



**MERITON**  
MAKING LUXURY APARTMENTS  
AFFORDABLE

**MERITON TOWER**

Level 11, 528 Kent Street  
Sydney NSW 2000  
Telephone: (02) 9287 2888  
Facsimile: (02) 9287 2777  
general@meriton.com.au

22 November 2011

Mr Mark Brown  
NSW Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Dear Mark,

**S.75W MODIFICATION TO MP10\_0057 – RESPONSE TO ISSUES  
132-138 KILLEATON ST, ST IVES**

I refer to the above matter and the letter to you addressed from Ku-ring-gai Council (dated 20 October 2011) and provide a response as follows.

**1. Building Height**

Council has stated that because the Town Centres Local Environmental Plan was found to be invalid, the definition of building height should revert back to the Ku-ring-gai Planning Scheme Ordinance. Council refer to Clause 25(1)5 of the Planning Scheme stating that a residential flat building on a site in-excess 2,400sqm should have a maximum of five storeys. Further, Council states that the definition of "storey" excludes uses that are solely for car parking or plant when they have a height of less than 1.2m above ground level.

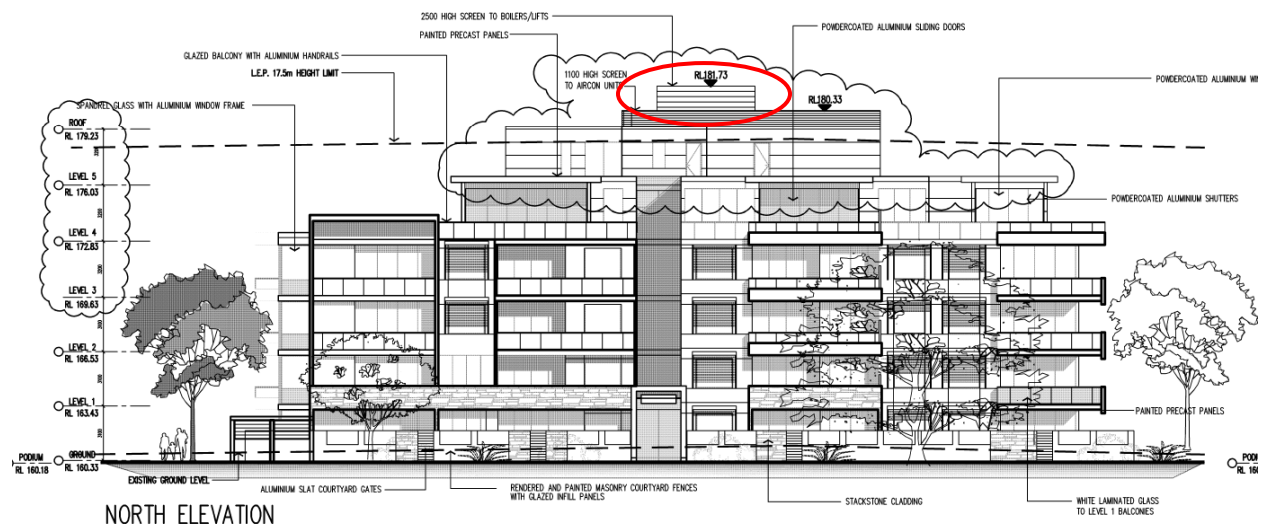
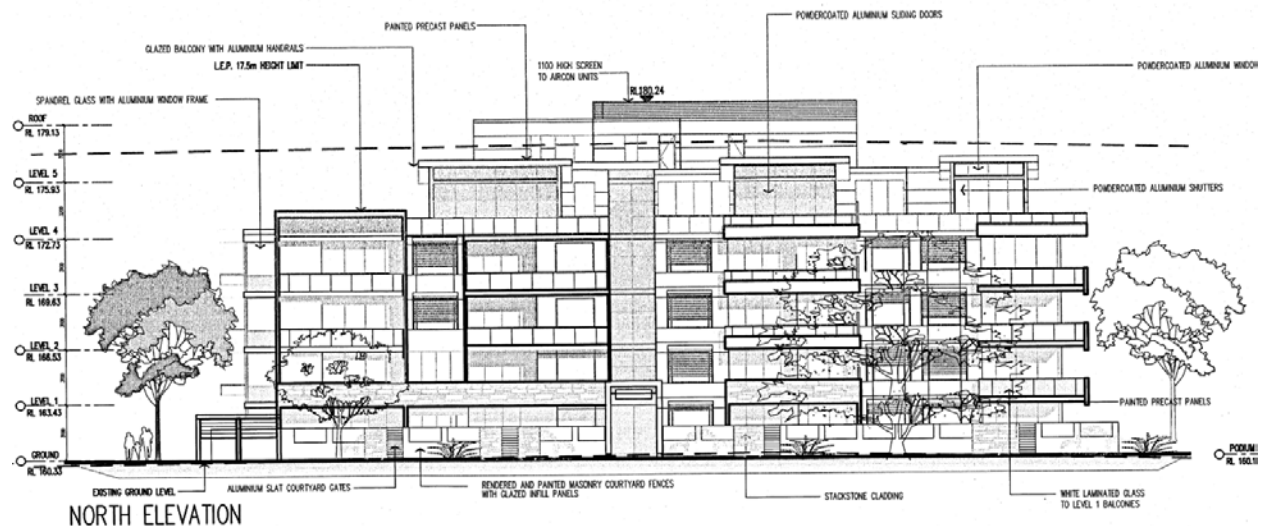
In response to Council's comments above we provide the following response. Firstly, the original plans submitted with the Modification have been reviewed and the overall building height has been substantially reduced. The plans have been amended to show a 100mm increase from levels 3 to the roof for Building B, where previously we proposed a 770mm increase in height.

