

Modification Application to Major Project MP09_0066 Environmental Assessment Report

Thomas Street Car Park Site,
Chatswood

600351

Prepared for
Meriton Property Services Pty Limited

August 2012



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1.0 INTRODUCTION

1.1 PRELIMINARY

This Environmental Assessment (EA) report, prepared by Cardno, on behalf of the Proponent, Meriton Property Services Pty Limited, is submitted to the Director General of Planning in support of an Application to modify the previously approved development (being MP09_0066) under Schedule 6A of the Environmental Planning and Assessment Act (EP & A Act) 1979.

Specifically, this application seeks to modify the Project Approval MP09_0066 under Section 75W of the EP&A Act relating to land known as the Thomas Street Car Park, located on Thomas Street, Chatswood and described as Lots 22-30 in DP2983, Lot 13 in DP2983, Lots A & B in DP381223 and part of Fleet Lane. The approval was granted on the 28th of September 2010 by the Minister for Planning.

1.2 CURRENT APPROVAL

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:

1. Southern commercial building (Building 2) consisting of a:
 - > Three-storey podium; and
 - > 18 storey commercial tower above.
2. Northern residential building (Building 1) consisting of a:
 - > Three storey podium; and
 - > 26 storey residential tower above.
3. Five level basement
4. Public domain works.

Refer Annexure 2 for copy of the Notice of Determination for MP09_0066.

1.3 CURRENT MOD APPLICATION

The current application the subject of this Environmental Assessment (EA) seeks to modify the Project Approval MP09_0066 under Section 75W of the EP & A Act.

This Application seeks consent for the following:

1. Change of unit mix and podium level uses within approved Building 1, including a new child care centre;
2. Change of use of Building 2 from commercial offices to commercial serviced apartments;
3. Provision of additional part floor on Building 1 to enable the financially feasible dedication of the whole of Level 3 to Council for Affordable Housing; and
4. Provision of a new mezzanine in Basement 1 under Building 2 to accommodate the serviced apartments 'back of house' facilities.

The proposed development as modified will continue to meet the objectives and controls contained in the NSW State Plan, Draft Inner North Subregional Strategy, NSW Urban Transport Statement, Willoughby City Council's the Draft City Strategy, Draft Chatswood Centre Strategic Plan (2004). The proposed modified scheme also retains the required 1.5m required dedication to Council for Albert Avenue Road widening and continued access through Fleet Lane.

This EA provides details of the original Part 3A Approval MP09_0066, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 75W of the EP&A Act. This modification should be read in conjunction with the project determination approval dated the 28th of September 2010, the Environmental Assessment report dated December 2009 (prepared by JBA Urban Planning) and the Preferred Project report dated July 2010 (prepared by JBA Urban Planning), and is accompanied by the Section 75W application form and other supporting documents.

1.4 CONSULTATION

Discussions with Willoughby City Council's planning staff have been undertaken and the issues raised informed the design of the modified scheme now proposed.

A detailed environmental assessment of the proposed modifications is provided below which finds that the proposal will not result in any unacceptable environmental impacts and will result in a high quality development on this currently-underutilised site.

1.5 SUMMARY DEVELOPMENT STATISTICS

<i>Site area:</i>	4,323sqm (Refer Site survey at Annexure 1)
<i>Total Approved GFA (MP09_0066):</i>	47,290sqm (10.94:1) ¹
<i>Total Proposed GFA:</i>	45,890sqm (10.61:1)
<i>Proposed Car parking:</i>	
Residential (Building 1)	166 (including 5 disabled)
Serviced Apartments (Building 2)	75
Retail	3
Child Care	10
Public Parking	250
Total	504

Building 1

<i>Approved Total GFA:</i>	22,910 (5.30:1) ¹
<i>Proposed total GFA:</i>	23,142sqm (5.35:1)
Proposed residential GFA:	22,219sqm (5.14:1)
Proposed Retail areas GFA:	546sqm
Proposed Childcare Centre & lobby GFA:	377sqm internal 438sqm external
<i>Proposed Apartments:</i>	
1 Bed Apartments	90
2 Bed Apartments	131
3 Bed Apartments	20
Total	241
Adaptable units	25 (10%) included

Building 2

<i>Approved Total GFA:</i>	24,380sqm (5.64:1) ¹
<i>Proposed Total GFA (including new mezzanine):</i>	22,742sqm (5.26:1)
<i>Proposed Serviced Apartments:</i>	
Studios	1
1 Bed Apartments	242
2 Bed Apartments	54
3 Bed Apartments	5
Total	302
Adaptable units	12 (10%) included

Basement 1

Proposed Council office in Basement 1 GFA:	6sqm
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¹ As referenced in the Preferred Project Report, letter dated 12 August 2010

2.0 THE SITE AND ITS CONTEXT

2.1 THE SITE

The approved MP09_0066 development is a mixed use residential, commercial and retail development on the site commonly known as the Thomas Street Car Park. The site comprises eleven properties (being lots 13, 23-30 in DP2983 and Lots A and B in DP 381223) and 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 and is relatively flat with a gradient of 1 in 20 and a consistent fall from west to east of approximately 4.5m.

The easternmost point of the site is located some 50 metres from the rail line. Chatswood station bus/rail interchange redevelopment which is still under construction. This major redevelopment was triggered by the duplication of the railway line to accommodate both the North Shore rail line and the new Epping-Chatswood rail line. The bus and rail infrastructure components of the development are now complete with the remaining high rise residential towers above still to be completed. The close proximity of these public transport facilities affords the site a good connectivity to a wide range of public transport services. The approved retail precinct is located on the eastern side of the rail line to the north east of the site, and open space uses are provided to the south west in the form of Chatswood Park and Chatswood Oval.

