

09485
9 December 2009

Sam Haddad
Director General
Department of Planning
22 - 33 Bridge Street
SYDNEY NSW 2000

Attention: Michael Woodland

Dear Sam

**PART 3A REQUEST FOR MINISTER'S DECLARATION
88 CHRISTIE STREET, ST LEONARDS**

We write on behalf of the Winten Property Group (Winten / the proponent) regarding a Concept Plan for the development of a commercial building at 88 Christie Street, St Leonards (the proposal).

The purpose of this letter is to seek a declaration by Order of the Minister in accordance with s75B(1) of the *Environmental Planning & Assessment Act, 1979* (the EP&A Act) that the Proposal is a project to which Part 3A of that Act applies. We also seek the Minister's authorisation of Concept Plan for the proposal under s75M(1) of the EP&A Act.

Should the Minister form the above opinion and authorise the submission of a Concept Plan, we request that the Director General issue the requirements as to the level and scope of the necessary documentation and assessment for the preparation of an Environmental Assessment to accompany a Concept Plan for the Proposal.

To support the request for the Director General's requirements relating to the environmental assessment, this letter also forms a Preliminary Environmental Assessment relating to the project. The Preliminary Environmental Assessment provides detail on the site location and an outline of the project, its background, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 SITE DESCRIPTION

1.1 The Site

The proposal is positioned on the site known as 88 Christie Street, St Leonards and is owned by Stuva Pty Limited, a wholly owned entity of the Winten Property Group. The site is located within the heart of the St Leonards centre (within the Lane Cove LGA) as shown in the Location Plan and the Aerial Photographs in the Bates Smart package appended to this letter. The site is within 200m of St Leonards railway station.

Winten Property Group also has an interest in, has options on, and is a majority land owner of other key sites in St Leonards within the Lane Cove LGA. This includes the row of shops (many now vacant) along the Pacific Highway to the north of the subject site.

The site has an area of 2,594m² and is currently occupied by a range of 2-3 storey commercial buildings (see Existing Site Photos in the Bates Smart document). It is bounded by Christie Street to the east, Christie Lane to the north, and Lithgow Street to the west. The southern boundary of the site abuts existing development occupied by the NSW Pharmacy Guild and Australian Dental Association (NSW Chapter) headquarters. The area around the site is largely typified by redundant commercial buildings that are generally beyond their economic lifespan.

The site sits immediately to the south of The Forum (a Winten development) which forms the town centre of St Leonards and acts as a commercial, retailing and transport hub for the Centre.

1.2 The Site's Context

The St Leonards Town Centre is at the convergence of three LGAs (North Sydney, Willoughby, and Lane Cove). The North Sydney and Willoughby LGAs feature significant recent approvals and developments that have facilitated the renewal and growth of the St Leonards Centre. The Lane Cove LGA has however not been subject to any such growth or renewal largely due to strategic and statutory planning for the area by Council being behind that of the other two LGAs. It should be noted, however, that all three Council's (along with the Department of Planning) have co-funded the St Leonards Strategy, which sets out appropriate strategic planning and development objectives for the Centre. This strategy and Council's localised planning for the Centre is discussed in greater detail below.

In general, the existing 2-3 storey development which typifies development along and south of the Pacific Highway in the Lane Cove segment of St Leonards is outdated and dwarfed by newer developments. Development and approvals within Willoughby LGA have reflected opportunities to increase densities at and above the station and meet employment targets for the Centre. The Forum development features a 9-storey street wall and a setback 12-storey podium with taller 26 and 36 storey towers set further back. Additionally, the existing Space 207 development on the Pacific Highway is 11 storeys in height while the Concept Plan approval for the Royal North Shore Hospital site also allows commercial development of 11 storeys near the Pacific Highway. Within North Sydney LGA the focus of development has been largely residential towers. Of the new commercial development, the IBM tower is 16 storeys.

The towers and street walls to the north of the Pacific Highway act as gateways, focal points, and landmark heights. The existing range of development and the under-developed nature of the Lane Cove portion of the Centre is highlighted in the aerial photographs in the appended Bates Smart document.

