



WINTEN
PROPERTY
GROUP



Environmental Assessment Report Concept Plan

St Leonards Commerce Centre
88 Christie Street, St Leonards

Submitted to
Department of Planning
On Behalf of Winten Property Group

July 2010 ■ 09485

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This report has been prepared by: Michael Rowe

Signature



Date 16/07/10

This report has been reviewed by: Oliver Klein

Signature



Date 16/07/10

Statement of Validity

This Environmental Assessment has been prepared and submitted under Part 3A of the *Environmental Planning and Assessment Act 1979* (as amended) by:

Environmental Assessment

Name	Oliver Klein
Qualifications	BA (Geography), MURP, MPIA
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Address	Level 7, 77 Berry Street North Sydney NSW 2060
In respect of	Concept Plan Application

Project Application

Applicant name	Winten Property Group
Applicant address	Level 10, 61 Lavender Street, Milsons Point NSW 2061
Land to be developed	88 Christie Street, 77-79 Lithgow Street, and 75 Lithgow Street, St Leonards
Proposed development	Envelope, use and other development features for a 16 storey commercial office building.

Environmental Assessment	An Environmental Assessment (EA) is attached
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Certificate	I certify that I have prepared the content of this Environmental Assessment and to the best of my knowledge:
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- It is in accordance with the Environmental Planning and Assessment Act and Regulation.
- It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.



Signature	
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Name	Oliver Klein
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Date	16 July 2010
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A	Architectural Drawings and Design Report (Refer to Volume 2) <i>Bates Smart</i>
B	Director General's Requirements <i>Department of Planning</i>
C	QS Certificate <i>WT Partnership</i>
D	Survey Drawings <i>Craig and Rhodes</i>
E	Landscape Concept Plan <i>McGregor Coxall</i>
F	Stormwater Concept Plan and Report <i>Hyder</i>
G	Adjoining Site Amalgamation History <i>Winten Property Group</i>
H	Transport and Accessibility Report <i>Colston Budd Hunt & Kafes</i>
I	Wind Report <i>WindTech</i>
J	Phase 1 Environmental Assessment <i>Hyder</i>
K	Geotechnical and Groundwater Desktop Study <i>Hyder</i>
L	Preliminary Impact Assessment Report of Proposed Commercial Development on RailCorp Infrastructure <i>Parsons Brinkerhoff</i>

Executive Summary

Purpose of this report

This submission to the Department of Planning comprises an Environmental Assessment for a Concept Plan under Part 3A of the Environmental Planning and Assessment Act. It relates to the development of 16 storey commercial building at 88 Christie Street, St Leonards.

This submission is in accordance with the Department's guidelines for Part 3A applications, and addresses the issues raised in the Director General's Requirements.

Overview of project

The Concept represents a regionally significant development at a key, underdeveloped site within the St Leonards Centre. It is the result of a long term planning and design process that will provide large floorplate high grade commercial floorspace with minimal environmental impacts. Amongst meeting a wide range of State and local planning objectives, it will also provide significant public benefit through the provision of a new through-site link and public urban plaza.

The Concept Plan seeks approval for:

- demolition of the existing structures on the site;
- the building envelope for the commercial building and basement car park;
- up to a maximum Gross Floor Area (GFA) of 36,253m²;
- up to a maximum height of RL149.75;
- land uses;
- pedestrian and vehicle access arrangements;
- a maximum 330 car parking spaces to service the tenants of the building.

It is also proposed to undertake in-kind works to create a pedestrian plaza on Lithgow Street partly in-lieu of the appropriate Section 94 contributions.

The site

The St Leonards Commerce Centre is located between Christie Street and Lithgow Street on the southern side of the St Leonards Centre approximately 200m from St Leonards railway station within the Lane Cove Local Government Area. The Concept Plan site is a 2,589.5m² irregular-shaped area comprising four 2-3 storey commercial buildings.

Planning context

The site is zoned B3 Commercial Core under Lane Cove Local Environmental Plan 2009. The proposal is permissible with consent and meets the objectives of the subject zone. Amongst other provisions, Lane Cove Local Environmental Plan 2009 also provides height and massing controls for the site.

Environmental impacts

The environmental impacts of the Concept Plan are considered in Section 5.0. Overall, the proposed development will have minimal adverse environmental effects in terms of bulk and scale and traffic. An assessment against Lane Cove Local Environmental Plan 2009 demonstrate that the proposal generally complies with the height and massing controls, and where non compliances occur variations to the controls are strongly supported by the merits of the project, substantial public benefit, and the absence of any adverse amenity impacts.

Other environmental impacts can be effectively managed through all stages of the development via mechanisms referred to in this report and the draft Statement of Commitments. The assessment of the proposal demonstrates that it will result in positive economic, environmental and public benefits.

Conclusion

The development is considered to be in the public interest as State, regional and local planning and development objectives will be met by effectively increasing the quantum of large floorplate high-grade commercial space in the St Leonards Centre. The development will also provide significant public benefits, namely through the provision of a new through-site link and public urban plaza. The proposed development will have minimal adverse environmental effects, all of which can be effectively managed. Therefore given the environmental planning merits of the proposal, it is requested that the Minister approve the Concept Plan under Section 75O of the EP&A Act.