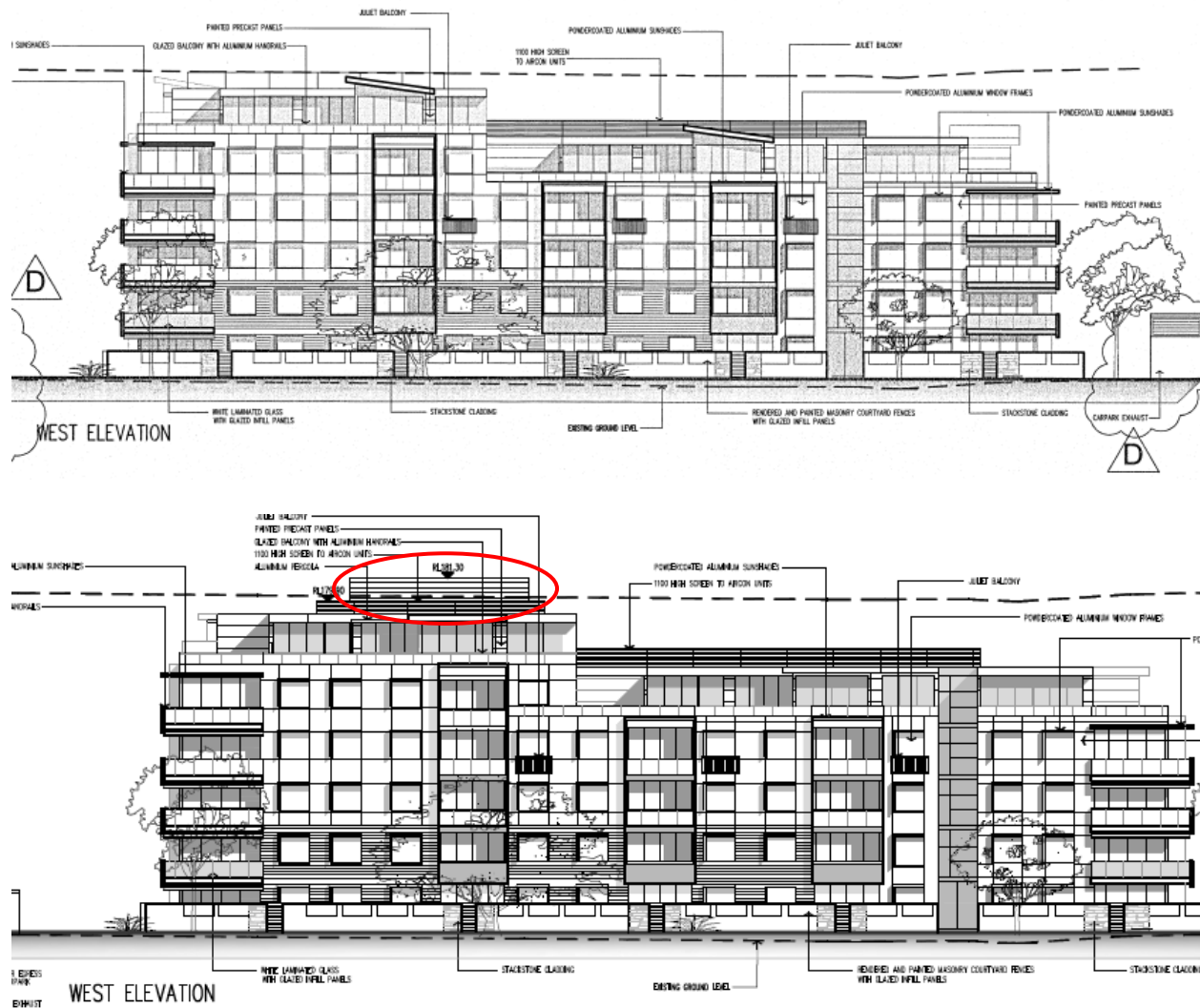
Secondly, Clause 25(9) states *"that any storey which is used exclusively for car parking, storage or plant, or a combination of them, in accordance with the requirements of this Ordinance and no part of which (including any wall or ceiling which encloses or defines the storey) is more than 1.2 metres above ground level, is not to be counted as a storey for the purposes of the Table to subclause (8)".*