2.0 THE PROJECT

The proponent is seeking approval for a development envelope on the site for principally commercial floorspace. It is anticipated that there would be some potential retailing floorspace at ground level to support activation at street frontages. Access to the site is anticipated off Lithgow Street with the main address and frontage of the building off Christie Street. The anticipated scope of development that would result from the Concept Plan approval is as follows:

88 Christie Street	
Proposed land use	Commercial with ancillary retail uses
Height	65m / 16 storeys
GFA	Approx. 34,099m ²
FSR	13.15:1
Potential jobs (@1/25m ²)	Approx. 1364

The building will be designed to provide A-Grade commercial floor space and will seek to achieve a minimum 4.5 star Green Star rating. An indicative sketch of the proposed commercial building's massing is shown in the appended Bates Smart document.

The proposed development provides the opportunity to create a renewal of this part of the St Leonards Centre and integrate the Lane Cove LGA into the Centre. It will also substantially facilitate improvement to the quality of the urban design and public domain in the area. The proposal would also act as a suitable catalyst for further development in the area around St Leonards station to assist the Government to meet its strategic planning objectives for the Centre, the Sub-region and the Global Arc. To this end the proposal will ensure Metropolitan Strategy employment targets are able to be better met. This is discussed further below.

The Bates Smart document also shows the envelope in section and its typical conceptual ground floor and upper floor level plans as currently prepared for the site.

3.0 MAJOR DEVELOPMENT SEPP 2005

Clause 6 of the Major Development SEPP provides that development in the opinion of the Minister is development of a kind referred to in Schedule 1 (Classes of development) and Schedule 2 (specified sites) is declared to be a project to which Part 3A of the EP&A Act applies.

Clause 13 of Schedule 1 of the Major Development SEPP identifies the following developments as being Part 3A Major Projects:

Group 5 Residential, commercial or retail projects

13 Residential, commercial or retail projects

(1) Development for the purpose of residential, commercial or retail projects with a capital investment of more than \$100 million.

The proposal has a Capital Investment Value of about \$121.75 million (based on an estimate prepared by WT Partnership), and is in excess of the \$100 million threshold. We have appended a Quantity Surveyor's Summary Report to this letter.

Whilst the project would automatically qualify as a Major Development, we have also prepared a strategic justification for the proposal, articulating its relative merits in achievement of various local, sub-regional and State planning objectives.

We have applied the Department's previous guidelines applicable at the time when Clause 13 projects were subject to discretionary decision-making. We trust that this assists in determining that the project is likely to contribute to meeting State or regional planning objectives. Those criteria relevant to this proposal are discussed below:

Criteria A – Local Impediments to Urban Renewal

- *Is the development within a centre or urban renewal area nominated for growth in the Metro Strategy or a regional or sub-regional strategy?*

The strategic planning basis for growth within St Leonards is set out in the Metropolitan Strategy, the draft Inner North Subregional Strategy, and the St Leonards Strategy. The recent draft Centres Policy also provides a set of planning principles which seek the creation and enhancement of opportunities to maximise commercial development in centres and more importantly reinforce key hubs, ensure development matches Government investment in infrastructure, and deliver strong growth.

Each strategy, amongst other things, focuses on employment growth objectives and targets. Generally, each strategy provides for a consistent approach to targets, with the St Leonards Strategy providing development and employment assumptions, and recommended planning approaches to ensure objectives may be achieved.

St Leonards itself is nominated as a Specialised Centre under the State Government's **Metropolitan Strategy** and forms a centre within the Global Economic Corridor, stretching from Sydney Airport and Port Botany to Macquarie Park. The Global Economic Corridor accommodated about 700,000 jobs in 2001. This is expected to grow to 850,000 jobs by 2031.

Over 25-30 years an increase of over 7,800 jobs is expected within St Leonards. Under current State Government targets the St Leonards centre is expected to provide 1.5% of all job growth in Metropolitan Sydney and 5.2% of job growth in the Corridor.

Under the **draft Subregional Strategy** the Inner North subregion is expected to grow by 60,000 additional jobs to 2031, to achieve a new total of 288,000 jobs. Of this Lane Cove is expected to deliver 6,500 of the 60,000 jobs.

There is significant State Government investment either planned, approved or under construction within (or in the vicinity of) the St Leonards centre. This includes various improvements and redevelopment opportunities at Royal North Shore Hospital, North Sydney TAFE upgrades, and electricity upgrades. Most growth in St Leonards is focussed within either the North Sydney or Willoughby LGAs. Lane Cove LGA has the potential to offer a significant contribution to the growth of St Leonards.