1.0 Introduction

This Concept Plan and Environmental Assessment Report (EAR) is submitted to the Minister for Planning pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This is to fulfil the Environmental Assessment Requirements issued by the Director General for the preparation of an Environmental Assessment of a Concept Plan for the redevelopment of 88 Christie Street, St Leonards (herein after known as St Leonards Commerce Centre).

The Concept Plan is seeking to address strategic project issues and establish the key parameters of the development prior to more detailed design work being undertaken.

This report has been prepared by JBA Urban Planning Consultants Pty Ltd on behalf of the Winten Property Group and is based on design information provided by Bates Smart (**Appendix A**) and supporting technical documents provided by the expert consultant team.

This EAR describes the site, its environs and the proposed development, and includes an assessment of the proposal in accordance with the Director-General's Environmental Assessment Requirements under Part 3A of the EP&A Act (see **Appendix B**). It should be read in conjunction with the information contained within and appended to this report.

1.1 Overview of Approval Sought

The Concept Plan seeks approval for:

- demolition of the existing structures on the site;
- the building envelope for the commercial building and basement car park;
- up to a maximum Gross Floor Area (GFA) of 36,253m²;
- up to a maximum height of RL149.75;
- land uses;
- pedestrian and vehicle access arrangements;
- a maximum 330 car parking spaces to service the tenants of the building.

It is also proposed to undertake in-kind works to create a pedestrian plaza on Lithgow Street in-lieu of the appropriate Section 94 contributions.

A detailed Project Application for demolition, construction, and detailed design of the building and internal layout of all facilities will be lodged should the Concept Plan be approved.

The subsequent building, subject of the Project Application will be designed in accordance with the approved Concept Plan. It should be noted that as Clause 75R(3) of the EPA & Act will apply to the future Project Application, no environmental planning instruments (other than State Environmental Planning Policies) will apply in respect to the approved project.

1.2 Approval Process

State Environmental Planning Policy (Major Development) 2005 (the Major Development SEPP) identifies development to which Part 3A of the EP&A Act applies, and for which the Minister is the consent authority.

Clause 6 of the SEPP states that development, which in the opinion of the Minister is development of a kind referred to in Schedule 1 (Classes of Development, Schedule 2 (Specified Sites) or Schedule 3 (State significant development) of the SEPP, is declared to be a project to which Part 3A applies.

Clause 13 of Schedule 1 of the Major Development SEPP identifies the following developments as being Part 3A Major 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 project's estimated Capital Investment Value is in the order of \$117 million, as detailed in WT Partnership Quantity Surveyors Statement prepared by WT Partnership (**Appendix C**), and is well in excess of the \$100 million threshold.

Therefore, in accordance with Section 75B of the EP&A Act, and Clause 6 of the Major Development SEPP, JBA Urban Planning Consultants on behalf of Winten Property Group requested on 15 December 2009 that the Minister:

- declare the 88 Christie Street, St Leonards project to be a Major Project subject to Part 3A of the EP&A Act;
- authorise the preparation and lodgement of a Concept Plan for the site; and
- issue DGRs for the project.

On 22 January 2010, the Minister declared the 88 Christie Street, St Leonards project to be a Major Project and in accordance with Section 75F of the EP&A Act. The Director-General of the Department of Planning issued the requirements for the preparation of an Environmental Assessment to accompany a Concept Plan for the project on 31 March 2010.

A copy of the Director General's Environmental Assessment requirements and authorisation to lodge a Concept Plan is included in **Appendix B**.

1.3 Project Team

An expert project team has been formed to deliver the project and includes:

Proponent	Winten Property Group
Urban Planning	JBA Urban Planning Consultants
Architecture	Bates Smart
Quantity Surveyors	WT Partnership
Traffic and Transport	Colston Budd Hunt & Kafes
Landscape Architecture	McGregor Coxall
Stormwater	Hyder
Geotechnical & Contamination	Hyder
Surveyor	Craig & Rhodes
Rail Infrastructure	Parsons Brinkerhoff

2.0 Site Analysis

2.1 Site Location and Context

The Concept Plan site is located on the southern side of the St Leonards Centre approximately 200m from St Leonards railway station (within the Lane Cove LGA). It is bounded by Christie Street to the east, Christie Lane to the north, Lithgow Street to the west, and commercial development to the south. The site's locational context is shown at **Figure 1**.

The area around the site is largely typified by redundant commercial buildings that are generally beyond their economic lifespan. Further to the north of the site is '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. A bird's eye view of the site is shown at **Figure 2**.