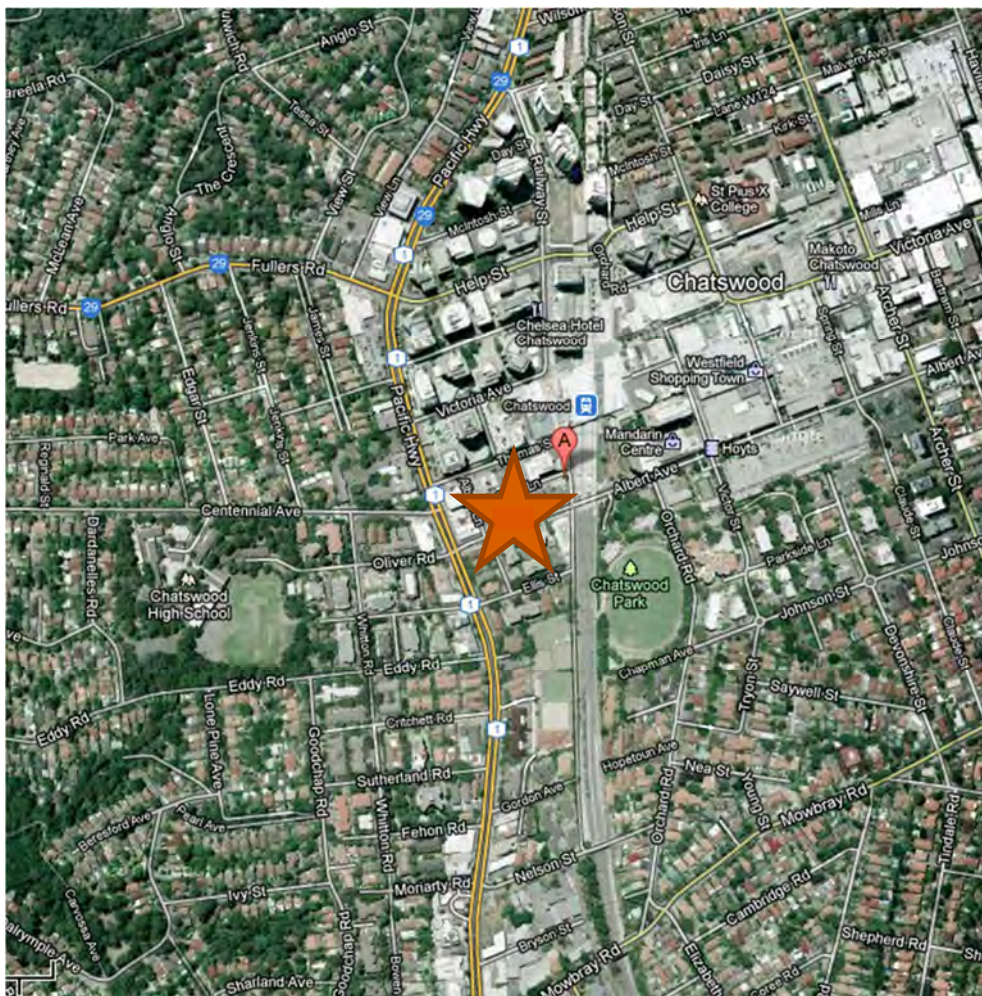


Figure 1: Site Location Plan
Source: Google Maps

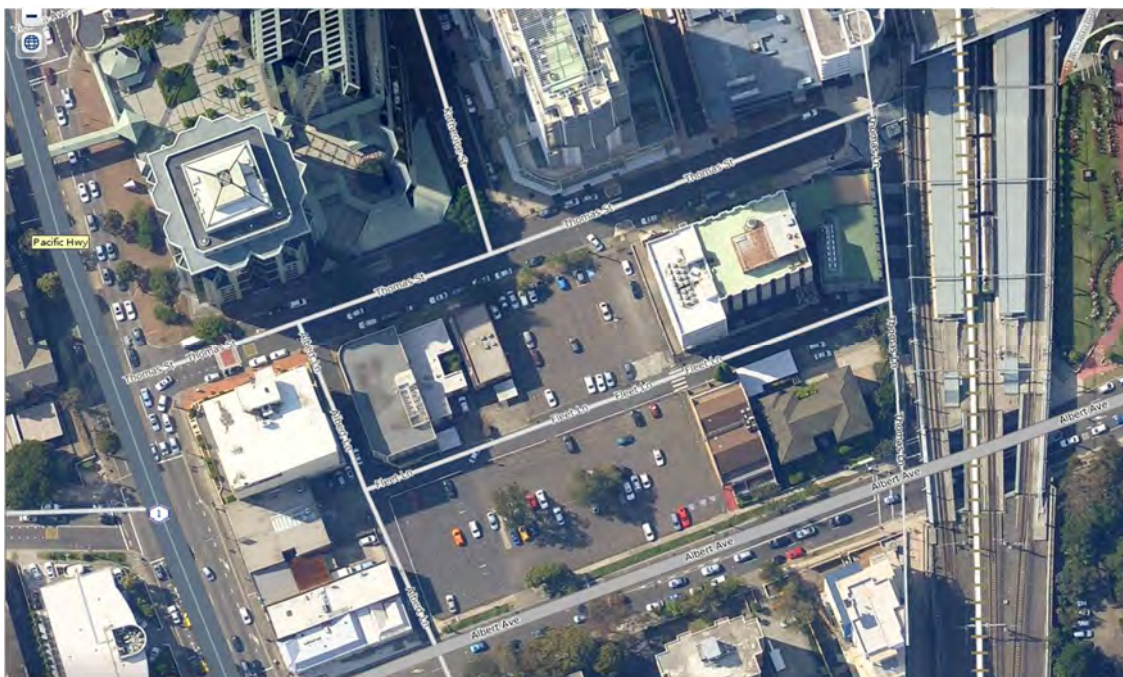


Figure 2: Site aerial

Source: www.nearmap.com.au



Figure 3: Albert Avenue frontage looking east



Figure 4: Thomas Street frontage looking west towards the Pacific Highway



Figure 5: View from centre of the site looking east down Fleet Lane towards Chatswood Railway station precinct

2.2 SURROUNDING CONTEXT

To the East

To the immediate east of the site is a mixture of newer, high and older low rise commercial buildings followed by the Chatswood bus/rail interchange. To the east of the centre of the site is the extension of Fleet Lane which provides vehicular access to the adjacent commercial buildings on Albert Avenue.



Figure 6: Adjacent commercial buildings on east boundary viewed from centre of site



Figure 7: Looking east from the site down Fleet Lane

To the west

To the west of the site are older lower rise commercial/retail buildings fronting the Pacific Highway.



Figure 8: Rear of older style shops/commercial uses adjoining to the west

To the north

To the north of the site, across the 'extension' of Fleet Lane, are the rears of two and three storey commercial buildings fronting Albert Avenue.



Figure 9: Commercial buildings adjacent to the north fronting Fleet Lane and Thomas Street

Across Thomas Street to the north are a number of high rise mixed use buildings.



Figure 10: High rise developments opposite on Thomas Street

To the south

To the south of the site, across Albert Avenue are a number of high rise residential developments.



Figure 11: Residential towers opposite the site across Albert Avenue to the south

3.0 PROPOSED MODIFICATION

This section details the proposed modifications sought to the existing Part 3A approval - MP09_0066.

Detailed architectural plans, elevations, sections and GFA schedules of proposed modifications by PTW are included in Annexure 3. Key elements are provided below.

The subject site is a superfluous Council carpark site with frontages to Thomas Street and Albert Avenue at Chatswood presents an ideal opportunity for a new mixed use development which will complement the evolving CBD environment.

In summary the modifications requested include:

1. Change of unit mix and podium level uses within approved Building 1, including a new child care centre;
2. Change of use of Building 2 from commercial offices to commercial serviced apartments;
3. Provision of additional part floor on Building 1 to enable the financially feasible dedication of the whole of Level 3 to Council for Affordable Housing; and
4. Provision of a new mezzanine in Basement 1 under Building 2 to accommodate the serviced apartments 'back of house' facilities.

Refer Architectural documentation at Annexure 3 for details of the proposed modifications to the approved project.

Key details of the proposed modifications follow:

3.1 MODIFICATIONS TO APPROVED BUILDING FORMS AND CHARACTER:

As detailed on the submitted architectural plans and elevations, minor modifications are sought to the form of the buildings to provide a better planning outcomes as follows:

- > Less bulky roof forms
- > Lower podium to Building 1 with new podium roof children's play area associated with proposed childcare centre
- > Greater front setback of Ground Level of Building 2
- > Levels 2 to 30 of Building 1 now setback uniformly from the adjacent property
- > Levels 1 to 30 now setback uniformly from Albert Avenue
- > Slimmer tower to Building 2 with resultant solar access improvement
- > Additional part level on Building 1 to enable the economically feasible dedication of the whole of Level 3 of Building 1 to Council for Affordable Housing
- > New mezzanine in Basement 1 of Building 2 to accommodate serviced apartments 'back of house' facilities
- > Better connections with public domain in terms of human and built form scale elements

- > Grounds level of both buildings are largely devoted to public usage and pedestrian access is promoted via through-site links and accessible shopfronts and lobbies off the main public plaza space which aligns with Katherine Street to the north.
- > The treatment of the balconies and fenestration to the towers serves to break down the traditional repetitive nature that can be characteristic of residential towers. The interplay of solid and glazed balustrades, dark and light coloured panels and feature materials serves to create a layered effect that provides variety and interest.
- > The exterior of the buildings are modulated with balconies and a variety of window types to give interesting and expressive facades
- > A variety of materials and coloured surfaces are used to express a hierarchy of elements and to provide a consistency of architectural expression between the residential and serviced apartments towers.



Figure 12: Approved Project from Thomas St looking west Source: PTW



Figure 13: Proposed Modified Project from Thomas St looking west Source: PTW



Figure 14: Approved Building 2 from Thomas St looking east
Source: PTW



Figure 15: Proposed Building 2 from Thomas St looking east
Source: PTW



Figure 16: Approved central walkway looking south
Source: PTW



Figure 17: Proposed central walkway looking south
Source: PTW



Figure 18: Approved central walkway looking north
Source: PTW



Figure 19: Proposed central walkway looking north
Source: PTW

3.2 BASEMENT MODIFICATIONS:

Public, commercial/serviced apartment and residential car parking areas are separated in a similar way to the approved scheme. Parking numbers have been kept the same as the original approval although the basement car parks have been reconfigured to improve functionality.

New mezzanine level under Building 2:

A new mezzanine level has been included in the Basement Level 1 under Building 2 to accommodate the serviced apartments 'back of house' functions as illustrated on figures below.

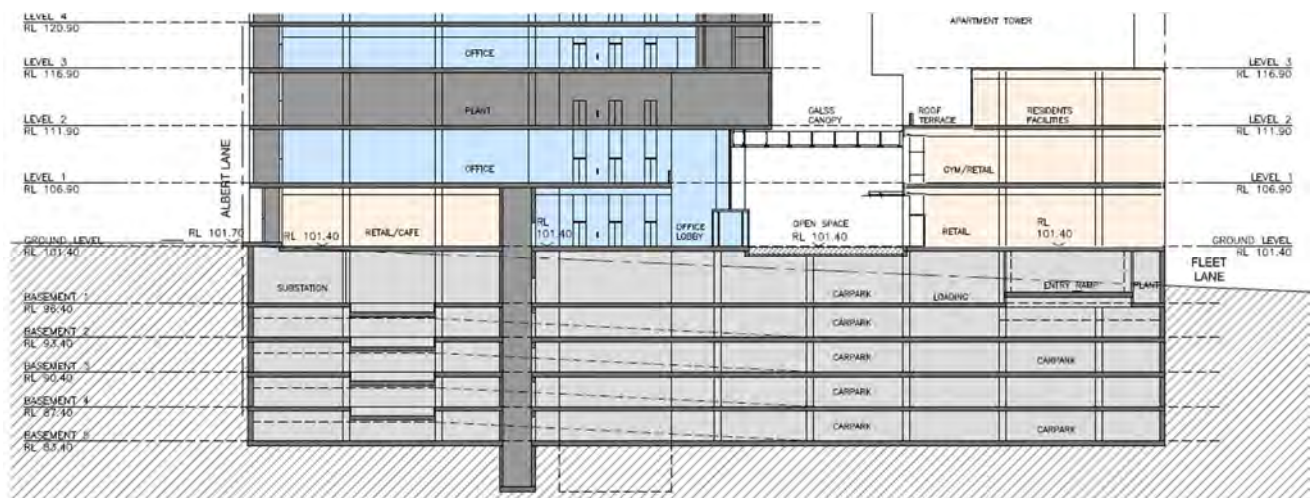


Figure 20: Approved carpark levels

Source: PTW



Figure 21: Proposed carpark levels

Source: PTW

Note new serviced apartment 'back of house' mezzanine area.