In the draft Subregional Strategy, the Pacific Highway from North Sydney to Crows Nest has been identified as an Enterprise Corridor. Whilst the tail-end of the section into St Leonards is part of a potential Enterprise Corridor, the Draft Lane Cove LEP zoning as "Commercial Core" best represents the opportunity to maximise commercial growth at the St Leonards centre.

In the urban hierarchy within the Inner North Subregion, St Leonards sits below North Sydney (Global City) and Chatswood (Major Centre) and alongside Macquarie Park as a Specialised Centre. A Specialised Centre is expected to perform a vital economic and employment role which will generate metropolitan-wide benefits.

The St Leonards Centre has grown due to the regionally significant health and education campuses. The Centre is ranked third in the Sydney suburban office market. St Leonards is well placed spatially, and to public transport links, to further grow commercial business functions and provide floorspace for uses affiliated to the health and education sectors. The Centre is also expected to significantly foster use and growth in public transport use, given its good connections by both rail and bus.

The **St Leonards Strategy**, a joint strategic planning exercise for Lane Cove, North Sydney and Willoughby Council prepared by David Lock and Associates (and part funded by the Department of Planning) was released in November 2006.

The overall objective of the strategy is to coordinate the future planning, design, servicing and management of the St Leonards Centre given the complementary issues spread over the three governing Council areas. The strategy aims to improve the function, attraction, and sense of place of the centre given current perceptions of the centre and the fractured nature of the precinct in order to be able to achieve employment growth anticipated by the both the Metropolitan and draft Subregional Strategies.

St Leonards is the 6th biggest employment concentration in Sydney. As indicated above, St Leonards is expected to grow by 31% to meet employment targets (ie a further 8,000 jobs). Lane Cove is expected to provide a significant contribution to this growth. The St Leonards Strategy "strategic growth" scenario predicts 8,081 additional jobs is possible within the centre with an additional 184,550m² GFA. The Strategy's job estimates are based on a rate of 1 worker per

25m². Anecdotal evidence suggests that the North Sydney and Willoughby LGAs are unlikely to meet their pro-rata contributions to overall employment numbers. This places greater emphasis and pressure on Lane Cove to assist in meeting not only its own but the overall targets.

The Strategy seeks to:

- Increase development height to the south of the Pacific Highway to at least in part improve the relationship of the centre in terms of urban design and a coherent built form and unified identity; and
- Improve amenity and liveability, reduced car use and dependence and maximisation of use of existing infrastructure. The strategy does not envisage a major retailing role for the centre.

The Strategy foreshadows the need for revised development controls to the south of the Pacific Highway to encourage amalgamation of lots to fully realise development opportunity.

The role and character of St Leonards is expected to develop into a higher density environment commensurate with compliance with employment and housing targets set at a Metropolitan and Subregional strategy level.

Under the Strategy, the site is identified as part of a purely business precinct with the opportunity to provide an image of “prestige” with larger floorplates and premium accommodation to strengthen the clustering of activities.

The Strategy recommends the following actions within nominated precincts. The site falls within the “Southern Business District” precinct under the Strategy.

Whilst The Forum will remain the visual focus and heart of the Centre, the Strategy recommends FSR controls south of the Pacific Highway should be omitted and height controls be complemented with performance controls / criteria related to overshadowing. This will assist in creating development opportunity and creating interest in the south-side of the highway.

The “Southern Business District” is also recommended to have development controls that encourage premium quality buildings with larger floorplates as well as FSR controls being supplemented with performance controls to minimise impacts upon amenity. Clearly overshadowing is the key driver in appropriate development controls and outcomes. It has been demonstrated that higher FSRs and a merit-based approach to amenity is readily achievable.

The Strategy also promotes improved public domain, open space and linkages in suitable locations. Of note is that The Forum plaza will remain the central hub and heart of the precinct for activity and Gore Hill Park and Newlands Park as areas for refuge. Improved links over the rail line will assist in improved access to parks. The Strategy notes that opportunities for new areas of open space will be difficult to achieve and that protecting and maximising existing parks and plazas is most likely to achieve the most tangible results.