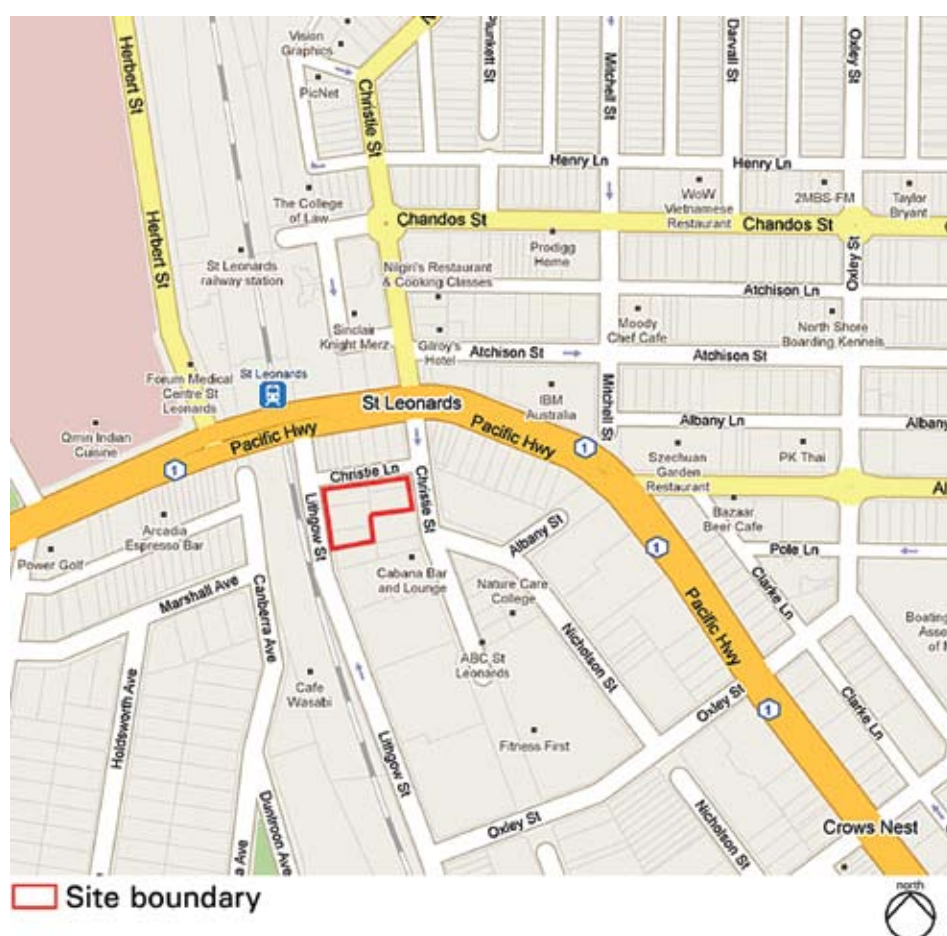


Figure 1 – Locality Plan

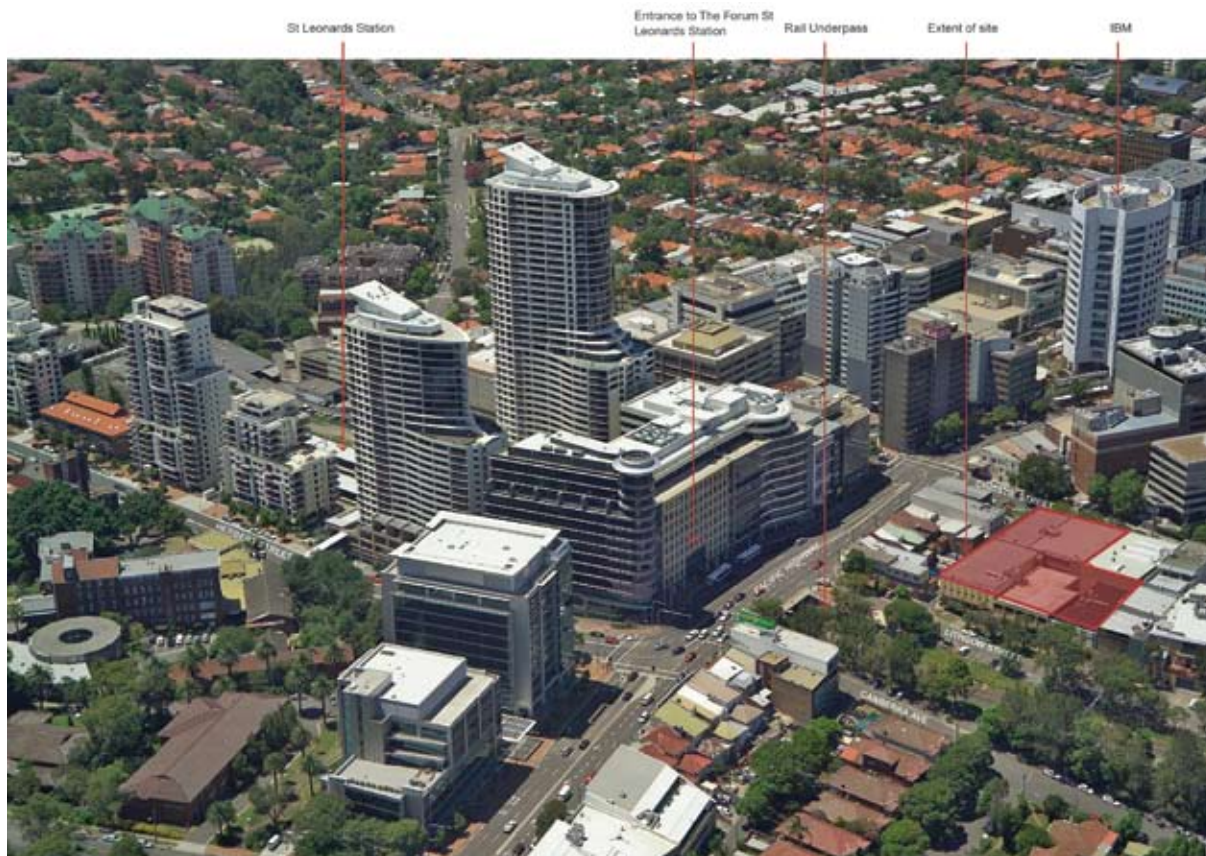


Figure 2 – Bird's eye view of the site and its context

2.2 Site Description

Land Ownership and Legal Description

The site is owned by Stuva Pty Limited, a wholly owned entity of the Winten Property Group. The site is legally described as:

- Lot 71 in DP 542079;
- Lot 72 in DP 542079;
- Lot 50, Section 18 in DP 3175;
- Lot 10, Section 18 in DP 3175; and
- Lot 4 in DP 560889.

Existing Development

The site is a 2,589.5m² irregular-shaped area comprising four commercial buildings and approximately 5,195m² of gross floor area (GFA)(see **Figure 3**):

- 88 Christie Street: a 2-storey square commercial building on the corner of Christie Street and Christie Lane (see **Figure 4**).
- 79 Lithgow Street: a 3-storey rectangular building on the corner of Lithgow Street and Christie Lane (**Figure 5**).
- 77 Lithgow Street: a 2-storey rectangular building fronting Lithgow Street (**Figure 5**).
- 75 Lithgow Street: a 2-storey rectangular building fronting Lithgow Street (**Figure 6**).

All four buildings abut each other at the property boundaries with the exception of 77 Lithgow Street which contains a light well at the rear of the block. Whilst the buildings are predominantly 2 storeys, due to the sloping topography of the site, the buildings step down to the south.

Pedestrian access to each building is located off its respective frontage. Basement car parking is located below all four buildings. In total there are 110 spaces and 6 separate vehicle access points across the four sites.

A survey plan showing the location and height of the existing development on the site is located **Appendix D**.



Figure 3 – Site Plan



Figure 4 – 88 Christie Street



Figure 5 – 79 and 77 Lithgow Street



Figure 6 – 75 Lithgow Street

Landform and Vegetation

The site falls 7m to the south-west. The high point is located at the corner of Christie Street and Christie Lane. A survey plan showing the existing levels is included at **Appendix D**.

Four small trees are located within the property's Christie Street setback (see **Figure 7**). A mix of uncoordinated low-scale landscaping is located within terraced planter boxes along the Lithgow Street frontage (see **Figure 8**). The public verge in front of both frontages contains a mix of small trees.