Basement car parking

As detailed on the submitted plans at Annexure 3, the remaining modified basements will contain the following:

Basement 1:

Parking Spaces:

- Easement for access to Fleet Lane maintained
- 18 Commercial parking spaces
- 16 Residential parking spaces
- Council office space
- Council (public) and residential bicycle spaces and change rooms
- Council Data room (Security)
- Commercial loading dock
- Residential loading dock
- Electricity substation
- Sprinkler Valve & pump room
- Residential storage area
- Commercial, general and residential garbage rooms
- OSD and Rainwater Tanks
- Council, commercial and residential lifts and fire stairs

Basement 2:

Parking Spaces:

- 63 Public (Council) parking spaces
- 42 Residential parking spaces
- Council, commercial and residential lifts and fire stairs
- Storage areas and electrical rooms
- 10 Child Care parking spaces

Basement 3:

- 75 Public (Council) parking spaces
- 44 Residential parking spaces
- Council, commercial and residential lifts and fire stairs
- Storage areas and electrical rooms

Basement 4:

Parking Spaces:

- 76 Public (Council) parking spaces
- 45 Residential parking spaces
- Council, commercial and residential lifts and fire stairs
- Storage areas and electrical rooms

Basement 5:

Parking Spaces:

- 46 Commercial parking spaces
- 36 Public parking spaces
- 45 Residential parking spaces

Table 1: Summary Parking Provision

Carpark level	Council (public)	Retail	Child Care	Residential	Serviced Apartments	Totals
B1		3		13	18	34
B2	63		10	42		115
B3	75			44		119
B4	76			45		121
B5	36			22	57	115
TOTAL	250	3	10	166	75	504

The proposed development will adopt the principles contained in the approved Car Park Management plan attached as Annexure 10.

Table 2: Parking Allocations

	UNITS	RATE/UNIT	SPACES PROVIDED
BUILDING 1			
RESIDENTIAL:			
1B, 1B+S	90	0.40	36
2B, 2B+S	131	0.69	91
3B,3B+S	20	1.20	24
VISITORS		1 in 10	15
SUB TOTAL	241		166
DISABLED (INCLUDED)			5
BUILDING 2			
SERVICED APARTMENTS	302	0.25	75
CHILDCARE			10
RETAIL			3
SUB TOTAL			88
PUBLIC CAR PARKING			
BASEMENTS			250
GRAND TOTAL			504

3.3 BUILDING 1 MODIFICATIONS

As detailed in the submitted architectural plans at Annexure 3, proposed modifications to Building 1 include:

1. Change of unit mix and podium level uses within approved Building 1, including a new child care centre;
2. Reduction of podium levels; and
3. Provision of additional part floor on Building 1 to enable the financially feasible dedication of the whole of Level 3 to Council for Affordable Housing.

Building 1 (Residential Tower) Ground Level modifications:

It is proposed to modify the use areas on the ground floor of Building 1 to reconfigure the retail and residential lobby spaces, reduce the area for plant and move carpark lifts to provide more consolidated retail presence along the building frontage off the central open space. In addition, a more generous swept path for vehicles is provided in the right of way linking to Fleet Lane.



Figure 22: Approved Building 1 Ground Level
Source: PTW

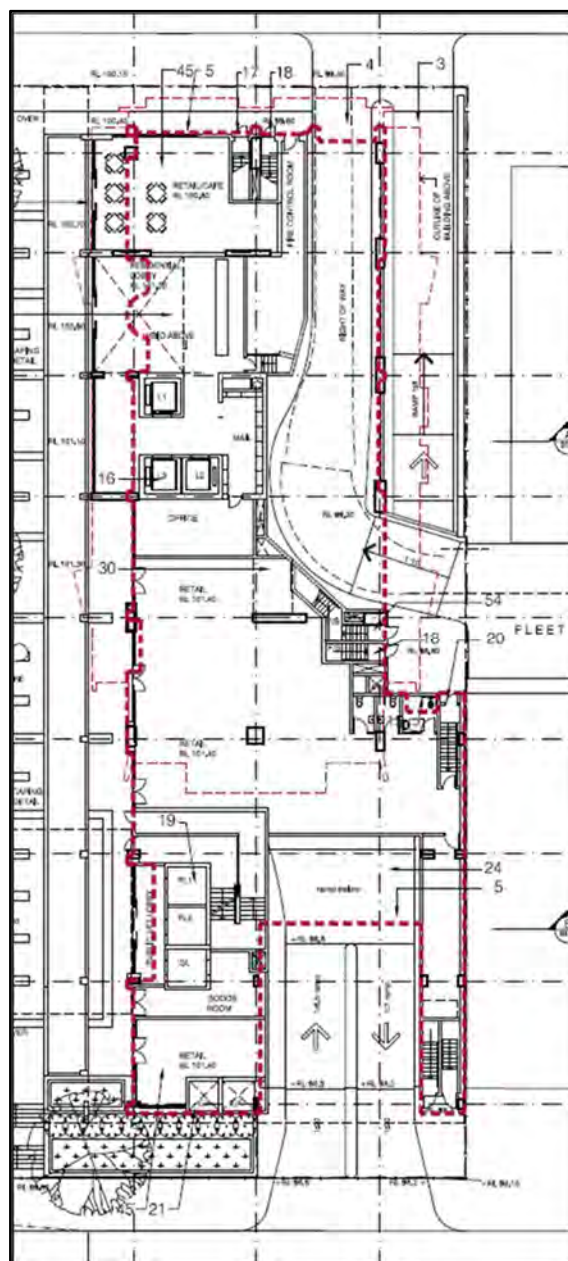


Figure 23: Proposed Modified Building 1 Ground Level
Source: PTW

Building 1 (Residential Tower) Level 1 modifications

It is proposed to modify Level 1 of approved Building 1 to provide a new childcare centre with an outdoor deck play area which is designed to meet all relevant regulations for child care centres. This will replace the approved gym and storeroom which has been reduced in size and relocated to the rear of the building fronting Thomas St adjacent to the new swimming pool. The childcare centre has been designed to comply with the Education and Care Services National Regulations 2011, No. 653 and Services Section G.10 Child Care of Council's DCP (Refer confirmation letter at Annexure 11. It is understood that appropriate licensing approval from the Department of Community Services will be required for this facility.

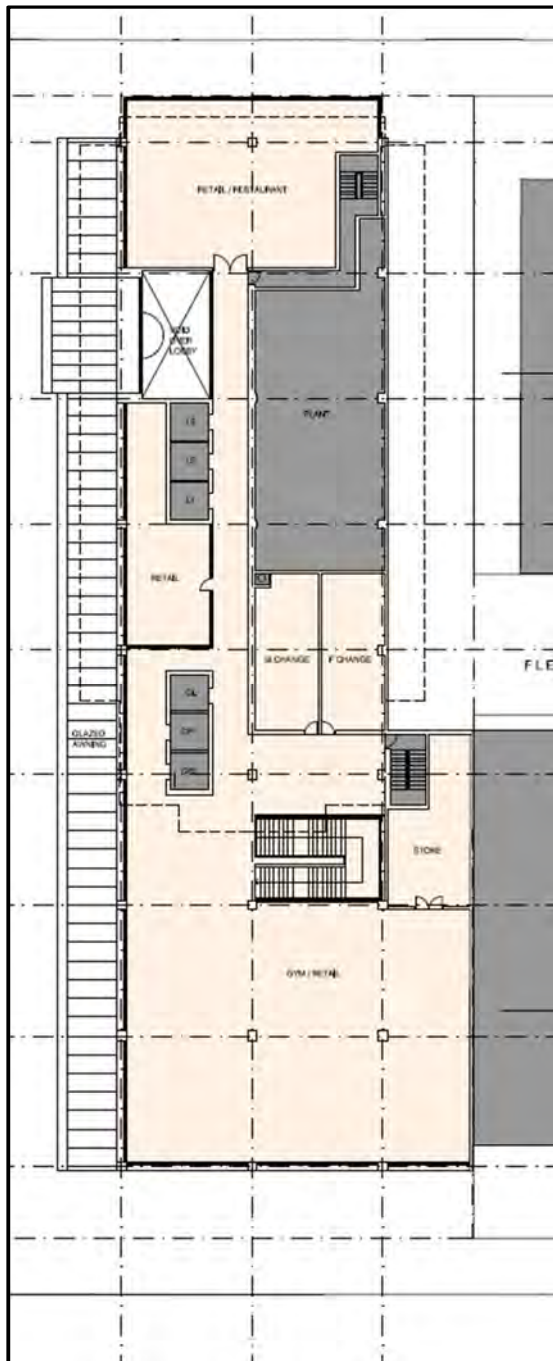


Figure 24: Approved Building 1 Level 1
Source: PTW

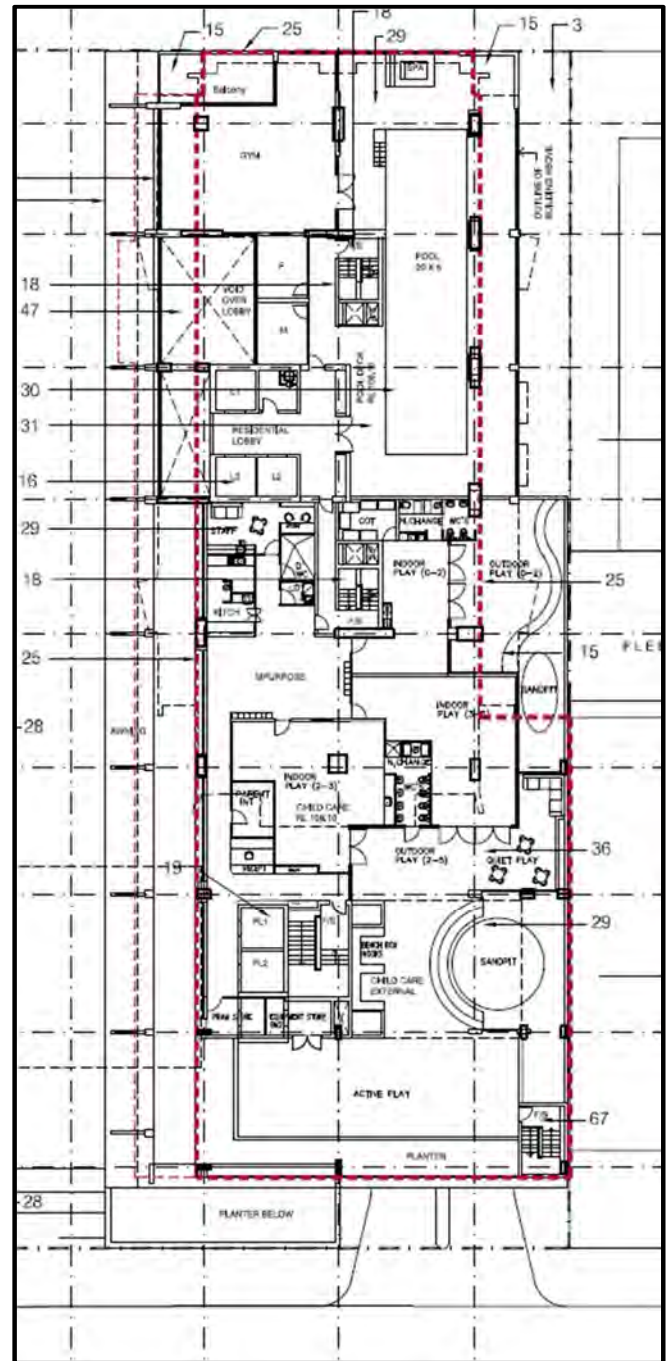


Figure 25: Proposed Building 1 Level 1
(extract Drawing A 0101_C)
Source: PTW

Building 1 Level 2 Change from Common facilities to apartments

Level 2 of Building 1 is now proposed to contain apartments.