Overall, the Strategy recommends that for land within Lane Cove LGA, that FSRs increase with suitable DCP controls for protection of amenity, and that business / commercial uses be promoted ahead of retailing. As noted above, the FSRs are a factor of suitable development heights that ensure protection of existing amenity balanced with the need to ensure growth proceeds within the Centre to meet employment targets. To that end, development on its merits (in relation to overshadowing) is the most desirable and viable solution.

The **draft Centres Policy** released by the Department of Planning in April 2009, seeks to provide for strong growth of new and existing centres, particularly for retail and commercial activity. The policy is based on six key planning principles.

Principle 1 – Retail and commercial activity should be located in centres to ensure the most efficient use of transport and other infrastructure, proximity to labour markets, and to improve the amenity and liveability of those centres.

Principle 2 – The planning system should be flexible enough to enable centres to grow, and new centres to form.

Principle 3 – The market is best placed to determine the need for retail and commercial development. The role of the planning system is to regulate the location and scale of development to accommodate market demand.

Principle 4 – The planning system should ensure that the supply of available floorspace always accommodates the market demand, to help facilitate new entrants into the market and promote competition.

Principle 5 – The planning system should support a wide range of retail and commercial premises in all centres and should contribute to ensuring a competitive retail and commercial market.

Principle 6 – Retail and commercial development should be well designed to ensure it contributes to the amenity, accessibility, urban context and sustainability of centres.

Of relevance to the St Leonards centre are Principles 2, 3, 4, 5 and 6. It is our view that the proposal will suitably cater for the growth expected and required by the draft Centres Policy. This is amplified given the importance of the St Leonards Centre and Lane Cove's contribution towards the growth of the centre.

The proposed development will clearly assist in meeting all relevant strategic planning objectives for the St Leonards Centre.

- *Are there provisions in the LEP which are likely to prevent or frustrate the implementation of the Metro or regional strategy?*

The site is currently zoned Business General 3(b) under Lane Cove LEP 1987 (see **Figure 1**). This zoning permits, amongst other things, *commercial premises* and *professional offices*. The proposal is permitted with consent under the zone. The proposal would also generally satisfy the zoning objectives. Under current development controls for the site (in the Lane Cove Business Zones DCP) the maximum permissible FSR within a 3(b) zone within 700m of the station which also involves consolidation of lots with no less than an aggregate area of 1,500m² is 2:1. The height of development is generally determined by the FSR and overshadowing controls to neighbouring residential properties.

Whilst the proposal is permitted, development of a scale and standard commensurate with meeting strategic planning objectives (including the Metropolitan and Sub-regional Strategies) can not be achieved under the current development controls applicable to the site. The relative land value compared to the current controls acts to prevent any viable redevelopment option. Under the current planning regime applicable to the site, a Part 3A approval path would be the only reasonable option to facilitate the change anticipated by strategic planning objectives.

The site is included in the current draft Lane Cove comprehensive LEP 2008, which we understand is shortly to be gazetted, but subject to further review and potential revision by the Department. Under the draft LEP the site is zoned B3 – Commercial Core. The proposal is permitted under the proposed zone. Council is acutely aware of the need to revise its current controls to allow for development to match strategy planning objectives. To this end Council sought to provide for appropriate height and FSR controls in August 2008, following a second public exhibition of its controls. The relevant draft controls of August 2008 are shown below in **Figures 2, 3 and 4**. The table below also sets out the proposal's compliance with the current exhibited draft controls.