Figure 7 – Landscaping along Christie Street looking south



Figure 8 – Landscaping along Lithgow Street looking north

2.3 Existing Transport and Access

Surrounding Road Network

Christie Street (**Figure 9**) is a 2 lane cul-de-sac at its southern extremity. The road provides one-way access from the Pacific Highway before becoming a two-way road after Christie Lane. 2 hour on-street parking is available on both sides of the street.

Lithgow Street (**Figure 10**) is a one-way street which runs from River Road to the Pacific Highway. No vehicle access is available from River Road into Lithgow Street. The road runs in both directions between the Pacific Highway and Christie Lane, where a seagull intersection diverts traffic leaving the Pacific Highway up the laneway (see **Figure 11**). Perpendicular on-street metered parking is available down the western side of the road.

Christie Lane (**Figure 12**) is a one-way lane that runs from Lithgow Street to Christie Street. There is no on-street parking. The lane carries a large quantity of pedestrian movements from people moving between St Leonards Station and The Forum (via the underground tunnel) and the commercial and residential developments along Christie Street and Nicholson Street.

The Pacific Highway (**Figure 13**) is an arterial road that runs from the Warringah Freeway up through Sydney's northern suburbs. At the site, the Pacific Highway runs in 3 lanes in both directions.



Figure 9 – Christie Street looking south



Figure 10 – Lithgow Street looking south



Figure 11 – View of the seagull intersection on Lithgow Street looking west



Figure 12 – Christie Lane looking east



Figure 13 – The Pacific Highway at the corner with Christie Street looking west

Pedestrian

A pedestrian tunnel under the Pacific Highway provides good quality pedestrian access to the site from the St Leonards train station via The Forum. Access to St Leonards Station is also achievable at-grade via signalised pedestrian crossings over the Pacific Highway.

Bicycle

There are no existing cycle paths connecting to the St Leonards Centre, however several cycle paths are proposed for the St Leonards area including an off-road cycle lane along the Pacific Highway in a northerly direction and an on-road marked cycleway up Herbert Street.