Building 1 Additional Level 31

In order to enable the economically feasible provision of the dedication of the whole of Level 3 in Building 1 to Council for affordable housing, it is proposed to include an additional part floor on the roof of Building 1. The footprint of this new level will be setback from the main building edge and not be visible from the surrounding street levels. This level is proposed to contain 3 one bedroom and 6 three bedroom apartments. This will involve minor additional height as illustrated on the submitted elevations at Annexure 3.

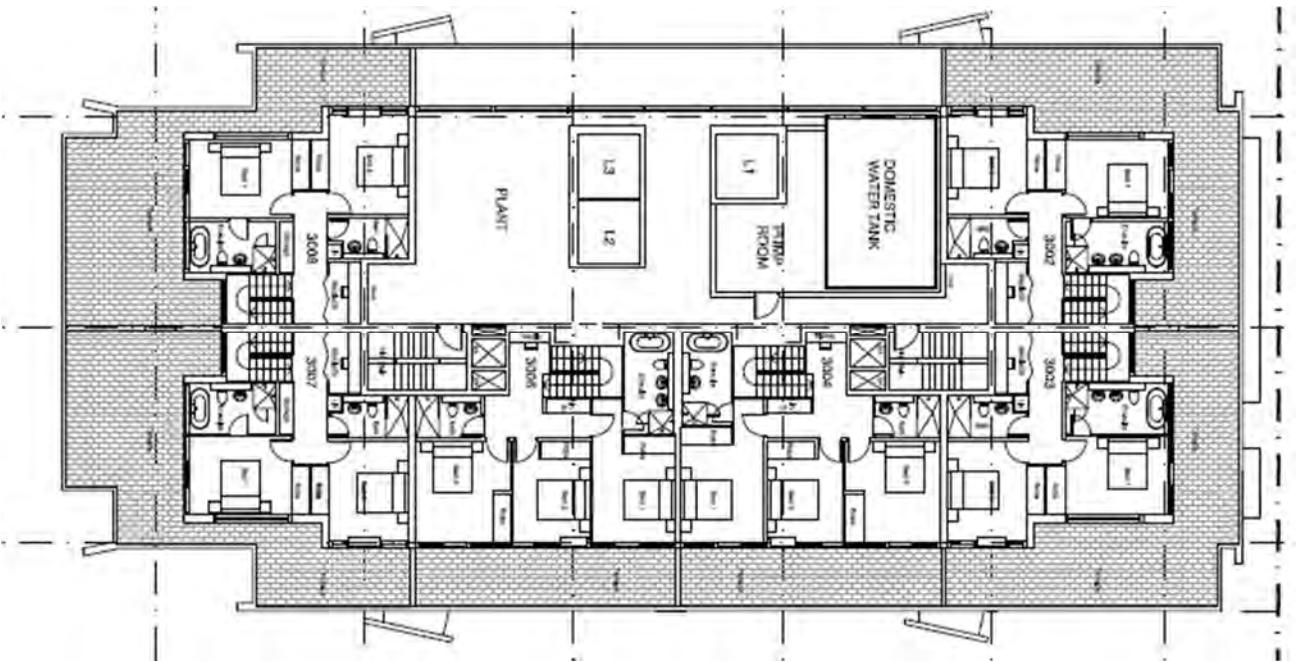


Figure 26: Building 1 Proposed Level 31 (extract Drawing No. A0109_C)
Source: PTW

Building 1 Upper floor modifications to dwelling types Levels 2 to 30

As detailed in the building statistics schedules and architectural drawings at Annexure 3, the residential mix and general apartment layouts within Levels 2 to 31 in the proposed scheme have been refined as follows:

Table 3: Building 1 Approved & Proposed apartment mix

SCHEME	APPROVED SCHEME					PROPOSED SCHEME			
UNIT TYPE	Studio	1B	2B	2B DK	3B	1B	2B	2B+S	3B
	10	12	138	8	34	90	110	21	20
%	5%	6%	68%	4%	17%	37%	46%	9%	8%

3.4 BUILDING 2 MODIFICATIONS

It is proposed to modify the use of Building 2 to serviced apartments to accommodate tourists, short term business and other visitors to the Chatswood CBD. The change of use will necessitate changes to the internal spaces within the approved building, together with some minor refinements of the building facades as follows:

Building 2 Commercial tower to serviced apartments Ground Floor modifications

It is proposed to amend the ground floor of the approved Building 2 to provide a lobby, office, cafe, gym and swimming pool for the serviced apartments. This is to replace the large retail and cafe spaces and office lobby in the approved scheme.

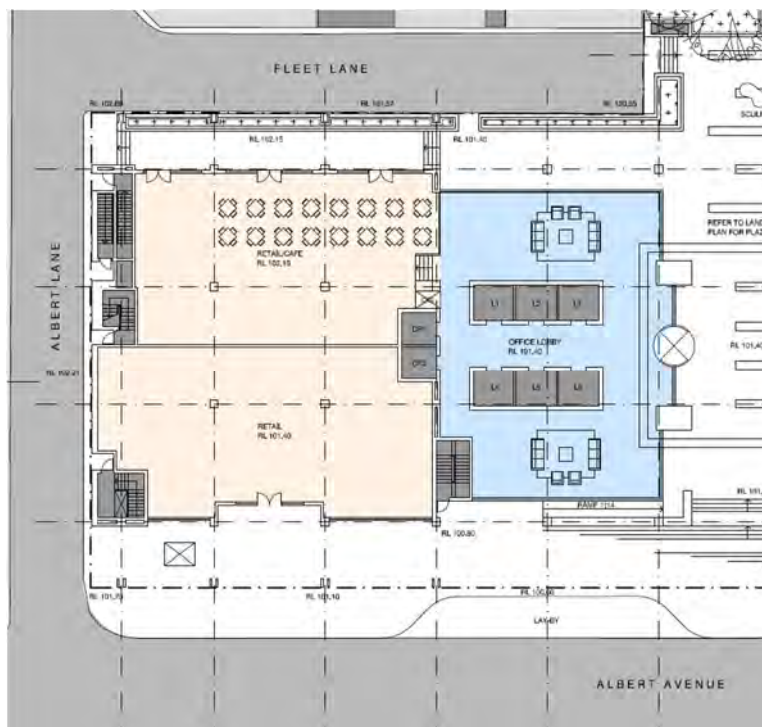


Figure 27: Building 2 Approved Ground Level
Source: PTW

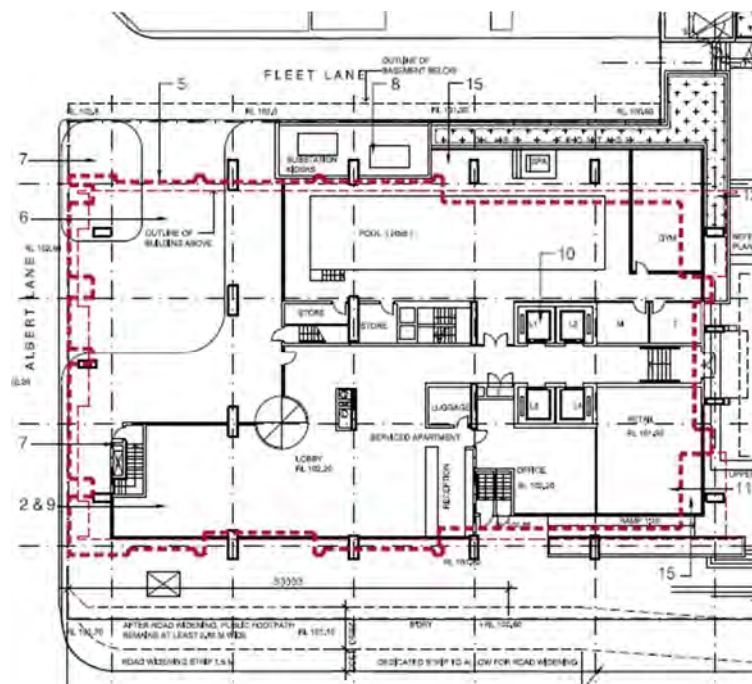


Figure 28: Building 2 Proposed Ground Level
Source: PTW

Building 2 Commercial tower levels 1 to 21 to serviced apartments:

It is proposed to change the proposed use of approved floors 1 to 21 from commercial use to serviced apartments. It is proposed that the tower be more slender in form than the approved commercial building as illustrated in Figure 29 below:

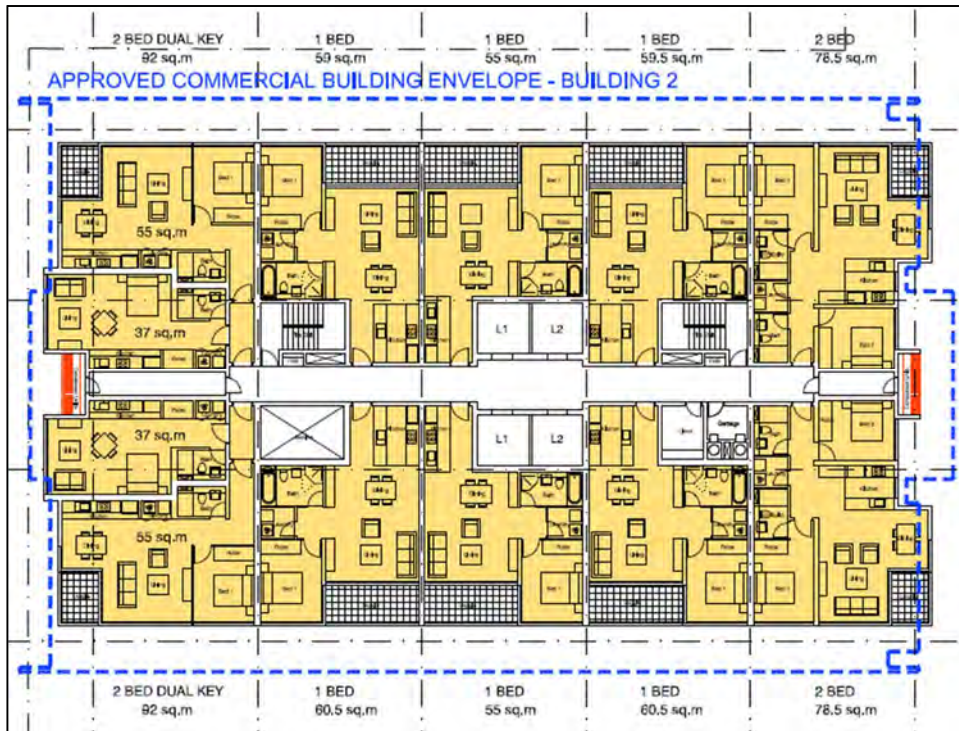


Figure 29: Building 2 Proposed typical tower floor Levels with Approved building footprint overlay

Source: PTW

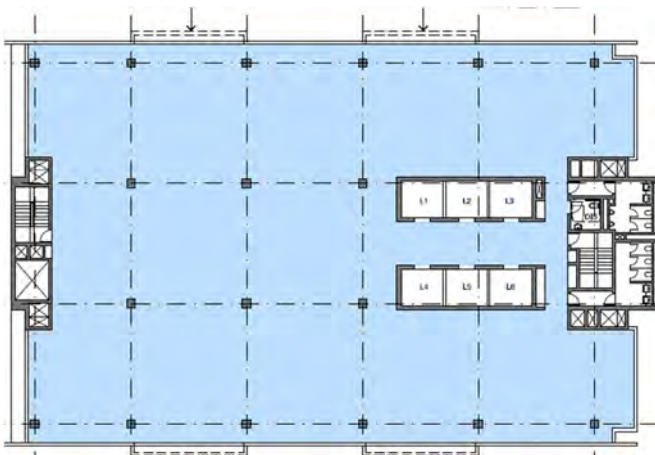


Figure 30: Building 2 Approved Level 3

Source: PTW

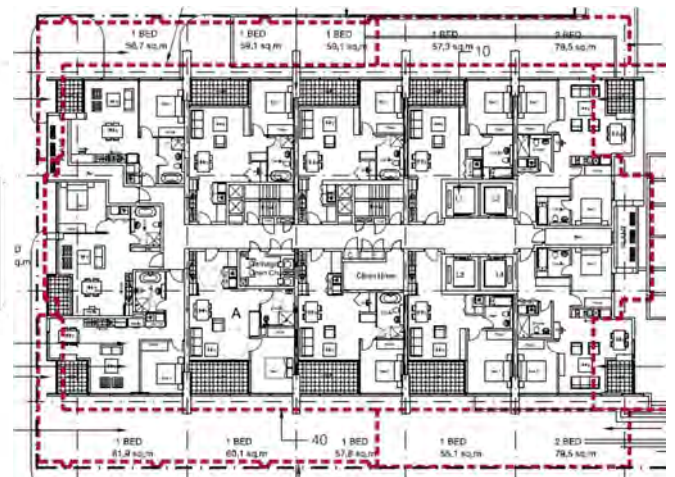


Figure 31: Building 2 Proposed Levels 2-5

Source: PTW

3.5 AMENDED CENTRAL PUBLIC OPEN SPACE

The minor changes to the approved central public open space are proposed to be amended to accommodate the changes in the ground floor configuration of the development.

The central open space area will continue to be the focus of the development, with the feature spaces and elements providing a high level of practical amenity for passive recreation, retail related spaces, and an interesting and vibrant cross-site pedestrian link.

The original design analysis has considered the orientation of the space to sun and wind, and the character and context of the space relative to the Chatswood CBD and adjoining areas. The site will complete a significant missing piece of this area of Chatswood, and has the potential to create a lively, dynamic civic space activated by the residential and commercial population on the site and from adjacent areas. It is important to create an appropriate balance that respects the different needs of the residential and commercial user groups, as well as the general public. The proposal comprises a suitable mix of passive lawn area, lunchtime seating areas, formal forecourt spaces, and active retail frontages with potential cafe seating areas.

Consideration has also been given to the character and functioning of the space at night. Given the linear form of the main space, consideration of lighting to ensure that at night the space joins with, and contributes to the overall environs of adjacent streets, and creates a safe and inviting area with appropriate lighting and consideration of CPTED principles. Design of paving and walls is to include design and elements to discourage skateboards and similar inappropriate activities.

Select native trees will be installed to provide a high and broad canopy of foliage. A tree species such as *Ficus rubiginosa*, (but selected with aid of current best available stock and for best result in these conditions) will provide shade that will punctuate the space, and will green the view down the plaza, as well as reduce wind to assist pedestrian comfort. Up lighting will highlight the trees at night.



Figure 32: Approved Landscape Plan
Source: Site Image



Figure 33: Proposed modified Landscape Plan
Source: Site Image

3.6 DECREASE IN OVERALL GFA

As detailed in the development statistics summary the resultant GFA and FSR of the development has been slightly reduced from the approved scheme as follows:

Total Approved GFA (MP09_0066): 47,290sqm (10.94:1)

Total Proposed GFA: 45,890sqm (10.61:1)

3.7 STORMWATER

The details of the proposed Stormwater Management for the modified design are contained in the recently submitted MOD Application by the Proponent currently being assessed by the Department. It is intended that the stormwater management measures meet all the requirements of BASIX.

3.8 ESD

As detailed in the ESD report and accompanying BASIX Certificate, the development as proposed to be modified incorporates a number of initiatives in support of energy conservation and environmental sustainability as follows:

- The extent of proposed glazing and shading devices will take advantage of solar heat gain at winter time to maintain thermal comfort while blocking unwanted summer heat gain to reduce the need for artificial heating and cooling;
- Provision of energy efficiency lighting, air-conditioning and hot water systems to conserve energy;
- Water conservation by improving water efficient fittings and fixtures;
- Monitoring of water usage to detect inconsistencies and faults immediately;
- Commitment to maximising of Recycling and /or reuse of waste from construction and at occupation to minimise the embodied energy of the development
- Good access to public transport;
- Provision of ample bicycle parking for building occupants;
- Improved indoor air quality to enhance the comfort and wellbeing of building occupants;
- Use of sustainable materials where possible; and
- Emission reduction to minimise environmental damage.

3.9 ACCESS

Vehicles

Vehicle access to and from the site is to be the same as the approved development as follows:

- Ingress/Egress on Albert Avenue (Left in /left out)
- Egress to Thomas Street
- Porte cochere access on the corner of Albert Lane and Fleet Lane
- Improved access connection from Thomas Street to Fleet Lane (southbound)

As detailed in the Traffic & Transport Assessment at Annexure 6, the proposed onsite parking rates quoted in Section 3.2 above are considered appropriate in this location immediately abutting the Chatswood CBD and Bus/Rail interchange. In this regard, the proposed car parking provision is in keeping with the relevant RMS and Department of Planning and Infrastructure strategies for reducing car parking in and around public transport nodes across the Sydney Region.

Internal Vehicular Circulation

The internal circulation arrangements adopt a flexible two-way system throughout with the car parking for the various development elements located in separate basement areas. The layout of the basement areas will comply with the design requirements of AS 2890.1, 2 and 6 particularly in relation to ramps, aisles, bays and manoeuvring areas.

The public parking will be operated as a public parking station with 'central pay' provisions and a 'Parking Management Plan' will be prepared as part of the Construction Certificate documentation.

Service Vehicles

Separate loading docks are provided for the residential and serviced apartment elements accommodating MRV's (8.8 metres) and trucks (9.5-10.5 metres) from Albert Avenue as shown on the turning path diagrams in Annexure 6. Small service vehicles will also access this area while service personnel etc. will be able to use the visitor and public parking spaces.

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.

Pedestrians and cyclists

The arrangements for pedestrians and cyclists remain the same. Bicycle parking is again provided in the basement as originally approved.

3.10 WASTE

The arrangements for waste remain similar to the approved scheme and include separate retail, serviced apartments and residential garbage rooms and recycling facilities in the basements.