This clause that Council is using to state that the roof plant rooms are creating another storey is not entirely correct. This clause means that any car parking or plant (including any combination of them both) that is more than 1.2m out of the ground would constitute another storey. Our modification does not seek to increase the height of carpark/plant at ground level. Block B is now only 100mm higher from Level 3 to the roof to accommodate the need of a "transfer slab" to take the weight of the building above. Without the transfer slab at this level, the building becomes structurally vulnerable, and is a necessary engineering requirement. The additional 100mm will not be visually perceivable within a 5 storey building.

With regard to the roof plant, this is predominantly made up of boiler rooms required to operate hot water for the entire building. The additional lift height is required to comply with Work Cover requirements to allow enough room for a maintenance person to safely use the space between the lift shaft ceiling and lift carriage ceiling. Without this space, it becomes unsafe for the maintenance workers and there is the issue of how the lift carriage will be maintained in the long term. In this instance, it is a necessity to have the lift shaft higher than the approval.

As an example, the diagrams below show the before and after elevations of the boiler room (circled) and lift shaft on Blocks B and D. It is clear from the diagrams that the difference in the façade heights has not dramatically changed. Also if one looks at the roof plan, the boiler rooms and lift share are contained in the middle of the roof space and therefore cannot be viewed from ground level. This is shown in the attached perspectives (**Annexure 3**).





## 2. Solar Access

SLR Consulting have examined the plans that are the subject of the application. **Annexure 1** contains a letter from SLR that confirms the proposed pergolas will ensure that 78.5% of apartments achieve the required solar access under SEPP 65.

## 3. BASIX

A fully updated BASIX Certificate accompanies this letter at **Annexure 2**.

## 4. Urban Design

Drawing DA43 at **Annexure 3** has been updated to show construction detail of the proposed screens to the boiler rooms. The screens are to be constructed of metal louvres and will be in a colour to match the other metal elements on the proposed buildings.

The proposal seeks to rationalise the skylights proposed for the buildings. The number of skylights has been considered to be superfluous. The amended flat-roof design of the skylights does not detract from the overall appearance of the buildings.

## **5. Errors on Plans**

DA43 has been corrected to appropriately depict the screens, boiler rooms and lifts on the eastern elevation of Block D. The corrected plan is at **Annexure 3**.

DA32 does not require any correction, as no additional pergolas are proposed to Block A.

## **CONCLUSION**

The proposed amendments are minor in the context of the entire development. Building B has been reduced in height from 770mm to 100mm that is a necessity for structural purposes. The boiler rooms and lift overrun are essential services to the building and cannot be deleted from the development. Their location within the centre of the roof ensures they cannot be seen.

The importance of providing these services does not add to the floor space of the building and is critical to the operation of the building and amenity of future residents to reach their units and being able to access hot water.

Yours faithfully

**MERITON APARTMENTS PTY LTD**

A handwritten signature in black ink, appearing to read 'Walter Gordon', written in a cursive style.

WALTER GORDON

**MANAGER, PLANNING AND DEVELOPMENT**