Rail

The proposed development is located approximately 200m south of St Leonards Railway Station. St Leonards Station is located on the North Shore Line which provides local rail services and onward connections for regional services.

Bus

The site is in close proximity to a number of bus services which travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs.

2.4 Surrounding Development

The immediate area around the site is largely typified by redundant commercial buildings that are generally beyond their economic lifespan. There are no listed heritage items in the vicinity of the site.

To the north of the site is Christie Lane. The lane provides rear access to a strip of retail development which front the Pacific Highway (see **Figure 14**). Further to the north of the site is 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 (see **Figure 2**).

The southern boundary of the site abuts existing development occupied by the NSW Pharmacy Guild (see **Figure 15**) and the Australian Dental Association (NSW Chapter) headquarters (see **Figure 16**). Further to the south is the Pharmaceutical Society of Australia headquarters, Norths Rugby Club and the affiliated Cabana Bar and Lounge (see **Figure 17**).

Christie Street forms the eastern boundary of the site. On the opposite side of Christie Street is a Telstra exchange building and AVA House, a 6 storey commercial building (see **Figures 18 and 19**).

To the west of the site is Lithgow Street which runs adjacent to the North Shore railway line (see **Figure 20**).



Figure 14 – View of the rear of the retail development fronting The Pacific Highway



Figure 15 – View of Pharmacy Guild House



Figure 16 – View of Australian Dental Association NSW



Figure 17 – View of Cabana Bar and Lounge



Figure 18 – View of the Telstra exchange building



Figure 19 – View of AVA House



Figure 20 – View of Lithgow Street and the North Shore railway line

3.0 Concept Plan

The Concept Plan establishes the vision and planning and development framework which will be used by the consent or approval authority to assess future development proposals within the St Leonards Commerce Centre site. It articulates what Winten Property is seeking to achieve for future development and sets the broad parameters for the development of the site.

3.1 Project Objectives

The following objectives have been established for the project.

Economic

- To provide high quality office space in the St Leonards Centre;
- To provide large commercial floor plates in the St Leonards Centre; and
- To deliver a significant number of new jobs in the St Leonards Centre consistent with the State's and local government's strategic planning objectives.

Community

- To create a safer pedestrian environment within the heart of the St Leonards Centre; and
- To provide a new urban plaza and through-site link for workers, visitors, and residents in the centre.

Environment / Sustainability

- To provide a building which incorporates ESD features that will reduce the use of water and energy; and
- To encourage the increased use of public transport.

Urban Design

- To design a project which will have a significant urban renewal effect on the St Leonards Centre southern business district;
- To provide complimentary retail uses at ground level to activate the street;
- To create a building envelope capable of achieving design excellence with minimum impact on the adjoining land uses; and
- To create a building envelope which is complementary to the surrounding character of the St Leonards Centre and embraces basic CBD urban design principles.

3.2 Concept Approval

Concept Approval is being sought for the following:

- demolition of the existing structures on the site;
- the building envelope for the commercial building and basement car park;
- up to a maximum Gross Floor Area (GFA) of 36,253m²;
- up to a maximum height of RL149.75;
- land uses;
- pedestrian and vehicle access arrangements;
- a maximum 330 car parking spaces to service the tenants of the building.

It is also proposed to undertake in-kind works to create a pedestrian plaza on Lithgow Street partly in-lieu of the appropriate Section 94 contributions.

An indicative photomontage of the building is shown in **Figure 21** below.



Figure 21 – Photomontage of the St Leonards Commerce Centre
Source: Bates Smart

3.3 Demolition

To accommodate the proposed development the existing structures on the site, including the four commercial buildings, will be demolished as part of the future project application.

3.4 Land Use and GFA

The Concept Plan seeks approval for a commercial building envelope with an overall GFA of 36,253m² with a maximum FSR of 14:1. Retail or business premises will be located at the ground level to support activation of the street and through-site link. **Table 1** provides a summary of the proposed land uses on a floor by floor basis.

Table 1 – Land use and GFA

Level	Land Use	GFA (m ²)
Basement 2-7	315 tenant parking spaces	-
Basement 1	15 tenant parking spaces 8 courier spaces 5 truck spaces 13 bike racks and 72 bike lockers	-
Lower Ground	1350m ² retail Commercial lobby Retail / business premises	1507
Ground Floor	Commercial lobby Commercial office space	1154
Levels 1-2	Commercial office space	1779
Levels 3-14	Commercial office space	2220
Level 15	Commercial office space Roof terrace	1694
Level 16	Commercial office space	1694
Plant	Plant Level	-
Total		36,253

3.5 Building Height and Setbacks

The proposed maximum height of the building is RL 149.75. The building will include an architectural roof feature to incorporate the building plant. The basement level will have a maximum depth of RL 55.15. An elevation of the indicative building envelope is shown at **Figure 22**.