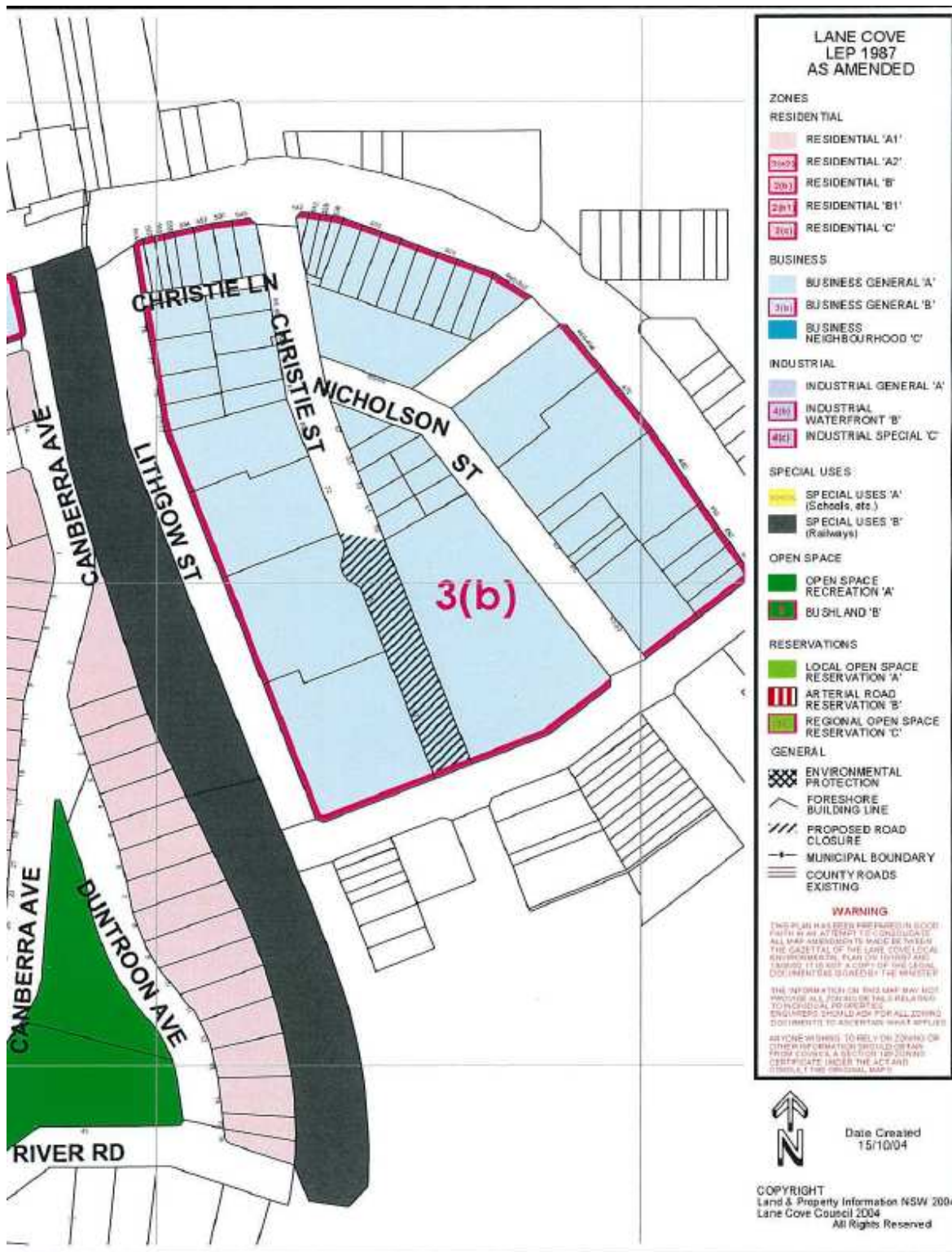


Figure 1 – Existing Zoning of the site (Lane Cove LEP 1987)