4.0 REQUIRED MODIFICATIONS TO APPROVAL CONDITIONS

The proposed modifications detailed above require the amendment of the Part 3A Approval conditions to read as follows:

4.1 Replace Condition A1 with the following:

"Development Description

A1. *Development approval is granted only to carry out the development described in detail below:*

"Construction of a new mixed use residential, retail, serviced apartments and child care development consisting of:

- *Southern serviced apartment building (maximum height RL 197.2 AHD) consisting of a:*
 - *one storey podium accommodating a lobby, office, cafe, gym and swimming pool for the serviced apartments above; and*
 - *29 storey serviced apartment tower containing 302 serviced apartments above*
- *Northern residential building (maximum height RL 203.0 AHD) consisting of a:*
- *Two storey podium accommodating retail/cafe tenancies, commercial gym, resident recreational facilities, building managers apartment and childcare centre;*
- *31 storey residential tower containing 241 apartments*
- *A five level basement accommodating 504 parking spaces (including 250 public car parking spaces); and*
- *Public domain works comprising:*
- *Publicly accessible open space with associated landscaping works; and*
- *A pedestrian through site link; and*
- *A vehicular right-of-way between Thomas Street and Fleet Lane. "*

4.2 Replace Condition A2 with the following:

"Approved Plan/Details

A2 *The development will be undertaken in accordance with MP No.09_006 MOD No.3 and the Environmental Assessment dated August 2012, prepared by Cardno NSW ACT Pty Ltd and the following drawings:*

Architectural Drawings by PTW and Environmental Assessment Report by Cardno, prepared for the MOD Application No. ###

Drawing No.	Revision	Name of Plan	Date
A-0000	C	Cover	19/07/12
A-0001	C	Site Location	19/07/12
A-0002	B	Site Analysis	18/12/09
A-0090	C	Site / Roof Plan	19/07/12
A-0110	C	Mezzanine	19/07/12
A-0100	C	Ground Floor Plan	19/07/12
A-0101	C	Level 1 Plan	19/07/12
A-0102	C	Level 2-5 Plan	19/07/12
A-0103	C	Level 6-13 Plan	19/07/12
A-0104	C	Level 14-22 Plan	17/07/12
A-0105	C	Level 23-27 Plan	19/07/12
A-0106	C	Level 28 Plan	19/07/12
A-0107	C	Level 29 Plan	19/07/12
A-0108	C	Level 30 Plan	19/07/12
A-0109	C	Level 31 Plan	19/07/12
A-0111	E	Basement 1 Plan	19/07/12
A-0112	E	Basement 2 Plan	19/07/12
A-0113	E	Basement 3 Plan	19/07/12
A-0114	E	Basement 4 Plan	19/07/12
A-0115	E	Basement 5 Plan	19/07/12
A-0121	C	North Elevation	19/07/12
A-0122	C	South Elevation	19/07/12
A-0123	C	East Elevation – Building 1 (Residential)	19/07/12
A-0124	C	East Elevation – Building 2 (Serviced Apartments)	19/07/12
A-0125	C	West Elevation – Building 1 (Residential)	19/07/12
A-0126	C	West Elevation – Building 2 (Serviced Apartments)	19/07/12
A-0131	C	Section – Building 1 (Residential)	19/07/12
A-0132	C	Section – Building 2 (Serviced Apartments)	19/07/12
A-0140	C	Perspective View 1	19/07/12
A-0141	C	Perspective View 2	19/07/12
A-0142	C	Perspective View 3	19/07/12
A-0143	C	Perspective View 4	19/07/12
A-0151	C	Schedule of Residential Apartments	19/07/12
A-0181	C	Building 1 Façade Finishes	19/07/12
A-0182	C	Building 2 Façade Finishes	19/07/12
A-0201	C	Comparable Height Study	19/07/12
A-0202-1	C	Shadow Diagram	19/07/12
A-0202-2	C	Shadow Diagram	19/07/12
A-0202-3	C	Shadow Diagram	19/07/12
A-0202-4	C	Shadow Diagram	19/07/12
A-0203	C	View Analysis	19/07/12

4.3 Replace Condition F14 with the following:

"Separate development consents - Various uses

F14 The initial use and fit out of the retail premises, childcare and any separate offices not associated with the serviced apartments in the development shall be the subject of separate development applications to Willoughby City Council except where they can be assessed as exempt or complying development under a relevant Environmental Planning Instrument. "

4.4 Required modifications to Approved Draft Statement of Commitments

It is requested that the attached Draft Statement of Commitments replace the approved Statement.

5.0 PLANNING ASSESSMENT

This section undertakes an assessment of the proposal under the relevant issues raised by the proposed modifications.

5.1 STATUTORY PLANNING INSTRUMENTS

The following Statutory Instruments are relevant to the subject site:

- > State Environmental Planning Policy (Major Development) 2005;
- > State Environmental Planning Policy (Infrastructure) 2007;
- > State Environmental Planning Policy – 65 – Design Quality of Residential Flat Development;
- > Residential Flat Design Code;
- > SEPP (Building Sustainability Index: BASIX) 2004;
- > Sydney Regional Environmental Plan 5 – Chatswood Town Centre;
- > Draft Willoughby Local Environmental Plan 2009 and 2012;
- > Willoughby Local Environment Plan 1995; and
- > Willoughby Development Control Plan.

With the exception of the new Willoughby Draft LEP 2012, all of the relevant sections of the above Statutory Instruments were addressed in the Part3A application for MP09_0066 and as such this report only addresses those instruments where additional assessment is required as a result of the modifications proposed.

State Environmental Planning Policy (Major Development) 2005

As the development has already been granted approval as a Part 3A project, the transitional powers apply to the modification of the approval. Therefore the proposed modifications to the existing approval are sought as a Part3A MOD application.

State Environmental Planning Policy (Infrastructure) 2007

Schedule 3 of the SEPP requires traffic generation developments to be referred to the Roads and Traffic Authority (RTA). The RTA (now the RMS) provided comments and advice as part of the original application.

As detailed in the revised Transport and Access Report at Annexure 6, the proposed modifications will not substantially change the traffic generation and circulation movements compared to the approved scheme.

This SEPP also requires an acoustic assessment to be prepared, the amendments to the proposal will not change the acoustic qualities of the built form, or create additional noise generating activities, and as such the approved noise report continues to support this development including the proposed modifications.

State Environmental Planning Policy 65 Design Quality of Residential Flat Development and RFDC

SEPP 65 seeks to improve the design quality of residential flat developments through the application of 10 design principles. An assessment of the modified residential scheme against the SEPP design principles and the accompanying Residential Flat Design Code (RFDC) has been prepared by PTW and is included in Annexure 8. That assessment concluded that the proposed modified scheme is generally consistent with the 10 SEPP 65 design principles and guidelines contained in the RFDC .

Sydney Regional Environmental Plan 5 – Chatswood Town Centre

The site is currently zoned 3(c2) – Business Commercial under Sydney Regional Environmental Plan No.5 – Chatswood Centre. Below is the table which details the approved and modified schemes' compliance with the main development standards under SREP5. The approved development compliance and the changes resulting from the proposed modifications have both been provided for comparison.



Figure 34: SREP 5 Zoning map extract

Source: Council website

Table 4: REP Consistency

Development Controls	Control	Approved	Modification	
			Proposed	Compliance
Height:				
Building 1 (residential)	RL 150 (50m above ground level)	RL 199.90 (98.5m) = 49.9m over REP height	RL 203.00 (101.6m) = 53m over REP	3.1m above approved scheme height (to enable provision of Level 3 as affordable housing)
Building 2 (commercially operated serviced apartments)	RL 130 (30m above ground level)	RL 197.2 (95.5m) = 67.2m over REP height	RL 197.20 (95.5m) = Same as approved scheme	Same height as approved scheme

FSR ² : Total	Max total 5.5:1	Total – 10.94:1 ³ (47,290sqm GFA)	Total – 10.61:1 (45,890sqm GFA)	1,400sqm (0.33:1 FSR) less than approved scheme
Residential	Max Residential – 2.5:1	22,910sqm of residential GFA (equivalent to a FSR of 5.30:1)	22,219sqm (5.14:1)	Less Residential FSR than approved scheme (0.16:1 FSR less)
Commercial serviced apartments, retail & childcare, council office	Max Commercial – 3:1	24,380sqm of commercial/retail GFA (equivalent to a FSR of 5.64:1)	23,671sqm (5.47:1)	Less than approved scheme (0.17:1 FSR less)
Car Parking station:	Public Car parking station containing 200 spaces required	250 public parking spaces approved	250 public parking spaces proposed	Same as approved scheme

The areas of non-compliance with the above main development controls have been supported in the current Part 3A Approval which granted development rights with a total FSR of 10.94:1.

The proposed modifications result in the abovementioned total FSR, which is less than the currently approved FSR, as such it is considered that the impact of the proposed modification which has refined the building form and design will result in tangible urban design improvements and a better planning outcome.

In terms of land use, the subject modification application seeks approval to change the use of the approved Building 2 (fronting Albert Avenue) from general commercial to serviced apartments which are also permissible without restriction within the relevant zone.

Draft Willoughby Local Environmental Plan 2012

It is proposed to be zoned part B4 (Building 1) Mixed Use and part B3 Commercial Core (Building 2) in the exhibited Draft Willoughby Local environmental Plan 2012 (DLEP 2012).

All submissions on the DLEP2012 have now been reviewed and Council at its meeting of 23 July 2012 resolved to make a number of amendments and then Draft LEP 2012 be sent to the Minister to be made.

The latest DLEP2012 again provides some flexibility in the quantum of development on the subject site provided any proposed development contains no more than 3.5:1 FSR as 'shop top housing'. In addition, Clause 4.6 *Exceptions to development standards* of the DLEP, enables broader variation of development standards on the basis of better planning outcomes.