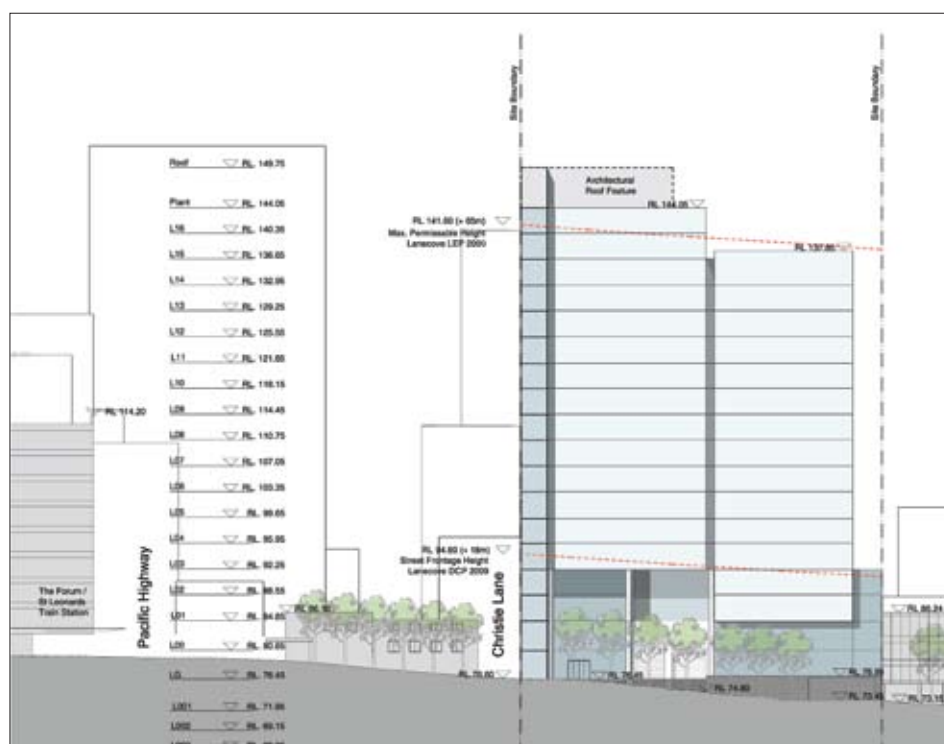


Figure 22 – Concept Plan Elevation
Source: Bates Smart

Table 2 outlines the proposed setbacks of building to its respective boundaries.

Table 2 – Proposed building setbacks

Boundary	Ground Level Setback	Above Podium Setback
Northern (Christie Lane)	0m	0m
Southern (Commercial development)	0m	0m
Eastern (Christie Street)	0m – 5.29m	0m
Western (Lithgow Street)	0m - 5.29m	0m

3.6 Pedestrian and Vehicular Access

Pedestrian access

In response to the topography of the site, the proposed development will have two commercial lobbies, a main lobby accessed via Christie Street and a secondary lobby accessed via Lithgow Street.

The two lobbies will be connected by a new, publicly accessible through-site link, which connects Christie Street with Lithgow Street. The link will provide an alternate path of travel for the large number of pedestrians who currently use Christie Lane to move between their workplace / home and the St Leonards Station and The Forum development (which acts as the town centre).

Vehicular Access

All vehicular access, including service vehicles to the site will be via the new basement entrance on the eastern side of Lithgow Street.

3.7 Parking

330 car parking spaces, 14 motorbikes spaces, 13 bike racks and 72 bike lockers will be provided across seven basement levels to service the proposed office and retail uses.

5 loading/truck bays will be provided on the first basement level. The design of loading dock areas and the number of servicing bays will be finalised during the Project Application stage in accordance with the Lane Cove DCP 2010 and relevant Australian Standards.

3.8 Landscaping and Public Domain

An indicative Landscape Plan illustrating the landscape and public domain concept is located at **Appendix E**. The final design and extent of the works will be developed in conjunction with Lane Cove Council and will be the subject of the future Project Application for the site.

3.8.1 Through-site Link

A publicly accessible through-site link will be provided between Christie Street and Lithgow Street. The link runs internally through the centre of the proposed building. A set of stairs will accommodate the change in levels between the two streets. A lift connecting the lower ground and ground levels will provide disabled access.

The commercial building lobbies and retail uses are proposed at the ground and lower ground level to activate the through-site link and provide constant passive surveillance.

It is the current intent of Winten that the through-site link be open to the public 24 hours a day, seven days a week. However, as the operation and maintenance of the through-site link will be the responsibility of the future building management, the exact detail of the through-site link's access after hours will be resolved at the Project Application stage.

3.8.2 Lithgow Street Plaza

It is proposed to undertake in-kind works to Lithgow Street (Council owned land), to create a pedestrian plaza adjacent to the site (see **Figure 21** and **23**). To create the plaza, the road reserve which will be relocated to the west to replace the existing perpendicular parking fronting Lithgow Street. The existing verge and road reserve will then be converted into a pedestrian plaza and a shared way in part.

The final design of the Lithgow Street Plaza will be developed in conjunction with Lane Cove Council and will be the subject of the future Project Application for the site.