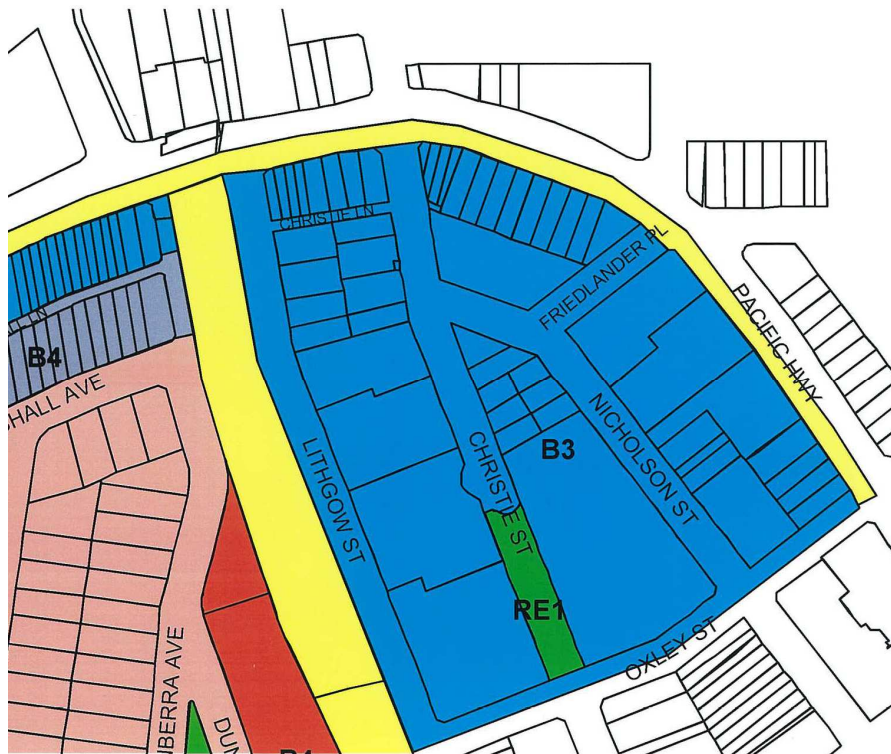


Figure 2 – Proposed B3 zoning of the site (draft Lane Cove LEP 2008)



Figure 3 – Proposed AA1 (65m) height control (draft Lane Cove LEP 2008)



Figure 4 – Proposed AI1 (14:1) FSR control (draft Lane Cove LEP 2008)

Site	dLEP 2008 height	dLEP 2008 FSR	Compliance
88 Christie St	65m	14:1	yes

Winten and JBA have both recently become aware of Council's revised position on FSRs and heights within the St Leonards centre, particularly in relation to the proposal site (as well as other adjoining land).

We understand that the Council adopted position of August 2008, following the second exhibition of the draft LEP, was to increase heights and FSR within St Leonards to promote development consistent with the strategic context described above. However, in May of this year, Council has sought to revise downwards the FSRs of August 2008, to principally allow for wider setbacks. We believe the height controls remain consistent with the August 2008 position. This revised position was not notified or exhibited and has largely been based upon an urban design exercise (as opposed to an economic feasibility) to determine DCP controls for the Centre. The potential lower FSRs again render development potential significantly reduced.

Under Council's recently adopted DCP, the urban design controls (including substantial and arbitrarily imposed setbacks contrary to principles applied to CBD and suburban commercial tower buildings) results in an achievable FSR in the order of 6.8:1 for the site. We understand that Council has sought to incorporate this late change into the draft LEP which is presently with the

Department awaiting gazettal. Whilst the height control may remain intact, the loss of GFA through increased setbacks will have a significant affect on commercial viability of any project within the Centre.

In general the Council's newest approach to FSRs and height fosters an urban form that is contrary to the prevailing form of street walls, orientation of towers, high level podiums and the existing built context to the north of the Pacific Highway. Most importantly, the approach taken by Council highlights the potential for the project to be frustrated by changing and/or conflicting controls, and requirements for strict adherence to DCP controls that are at odds with achievement for high-order and broader strategic planning objectives. On its merits, the proposal is justifiable from a strategic and localised environmental impacts perspective, particularly in relation to overshadowing.

As such, development on the site has the potential to be stalled and frustrated by local planning controls unless the proposal is allowed to proceed under Part 3A of Act. It should also be noted, that as the proposal is a compliant scheme (under the terms of the August 2008 position of Council) it represents the most appropriate planning and urban design solution for the site.

■ *Does the Council have the resources to assess and determine major projects?*

We understand that Council does have the resources to deal with the application, however Council would be a significant party to the proposal as it owns the surrounding local roads and footpaths and has a significant interest in ensuring that proposed areas of public open space and urban design outcomes as espoused by the recently adopted DCP can be achieved. As discussed above, we believe that Council's approach to adoption of the DCP and the way that this has driven a reduction in development controls (principally FSR) for the St Leonards Centre is counter productive to the achievement of economically feasible development as well as strategic planning objectives, particularly job targets. We are of the view that Council's approach to urban design outcomes ahead of a solid appreciation of viable development options within the Centre has blurred its ability to impartially assess any proposal within strict reference to its DCP. Council, should it assess and determine the proposal, would not be considering the proposal on its merits alone and would largely be guided by a set of controls that largely act to limit development opportunity.