The recently exhibited Draft LEP 2012 supersedes the previous Draft LEP 2009 which was in place during the assessment of the approved scheme. Similar to the Draft 2009 DCP, the current Draft 2012 proposes to zone the subject site B4 Mixed Use with a 34 metre height limit. The permissible FSR for the site under Clause 4.4A of the DLEP 2012 has been reduced to 7:1 (from the previous Draft LEP 2009 10.5:1) and 'shop top housing' restricted to 3.5:1.

Clause 6.8 requires the provision of 4% of the accountable total floor space within the development to be dedicated to Council for Affordable Housing or monetary contribution towards same.

² Based on Willoughby Council definition of GFA

³ As referenced in the Preferred Project Report, letter dated 12 August 2010

Clause 4.4 of Draft WLEP2012 excludes the floor area of a building that is used for affordable housing for the purposes of calculating floor space ratio.

Of particular note is the removal of the requirements to provide public car parking on the site (DLEP 2009 – 200 spaces) or landscaped open space (DLEP 2009 – 2,000sqm), which in our view is remiss as the site has been operated by Council as a public carpark for many years and the retention of public parking on the site the strong requirement of Council's in the sale documents for the site. Council's decision to include no incentive in the latest Draft LEP for the provision of public parking on the site into the future is at least puzzling.

It is important to note that DLEP 2012, Clause 4.6 *Exceptions to development standards* of the DLEP, enables broader variation of development standards on the basis of better planning outcomes.

Following is a table which details compliance with the main development controls under the Draft WLEP 2012. The approved development compliance and the changes resulting from the proposed modifications have both been provided for comparison.

Table 5: Draft LEP 2012 Consistency

Design Element	Development Standard	Approved	Modification	
			Proposed	Compliance
Height	34 metres	Building 1 RL 199.90 (98.5m) = 64.5m over DLEP height Building 2 RL 197.2 (95.5m) = 67.2m over REP height	Building 1 RL 203.00 (101.6m) = 53m over REP Building 2 RL 197.20 (95.5m) = Same as approved scheme	N/A N/A
FSR	Total 7:1 (Was 10.5:1 under Draft LEP 2009) Shop top housing Maximum 3:1 Other development 7.5:1	Total – 10.94:1 ⁴ (47,290sqm GFA) 22,910sqm of residential GFA (equivalent to a FSR of 5.30:1) 24,380sqm of commercial/retail GFA (equivalent to a FSR of 5.64:1)	Total – 10.45:1 (45,160sqm GFA) (based on exclusion of affordable housing dwellings from GFA as per DLEP2012 Clause 6.8) 21,489sqm (4.97:1) (based on exclusion of affordable housing dwellings from GFA as per DLEP2012 Clause 6.8) Commercial serviced apartments 23,671sqm (5.47:1)	Less than approved scheme. (0.49:1 FSR less) Less Residential FSR than approved scheme (0.33:1FSR less) Less than Approved Scheme (0.17:1 FSR less)
Car Parking	250 space public car park	250 public parking	250 public parking	Yes

⁴ As referenced in the Preferred Project Report, letter dated 12 August 2010

Landscape Space	2,000sqm minimum	1,824sqm	1,787sqm	Negligible difference from approved scheme
Minimum Site Area	4,000sqm	4,323sqm	4,323sqm	Yes

The above table demonstrates that the proposed modified scheme renders the development less noncompliant with the Draft LEP 2012 draft development standards.

It is important to note that the proposed serviced apartments are intended to be a commercial use, owned and managed as one commercial use by the Proponent. Accordingly, they fall under the separately defined 'serviced apartments' in the DLEP2012 as follows:

“serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.”

It can therefore be deduced that the DLEP2012 places no restriction on serviced apartments within the overall permissible development parameters for the site.

Willoughby Local Environment Plan 1995

The WLEP was addressed where it amended SREP5 as part of the original application. This assessment remains relevant and no further revisions to that assessment are provided. Approval is sought to modify the Part 3A Approval through the part 3A transitional arrangements in the Environmental Planning & Assessment Act rather than Council's current LEP.

Willoughby Development Control Plan

The WDCP was considered and assessment as part of the original application, and subsequent approval. The approved development is a departure from these controls and the subject Application to modify the current consent similarly departs for the DCP controls.

No further assessment against the WDCP is provided as part of this submission.

SEPP (Building Sustainability Index: BASIX) 2004

A revised BASIX certificate and stamped plans of the modified scheme are provided in Annexure 5 illustrating compliance with the relevant requirements of this SEPP.

State Environmental Planning Policy No.55 – Remediation of Land

As detailed in the Contamination Assessment submitted as part of the original Part 3A Project Application the site has historically been used for the purpose of car parking with no evidence to suggest that the site may be contaminated. No changes since that approval would suggest that this information does not remain relevant.

5.2 LIKELY IMPACTS

Streetscape Context & Visual Impact

The proposed modifications to the approved development will in our view serve to improve the connection and relationship of the buildings with the surrounding area. Specifically, as illustrated on Figures 13 to 20, the podiums of both buildings have been lowered which has resulted in a more human scale at ground level with awnings only one commercial floor high instead of two which as illustrated on Figure 14 means the base of the buildings more closely relate to the scale of the adjacent buildings fronting Albert avenue. The building forms have been slimmed down and now incorporate warmer, more durable building materials, particularly at ground level abutting the through site pedestrian link.

A revised visual impact assessment included in Annexure 3 demonstrates that the long distance view of the modified development from across the oval is basically the same as the approved development.

Open Space

The Modified Design adopts the same open space arrangement on the site with only minor change at the rear entry to Building 2. The main positive change is to the elements covering parts of the public through site pedestrian link where sterile glass awnings have been replaced by louvres structures which will act to better filter strong sunlight.



Figure 35: Proposed through site pedestrian link images

Source: PTW

Pedestrian accessibility

The development as modified retains the approved through site link between Albert avenue and Thomas Street. The configuration of this publicly accessible open space remains the same as approved with changes only to the proposed materials which are warmer and more durable than the approved development.

Parking & driveway access

The proposed modified development retains the same number of car parking spaces as the approved development which are considered by the Proponent's Traffic & Transport consultant in their Assessment Report at Annexure 6 to be "quite adequate and appropriate for the development representing a "constrained" provision in keeping current Department of Planning and Environment policies whilst retaining the public parking element to support the Town Centre."

Vehicle access in the modified scheme adopts the existing approved arrangements with:

- Ingress/Egress on Albert Avenue (LT IN/OUT)
- Egress to Thomas Street
- Porte cochere access on the corner of Albert Lane and Fleet Lane
- Access connection from Thomas Street to Fleet Lane (southbound)

These accesses have been located where there are excellent site distances available and will accommodate all vehicles requiring to use the respective accesses including refuse furniture and delivery trucks for the loading docks. The proposed modified development scheme also provides an improved design public road link between Thomas Street and Fleet Lane, with a broader swept path for vehicle turning movements.

Traffic Impacts

The Traffic modelling results of the modified development, concluded that the operational performance of access intersections on the basis of the assessed additional trips compared to the previously approved development will only be some 15 vehicle trips per hour (vtph) through the highway intersection and some 5 vtph through the Albert Avenue intersections.

These additional traffic movements will represent less than 1 vehicle trip each 2 cycles of the traffic signals in the morning and afternoon peaks and will therefore be entirely imperceptible in terms of traffic modelling. This is particularly the case when the highway intersection accommodates a total of some 5,000 vehicles per hour in the morning and afternoon peak periods and the subject development will make available land for the proposed widening of Albert Avenue.

In summary, the Traffic Assessment concluded:

Assessment of the proposed S75W development scheme which comprises residential and serviced apartment elements along with a Child Care Centre and retail, has concluded that:

- *there will be no adverse traffic implications*
- *the proposed parking provision will comply with relevant contemporary criteria and the requirements of the development*
- *the proposed vehicle access and circulation arrangements will be suitable and appropriate.*

Access to public transport

The site is within easy walking distance of the Chatswood Bus/Rail Interchange.

The North Shore and Western Lines operate through Chatswood Railway Station which is located just to the north of the site. These lines provide 13 trains per hour in the morning and afternoon peak periods and there are currently some 32,000 passengers passing through the station each day.

There are bus services provided by 3 operators accessing Chatswood as well as 2 interstate operators with some 460 scheduled services operating each day out of the rail interchange and 220 per day operating out of Railway Street.

Sustainability

As detailed in the ESD Assessment report and supporting BASIX Certificate at Annexures 5 and 9, having regard to the constraints of the site, the proposed modified development:

"... makes considerable effort to conserve energy consumption and improve the environmental and ecological value of the site. From the assessment the project has clear objectives to achieve and maintain environmental sustainability through compliance with BASIX and BCA, inclusion of passive building design features, energy efficiency initiatives for services and management and construction methods to minimise waste."

By employing an integrated strategy from the initial design stages of the proposed development the building owners are demonstrating their commitment to the principles of ESD and ensuring they are mandated through the use of their building into the future."

Acoustics

The acoustic and vibration impacts of the proposed modified development were assessed by Acoustic Logic. A copy of their report is included as Annexure 7. Their assessment addressed the potential adverse noise and vibration impacts of:

- Potential impact associated with noise generated on the Pacific Highway and surrounding local streets; and
- Potential impact associated with noise and vibration generated on the North Shore Railway corridor.

Calculations were performed taking into account the orientation of windows, barrier effects (where applicable), the total area of glazing, facade transmission loss and the likely room sound absorption characteristics. In this way the likely interior noise levels can be predicted.

Train vibration measurements were also conducted in line with the potentially worst affected eastern façade. Some recommendations for standards of glazing were made as a result.