Figure 23 – Photomontage of the proposed through-site link
Source: Bates Smart

3.9 Environmental Sustainable Development

ESD principles are a key driver of the project. The Proponent is seeking to achieve at minimum, a 4.5 Star Green Star Office Design (v3) rating and a 4.5 Star NABERS Office Energy Rating for the commercial building.

Some of the measures that will be considered for incorporation into the project as part of any future design include:

- natural ventilation to the podium;
- orientation specific sun shading to minimise heat gain;
- low temperature VAV or chilled beams;
- rainwater recycling;
- solar water heating; and
- low embodied energy in materials.

3.10 Stormwater

A stormwater concept Plan has been prepared for the proposed development and is located at **Appendix F**. It is proposed that the roof and building drainage system for the proposed building be directed to discharge to the existing stormwater converter pit located adjacent to the site in Lithgow Street. This approach maintains the existing stormwater regime in Lithgow St. The proposed connection will be completed in accordance with Council's specifications.

3.11 Infrastructure and Utilities

As part of the detailed design during the Project Application stage, an investigation into the existing capacity and required infrastructure works, including water, gas, electricity and telecommunications, will be undertaken for the proposed building.

An external electricity substation is currently located on the boundary with Christie Street and the site. It is the intention of Winten to enter into an appropriate arrangement with Energy Australia to organise for the substation to be relocated (and upgraded if necessary) within the basement of the St Leonards Commerce Centre to allow for the entrance of the building to extend across the Christie Street frontage. Access to the substation would be maintained to current levels.

3.12 Indicative Project Staging

The final staging of the proposed development will be resolved during the detailed design stages. It is anticipated that a single Project Application will be lodged for the development.

3.13 Contributions

In order to provide certainty of the outcomes and costs to both the Council and the Proponent it is proposed that a Voluntary Planning Agreement (VPA) be executed between the Proponent and the Council. The VPA will be resolved as part of the detailed design of the proposal during the Project Application stage.

The VPA will outline the process for, and timing of, the payment of the Section 94 Contribution. Part of the contribution will be made in the form of works in kind (i.e. construction of the Lithgow Street plaza and shared zone) in lieu of a monetary payment. The VPA will include details of the proposed public domain works (plans showing extents, schedules of finishes, standards to be complied with etc).

4.0 Director General's Environmental Assessment Requirements

On 31 March 2010, in accordance with Section 75F of the EP&A Act, the Director-General of the Department of Planning issued the requirements for the preparation of an Environmental Assessment to accompany a Concept Plan for the project. A copy of the DGRs is included in **Appendix B**.

Table 3 provides a detailed summary of the individual matters listed in the DGRs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Table 3 – Director General's Requirements

Requirement	Location in Environmental Assessment	
General		
Executive Summary	Page ii	
Statement of Validity	Page i	
Quantity Surveyor's Certificate	Appendix C	
Site Analysis	Section 2.0	
Description of the Proposed Development	Section 3.0	
Assessment of the Key Issues	Section 5.0	
Draft Statement of Commitments	Section 6.0	
Conclusion and Justification	Section 7.0	
Key Issues	Report	Technical Study
Relevant EPLs policies and guidelines to be addressed	Section 5.1	N/A
Built Form and Urban Design <ul style="list-style-type: none">- Height, bulk and scale- Height study- View analysis- Options for siting and layout of envelope	Section 5.2	Appendix A
Amalgamation	Section 5.3	Appendix G
Public Domain	Section 5.4	Appendix E
Transport and Accessibility Impacts	Section 5.5	Appendix H
Environmental and Residential Amenity <ul style="list-style-type: none">- Solar Access- Visual Privacy- View Loss- Acoustic Privacy- Wind Impacts	Section 5.6.1 Section 5.6.2 Section 5.6.3 Section 5.6.4 Section 5.6.5	N/A N/A Appendix A N/A Appendix I
Ecologically Sustainable Development	Section 3.9	N/A
Contributions	Section 3.13	N/A
Statement of Commitments	Section 6.0	N/A
CBD Rail Link Corridor	Section 5.10	Appendix L
Consultation	Section 5.12	N/A

Requirement	Location in Environmental Assessment
Plans and Documents	
Existing Site Survey Plan	Appendix D
Site Analysis Plan	Appendix A
A Locality / Context Plan	Appendix A
Architectural Drawings	Appendix A
View Analysis	Appendix A
Landscape Plan	Appendix E
Shadow Diagrams	Appendix A
Ground Water Management	Appendix K
Stormwater / Drainage Concept Plan	Appendix F
Geotechnical Report	Appendix K

5.0 Environmental Assessment

This section of the report assesses and responds to the environmental impacts of the Concept Plan proposal. It addresses the matters for consideration set out in the DGRs (see Section 4.0).

The draft Statement of Commitments complements the findings of this section.

5.1 Consistency with Relevant Strategic and Statutory Plans and Policies

The DGRs require the following legislation, strategies and planning instruments, which are relevant to the proposed development, to be addressed:

- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- NSW State Plan 2010;
- NSW Metropolitan Transport Plan;
- Draft Inner North Subregional Strategy;
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) 2007;
- Lane Cove Local Environmental Plan 2009 (LEP 2009);
- Lane Cove Development Control Plan 2010 (DCP 2010);
- NSW Planning Guidelines for Walking and Cycling.

