



MERITON
MERITON PROPERTY SERVICES
PTY LIMITED

21 March 2012

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 Sir,

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

INTRODUCTION

Pursuant to Section 75W(1)(a) of the Environmental Planning and Assessment Act 1979, a 'modification of approval' is sought to vary Conditions pertaining to Major Project MP No. 09_0066 as approved on the 28 September 2012.

Modifications are sought to increase the feasibility of the project being built in a timely and cost effective manner. The changes do not alter the height, bulk or scale of the approved development.

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 DP 2983, which form 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".

REASONS FOR MODIFICATIONS

The proposed amendments are required to increase the feasibility of the project being built in a timely and cost effective manner.

PROPOSED MODIFICATION

The application seeks to amend various conditions of the approval to assist in scheduling of the development.

The conditions are proposed to be amended to facilitate staged construction activities and to ensure work will flow continuously thereby not impacting on the employment of direct and indirect construction staff.

The proposed method of addressing this is by inserting a new condition in the consent, which is detailed below.

New condition A2(A)

(a) The works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a construction certificate for each stage as follows:

| Stage | Description | Specific Conditions |
|-------|--|--|
| 1A | Includes installation of shoring walls and associated works around the whole development site. | B5; B6; B12; B14; B15; C8; C16. |
| 1B | Includes ground preparation, piling and excavation over the whole development. | B1, B18 |
| 2 | Includes the construction of structures from basement to ground level. | |
| 3 | Includes the construction of structures above ground level. | B7(prior to residential CC), B8; B17; C18; D10; E11; E15; E31. |
| 4 | Includes the construction of fitout works from basement to ground level. | E9; E10. |
| 5 | Includes construction fitout works above ground level. | B4; B13; D7; D8. |
| 6 | Final Occupation Certificate | B13; F9; F10; F11; F21. |

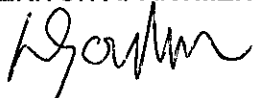
(b) In addition to those conditions identified in the above table, other conditions may be required to be satisfied prior to the issue of a construction certificate at each stage of construction.

CONCLUSION

Modifications are sought to increase the feasibility of the project being built. There has been no change to the bulk, scale or height of the approved buildings. As such the changes remain within the realm of S75W application and are worthy of approval.

Yours faithfully

MERITON APARTMENTS PTY LIMITED



WALTER GORDON

Manager Planning and Development