 12 Thomas where construction work has just begun on a boarding house approved by Willoughby Council.

Traffic Management Plan

The Traffic Management Plan approved with the development does not address pedestrian disabled access to 12 Thomas Street, though it was required to address pedestrian access.

Childcare centre location

It is not feasible for the building's medical facilities to function with the noise of an outdoor play area directly on the boundary, or even in close vicinity.

The applicant dismisses the fact that noise from a childcare facility may adversely impact on uses within a commercial building. The means of controlling noise levels should be detailed now and not left for a future development application. The modification submitted and placed on exhibition includes the amendment to have a childcare facility in building 1. Therefore, the impact of such a childcare facility should be assessed at this stage.

The Australian Institute of Tibetan Healing Practices also films every week and relies on quiet for filming. It will be impossible to film if an outdoor play area is located right beside the building. It is not a defense saying that the facility is located down one or two floors. We have found that sound travels upwards.

In addition, 12 Thomas Street is an old building and the windows do not seal properly, which causes a noise problem for everyone.

It appears from the plans that the childcare centre hangs over the ROW into Fleet Lane right up to the boundary of 12 Thomas St. It will look unsightly and we strongly object to this. The existing setback to 12 Thomas Street should be maintained.

Work hours

Does the application also include a request to modify the approved construction hours? There is no proposed change to condition D1, however the proponent requests that the draft statement of commitments replace the approved statement. The draft statement contains different work hours.

Approved hours of work – condition D1:

Mondays – Fridays 7am to 5pm

Saturdays 7 am to 12 noon

In the Draft Statement of Commitment (pg1) with MOD 3 the hours of work noted are:

Mondays – Fridays 7 am to 6 pm

Saturdays 7 am to 5 pm.

The Australian Institute of Tibetan Healing Practices conducts meditation classes. Construction noise and vibration is very disruptive to the running of the organization and is disruptive to medical uses in the building. All of the occupants in the building will also suffer because of the loss of parking for clients and patients. Please do not make it any worse by extending construction hours.

We strongly object to any change in the approved hours of work.

Building 1 - Setback to 12 Thomas St.

The setback of Building 1 to the 12 Thomas Street western boundary has been reduced, from Level 3? up. The plans do not make it clear exactly how much closer Building 1 will be to 12 Thomas. The approved development already does not comply with standards for distances between buildings. A reduction in the already small setback is unacceptable.

The redevelopment potential through a consolidation of lots between 2 and 12 Thomas Street will be significantly compromised and eroded if the setback is reduced any further.

In the original plans, the building outline did not meet the 12 Thomas boundary at any point. . The childcare centre is shown on Level 1, meeting the boundary of 12 Thomas Street for a length of approx. 4 metres at the south-western corner. There is no clear indication of how this will be constructed – a vertical concrete wall beside our disability ramp? The visual impact of this will be hideous, regardless of how it is designed and constructed.

The 12 Thomas St. building is already completely hemmed in and dwarfed by building 1. There are no windows on the eastern side of 12 Thomas, and the southern and northern ends of the building are the shorter sides of the building. The western side, the main source of daylight & amenity will be completely blocked by Building 1. The working amenity of the building will be significantly impacted upon. We strongly object to any encroachment on the insufficient setbacks that have already been approved.

In addition, the elevation plans lack detail. There is no elevation showing the location of 12 Thomas Street in relation to the tower and proposed changes and height comparisons.

Height increase and additional units to supplement affordable housing

Does not justify an increase in building height. The additional floor will not be visible from surrounding streets because you have to look up. However common sense would indicate that it will be visible from a short distance away. How does this justify an additional 39 apartments (202 approved and 241 proposed) and an increase in building mass that will already be overbearing to surrounding properties, residential and commercial.

Service Vehicles

"This provision will be quite suitable for the servicing requirements of the proposed development while any occasional requirement for a large truck to service the site will be accommodated by the available kerb space in Thomas Street and Albert Avenue."

In my experience in the last 10 years working and living in Chatswood there is never enough kerb space in Thomas Street or Albert Avenue during business hours for large delivery trucks.

Basement excavation and foundations

We have a licence deed with Meriton relating to the use of ground anchors over the common boundary with 12 Thomas.

Our agreement in the licence deed is based on a set of plan numbers for excavation and laying anchor points. In this way, it is relevant to this modification.

Plan amendments were not mentioned during negotiations with us (SP22904). The negotiations took some time and were only completed on 31 August.

We request an extension of time to give time for our engineer, Demlakian to comment on the revised plans to give an indication on whether they affect the work in connection with our licence deed. If so, either the modification plans or the licence deed must be amended.

We have to have a body corporate meeting and there was insufficient time.

Building 2 – change from commercial use to serviced apartments

There is very little commercial space in the Chatswood CBD, and most of this space is aging and lacking in disability access and/or after hours access. There is very little to attract business to Chatswood CBD and take advantage of the public transport hub and provide job opportunities for the burgeoning number of residents that will inhabit all of the residential towers in Chatswood.

Yours sincerely,
SP 22904
12 Thomas Street, Chatswood

David L.
Chairman

Maureen Beran
Secretary

Donna Perdrige
Executive Committee Member