■ *Do council practices demonstrate that projects important to implementing Metro or regional strategies can be determined on their merits?*

As discussed above, we believe that Council is committed to and is actively seeking to encourage growth in the St Leonards Centre but recent proposed revisions to its draft LEP based on urban design advice will act to hamper its ability to consider the subject proposal on its merits. The key environmental issues with the site largely focus on overshadowing impacts towards residential areas to the south of the site and towards the western fringe of the railway line. As demonstrated by shadow diagrams included in the Bates Smart document appended to this letter, overshadowing impacts are not to a degree that would be contrary to any planning policies or objectives. Shadows cast by the proposed envelope will not detrimentally impact upon residents of Canberra Avenue. Indeed, during exhibition of the new controls, no objections were received with regard to the new heights. Council would be guided by and be required to consider a compliant scheme under all of its relevant controls. Consequently, we believe Council is unable to consider the proposal on its merits at this current time under either existing or proposed controls.

Criteria B – Facilitate Housing or Job Growth

■ *Will the development directly result in permanent jobs in the area?*

The proposal will increase the floor space in the St Leonards Centre by approximately 34,099m² and is expected to create 1,364 new operational jobs on the site. This equates to about 19% of all new floorspace expected within St Leonards, about 17% of all new jobs in St Leonards, and about 21% of all new jobs within the Lane Cove LGA, under the various planning strategies that apply to

the Centre over the next 20 to 25 years. The proposal is a significant contribution and catalyst to achieve this form of growth.

■ *Is the development in a centre identified in the Metro Strategy or Regional Strategy?*

Yes, the development is within the Inner North subregional strategy and within the “Global Economic Corridor”. See detail discussion of the relevance of the strategies and the proposal to achievement of longer-term planning objectives.

Criteria C – Transport accessibility

■ *Is the development readily accessible to the railway, bus stop with frequent service, transit way station or ferry wharf? As an example within 800 metres from a station or transport node?*

Yes, the site is within 200m of St Leonards train station and bus stops. The proposal will therefore contribute to encouraging a high public transport modal share by bus and rail. The proposal will also result in a significant monetary contribution to the upgrade of public domain and linkages to public transport facilities.

4.0 KEY ISSUES FOR CONSIDERATION

The key environmental issues for consideration are as follows:

- Zoning and Development Controls
- Urban Design
- Employment Generating Uses and Economic Development
- Public Domain Treatment
- External Impacts
- Construction Management
- Traffic and Access
- Infrastructure & Services - Provision and Funding
- Contamination
- Noise & Vibration
- Wind Impact
- Environmental Sustainability
- Site Suitability

These are discussed in more detail below.

4.1 Zoning and Development Controls

The proposal does not comply with, or satisfy, the current Lane Cove LEP and applicable DCP controls, with the exception of permissibility. As discussed above, the proposal would be fully compliant with Council’s draft LEP as at August 2008, including the proposed B3 – Commercial Core zoning. The proposal would fit within Council’s proposed FSR and height controls and would be able to satisfy its overshadowing aims. The only area of discrepancy that has emerged is in relation to newer controls adopted by Council within its DCP which act to encourage large (if not extreme) setbacks which have now retrospectively influenced the draft LEP’s FSR controls. This would be the only area of non-compliance. Otherwise, the proposal provides for the optimal planning solution to localised and regional statutory and strategic planning objectives.

The Concept Plan's Environmental Assessment will provide a detailed assessment of the proposal's compliance with the draft planning controls, the Metropolitan Strategy and the Inner North subregional strategy and other strategies. It is noted that the proposed uses are permissible under draft LEP zoning and the proposed FSR will be below the maximum proposed by the Draft LEP as at August 2008.

4.2 Urban Design

The Environmental Assessment report will analyse the proposed built form and outline how the proposed building envelope is consistent with the future character of the St Leonards and the objectives of the various strategic planning documents applicable to the site. The Environmental Assessment report will provide an urban design / visual impact assessment which will:

- analyse the scale, height and massing of the proposed building envelope;
- identify overshadowing of the proposed building envelopes;
- analyse any potential future privacy issues;
- demonstrate the compatibility of the proposed building envelope with other recent approvals in the adjoining LGAs and Lane Cove's portion of the Centre and those envelopes proposed as part of the draft LEP; and
- outline the ability of the proposed building envelope to provide a landmark building with a high level of architectural merit at least commensurate with other recent similar developments in the vicinity.