Internal noise levels as a result of structure born noise were also calculated at a number of positions within the development which indicated that internal structure borne noise levels will comply with project requirements without treatment.

On balance, the acoustic report concluded:

- *Traffic noise impact on the development from surrounding streets has been assessed in accordance with Director General Requirement number 12, the State Environmental Planning Policy (Infrastructure) 2007 and AS2107-2000 "Recommended Design Sound Levels and Reverberation Times for Building Interiors" and will comply with internal noise goals at all times with the implementation of constructions detailed in Section 4.*

- *Noise and vibration generated on the North Shore Railway corridor has been assessed for its impact on the development in accordance with criteria presented in Director General Requirement number 12, the State Environmental Planning Policy (Infrastructure) 2007 and AS2107-2000 "Recommended Design Sound Levels and Reverberation Times for Building Interiors". It has been found that with the installation of the proposed constructions detailed in Section 4, noise levels will comply with these requirements.*

As a result, noise and vibration impact associated with the proposed development will comply with the requirements of the Director General and other relevant statutory authorities."

Residential Amenity

As detailed in the SEPP 65 Assessment and verification attached as Annexure 8, the proposed modified development provides:

- excellent public amenity at ground level with the landscaped public plaza and retail and café spaces.
- easy access to the residential and serviced apartments lobbies is provided for all age groups and degrees of mobility.
- apartment layouts designed to promote natural ventilation where possible and provide excellent daylight access to the majority of units.
- efficient planning of the individual apartments with emphasis on minimising interruptions in air flow through the apartment. The majority of apartments have little or no floor area devoted to internal corridors. Planning is generally such that one space flows onto another enabling the movement of air from one room to the next.
- buildings orientated to maximise the number of apartments receiving direct natural light. All apartments have either a northerly, easterly or westerly aspect.
- communal open space defined by the public plaza receives direct daylight access between March and September and provides shaded areas in summer via the landscaping.
- minimised depth of all single aspect apartments with all kitchens, living rooms and bedrooms having direct access to natural light, ventilation and views.
- horizontal projecting sun shades to all north facing windows.
- majority of apartments that are planned to minimise noise transmission between units by locating bedrooms adjacent to neighbouring bedrooms or away from party walls.
- apartments generally configured to avoid any overlooking.
- all rooms to all apartments that are rectilinear in shape and well-proportioned to enable them to function efficiently for the required use.
- awnings over each building entrance which have been designed to be fully integrated into the overall design of the buildings. The awnings provide shelter from the elements and an architectural statement as the entrances to the buildings.

Safety & Security

The proposed development as modified will bring life to this important entry point to the Chatswood CBD.

Similar to the approved scheme, the development will incorporate extensive security systems to maximise the safety and security of occupants of the development and other visitors to and through the site.

The development as modified performs well in terms of the application of the CPTED Principles (Crime Prevention through Environmental Design) as follows:

Surveillance:

Passive Surveillance:

- The development provides substantially increased opportunities for passive surveillance of the general area, particularly at night when nearby offices are vacant;
- The safety and security of both Albert Avenue and Thomas Street will be enhanced by increased activity and surveillance provided by living rooms and balconies overlooking the street, and building entries along the street frontage.
- A mix of uses is proposed in the development (commercial and residential) which ensures that the development is used all times of the day and night.
- The proposed development incorporates clear sight lines between the public and private open space areas.
- All public and communal areas will be well-lit to improve security.
- The proposed landscaping is of a high quality and does not have potential 'dead ends' or spaces where offenders can hide.
- The entrances to the lobbies of each building address the streets with defined points of entry. The residential building is accessed from the main Plaza and the serviced apartment building's main entry is designed with a porte cochere. The buildings also have direct access to the central pedestrian through site link.

Active Surveillance:

- Extensive Lighting will be provided within the site and entrances will be via a secure intercom system.
- The development will have 24-hour manned security systems
- Use of the public and communal open spaces will provide for increased security of the development.
- Lobbies/shared entrances shall have buzzers and intercoms made of strong, vandal-proof materials.
- Stairwells, lobbies and shared entrances shall be permanently lit from a control device located away from these areas.

Access Control:

- All building entries in the development shall be clearly marked.
- Security systems will be installed in both buildings which will consist of security cameras and swipe card access to buildings.
- Transition between the public and private domains shall be controlled e.g. public car parks, private car parking areas and public and communal areas will be separated by back-to-base security systems.
- The residential component of the car park is separated from the other areas of the car park via boom gates and a security office is located adjacent to the entry.
- All access ways are proposed to be clear and well defined.
- The central public pedestrian through site link has been designed to be open and inviting, with direct access from both adjacent streets and the two buildings in order to encourage pedestrian activity.

Territorial Reinforcement & Space Management:

- In Building 1 the residential lifts have direct access to the secured basement and will have exclusive access for residents only.
- All basement car parking areas will be well lit with clear sight lines to the lifts.
- All resident facilities in Building 1 are located at level 1 and are accessible only via secure lifts
- Boundaries between private and public spaces will be clearly defined in both buildings
- Transitions between the public and private domains will be controlled back-to-base security, swipe cards and where appropriate, intercoms.
- The central pedestrian through site link in the middle of the development is proposed to have high quality and attractive landscaping bordered by retail uses which will ensure its constant use, and in turn, enforce the principle of 'territorial reinforcement'.

Solar Access

The adoption of slimmer building forms will have resultant reductions in the overshadowing impacts on the surrounding area as indicated on shadow diagrams extracts provided below and full shadow analysis included in Annexure 3. In addition the inclusion of the extra part floor on Building 1 will have negligible additional overshadowing impacts on any of the significant public domain areas within the vicinity of the site, namely the Chatswood Park or Chatswood Bowling Club Greens. Shadow diagrams have been prepared indicating the shadows of:

- Proposed development, including areas of shadows decreased from the approved scheme
- Additional apartment level on Building 1 (to enable provision of Level 3 as Affordable Housing to Council)

MID SUMMER SHADOWS (21 DECEMBER)



Figure 36: 21 December shadows cast by proposed modified development

Source: PTW

9am:

Early morning summer shadows cast by the proposed development are slightly narrower than the approved development, now resulting in negligible shadowing of the property on the corner of the Pacific highway and Centennial Avenue. The additional part storey on Building 1 results in minimal additional shading of the Pacific Highway. Additional full sun areas are created in front of Building 2 and on the podium level of Building 1 which will contain the childcare centre.

12pm:

By midday, shadows are almost wholly contained within the site and shortened over the property to the immediate west. No additional shade is cast by the additional part storey on Building 1. Again, an area of the podium forming part of the childcare centre will be in full sun.

3pm:

At 3pm midsummer the shadows cast by the proposed development are shortened to the south and west compared to the approved development with negligible additional shade cast east by the additional part storey on Building 1. Once again, an area of the podium forming part of the childcare centre will be in full sun.

EQUINOX SHADOWS (21 MARCH & 21 SEPTEMBER)



Figure 37: 21 March shadows cast by proposed modified development

Source: PTW



Figure 38: 21 Sept shadows cast by proposed modified development

Source: PTW

9am:

Early morning shadows in both March and September shadows cast by the proposed development are shortened to the south as compared with the approved scheme. Negligible additional shadows cast by the additional part level on Building 1 fall on the roof area of the building on the corner of the Pacific Highway and Centennial Avenue.

12pm:

By midday, shadows cast by the proposed development are marginally shorter than the approved scheme with negligible additional shading of the front yard of the apartment building on Albert Avenue to the south.

3pm:

At 3pm shadows are slightly narrower to the west and south with negligible additional shade onto the wooded section of Chatswood Park (does not reach the oval).

MID WINTER SHADOWS (21 JUNE)



Figure 39: 21 June shadows cast by proposed modified development

Source: PTW

9am:

Early morning shadows in midwinter cast by the proposed development are marginally shorter to the south east when compared to the approved scheme. Negligible additional shadows are cast by the part level on Building 1 over the roof of the apartment development in Eddy Avenue. Additional full sun areas are also created within the subject site public domain and proposed childcare centre.

12pm:

At midday shadows are marginally narrower to the west compared to the approved scheme. Negligible additional shading of the roof of the large residential flat building in Ellis St will result from the additional part floor on Building 1. Additional full sun areas are also created within the subject site public domain and proposed childcare centre.

3pm:

By 3pm the western edge of the shadows are slightly narrowed compared to the approved scheme. Negligible additional shade onto the wooded section of Chatswood Park will result but additional areas of publicly accessible open space and the childcare centre are now in full sun.

6.0 CONCLUSION

The proposed modifications seek to amend the Part 3A MP09_0066 approval for mixed use development on the site known as the Thomas Street Car Park. It is considered that the proposed modifications, which take place generally within the approved building envelopes, will have a negligible impact on the surrounding locality when compared with the existing approved MP09_0066 development. The changes have been clearly identified and addressed, and should result in a better planning outcome for the site. The development as modified would be a high quality addition to the urban landscape of Chatswood.

The slimmer towers in high quality warmer materials and colours improve on the contextual fit of the development and lower podiums engender a more human scale at the ground levels.

The proposed amendments are consistent to the objectives of the development approval which anticipated high rise residential and commercial uses on this site which is well located in proximity to the Chatswood CBD and public transport network.

The proposed modifications enable the economically feasible dedication of a substantial number of Affordable units plus 250 public car parking spaces to Willoughby city Council.

The proposal satisfies assessment of all relevant provisions contained in the identified statutory planning instruments, and where departures are sought, they are in accordance with that already approved in the MP09_0066 approval for the site.

It is therefore submitted that the Department of Planning grant approval to the Section 75W application and amend the project approval MP09_0066 in the manner requested.