4.3 Employment Generating Uses and Economic Development

An economic assessment will be submitted with the application which will outline the economic benefits of the proposal and the total number of new jobs which are expected to be generated by the additional floor space on the site.

4.4 Public Domain Treatment

In order to demonstrate how the proposed development will improve upon the existing level of activity at ground level and pedestrian permeability to and through the site and the Centre and the station, the application will provide an indicative streetscape and public domain plan commensurate with detail applicable to a Concept Plan. The plan will include details of:

- the changes to the levels of the ground floor plane;
- indicative street frontage design and setbacks;
- through site links;
- ground floor uses; and
- vehicular access.

4.5 External Amenity

Given the close proximity of the proposal to other existing developments, we expect that amenity impacts will be a significant issue in the assessment of the application. As such the environmental assessment will cover the issues of acoustic and visual privacy, view impacts and construction impacts.

With regard to the surrounding commercial buildings, the impacts that will need to be managed relate to the staging of construction and adjustment of levels where relevant. The proposal will be designed to ensure that the surrounding businesses will maintain the same level of access for servicing and deliveries. The level of detail proposed will be commensurate with detail applicable to

a Concept Plan, acknowledging that the draft Statement of Commitments would be the most appropriate place to address matters of detail for subsequent applications for development.

4.6 Traffic and Access

As the proposal involves the future reconfiguration of existing access point to the site and an increase in GFA, it is expected that there will be some additional traffic generation associated with the new commercial floor space. Accordingly, the application will be accompanied by a Traffic Assessment prepared by a specialist traffic consultant. Specifically the assessment will look at:

- Onsite parking requirements;
- Site access;
- Impact of generated traffic upon the surrounding local and arterial road network and intersections; and
- Opportunities to encourage public transport usage.

4.7 Construction Management

Due to the number of surrounding driveways which surround the site and the proposed reconfiguration of the surrounding road network, the construction staging of the proposal will be paramount to ensure that the proposed works have a minimal impact on the operation of surrounding businesses.

A construction management plan (and as relevant supplemented by Statements of Commitment) will be submitted with the application which will deal with the following issues:

- Demolition and construction staging
- Noise
- Air and water quality
- Demolition and construction waste
- Construction traffic management
- Pedestrian safety
- Site management

4.8 Infrastructure & Services - Provision and Funding

It is expected that the existing services on the site will need to be augmented to accommodate the new development. The Concept Plan will outline what services currently exist on the site and how these will need to be upgraded.

4.9 Contamination

Although the site is not expected to be highly contaminated, an environmental investigation will be submitted with the application which will satisfy the requirements of SEPP 55.

4.10 Noise & Vibration

As the proposal involves the proposed construction of a commercial building, operational noise is not expected to be a significant issue. Notwithstanding this an acoustic report will be prepared which will deal with the potential future plant noise emission and other noise issues. Again, the level of detail will be commensurate with that of a Concept Plan at this stage.

4.11 Wind Impact

The application will be accompanied by a Wind Impact Assessment which will demonstrate how wind impacts associated with the introduction of the new commercial tower building will be mitigated and managed through detailed design and articulation of the building.

4.12 Environmental Sustainability

The proponent is targeting a 4.5 star Green Star rating and a 5+ NABERS rating for the site. As such, the proposed development will demonstrate a high level of environmental sustainability. A suitably qualified ESD consultant will be engaged to advise and report on the ESD features of the project. Again, the level of detail will be commensurate with that of a Concept Plan at this stage.

4.13 Site Suitability

The site is considered suitable for the proposed development due to the following site opportunities:

- Ownership and size of the site;
- Close proximity to a major public transport node;
- Location of the site in the St Leonards Centre;
- Current and proposed zoning of the site permits commercial uses; and
- Draft planning controls applying to the site which seek to increase the GFA and height of a building that would be permissible on the site.

5.0 CONCLUSION

We trust that this Preliminary Environmental Assessment is sufficient to enable the Minister to form an opinion that the proposed development is a Major Development to be dealt with under Part 3A, authorise a Concept Plan submission, and to allow the Director General to issue requirements for the preparation of the necessary Environmental Assessment.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or oklein@jbaplanning.com.au

Yours faithfully



Oliver Klein
Principal Planner

*Encl. Project drawings and supporting material prepared by Bates Smart Architects
Quantity Surveyors report by WT Partnership*