The Concept Plan's consistency with the relevant strategic and statutory plans and policies is located in **Table 4** below. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sections of this environmental assessment.

Table 4 – Summary of consistency with key strategic and statutory plans and policies

Instrument / Strategy	Comments
Strategic Plans	
NSW State Plan	<p>The NSW State Plan 2010 is a long-term plan to deliver services in NSW and sets clear priorities to guide Government decision-making and resource allocation.</p> <p>The 2010 State Plan sets out 10 priorities including a new priority to speed up planning decisions to support business investment in NSW and a new approach to integrated transport and land use planning and delivery. The State Plan also aims to focus growth around existing transport hubs.</p> <p>The proposed Concept Plan is consistent with the following priorities:</p> <ul style="list-style-type: none"> - Better Transport and More Liveable Cities – By providing commercial floor space near the St Leonards Station the Concept Plan will increase the share of peak hour public transport journeys. - Supporting Business and Jobs – By providing a high quality office development in a Strategic Centre the Concept Plan will increase business investment in NSW.

Instrument / Strategy		Comments
NSW Metropolitan Transport Plan		The NSW Metropolitan Transport Plan is a strategy to effectively link Sydney's land use planning with its transport network. The proposed Concept Plan is consistent with the Transport Plan vision as it locates employment near existing transport infrastructure. As detailed in Section 5.10, the development will have no adverse impact on the proposed quadruplication of the rail line between St Leonards and Chatswood, indeed it will encourage / foster increased usage of the rail line.
Draft Inner North Subregional Strategy		This Concept Plan is consistent with the Strategy in that it will: <ul style="list-style-type: none"> - contribute approximately 2,121 jobs (1 job per 15m² Net Lettable Area) which will contribute to the Subregion's employment target of 60,000 additional jobs and the Lane Cove LGA target of 6,500 additional jobs; and - strengthen St Leonards' role as a "Strategic Centre" by providing increased economic activity and employment which will generate metropolitan-wide benefits.
St Leonards Strategy		The proposal is consistent with the vision for the southern business district (which includes the site) by providing an envelope capable of delivering the desired 'prestige' large-floorplate commercial development needed to attract new businesses into the St Leonards Centre.
NSW Planning Guidelines of Walking and Cycling		The Guidelines relate to the plan making process and intended to assist land-use planners to improve consideration of walking and cycling. However, the proposal will provide 72 bicycle locker spaces and 13 bike racks consistent with the DCP rate which was developed in accordance with the Guidelines.
State Planning Legislation, Instruments and Controls		
EP&A Act		<p>The following objects of the EP&A Act are relevant to the proposal:</p> <ul style="list-style-type: none"> (ii) the promotion and co-ordination of the orderly and economic use and development of land, (iv) the provision of land for public purposes, and (vii) ecologically sustainable development. <p>The proposed development is consistent with the objects of the EP&A Act as it will:</p> <ul style="list-style-type: none"> - promote the orderly and economic use of land by locating a commercial development within a underutilised area of a commercial precinct near regional transport infrastructure. - provide a new pedestrian plaza and through-site link for public purposes; and - achieve a high level of ESD including a minimum 4.5 Star Green Star office rating and 4.5 Star NABERS Energy rating.
SEPP 55		The Phase 1 Environmental Site Assessment prepared for the site (see Appendix J) demonstrates the site is suitable for the proposed development.
SEPP (Infrastructure)		The project is development that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land within 25m (measured horizontally) of a rail corridor and will therefore require concurrence from RailCorp under Clause 86 of the SEPP. The project is a commercial premises with an area greater than 2,500m ² and will therefore be referred to the RTA under Clause 104 of the SEPP.
Local Planning Instruments and Controls		
Lane Cove Local Environmental Plan 2009	Clause 2.2 – Zone B3 Commercial Core	The proposed 'office premises' is consistent with the B3 Commercial Core land use zone objectives and is permissible with consent.

Instrument / Strategy	Comments	
Lane Cove Local Environmental Plan 2009	Clause 4.3 Height of Buildings – Maximum height 65m	The concept plan proposes a maximum height of 69.25m and does not comply with the LEP. An assessment of the proposal's non-compliance is located at Section 5.2.1.
	Clause 4.4 Floor Space Ratio – Maximum FSR 14:1	The concept plan proposes a maximum FSR of 14:1 and therefore complies with the LEP FSR standard. An assessment of the proposal's bulk and massing is located at Section 5.2.2.
Lane Cove Development Control Plan 2010	The objectives and provisions of the DCP were considered during the design of the Concept Plan. Consideration of the key issues raised in the DCP are addressed within the following sections:	
	B.2 Public Domain	Section 5.4
	B.3 Site Amalgamation	Section 5.3
	B.6 Environmental Management	
	- 6.1 Sunlight	Section 5.6.1
	- 6.2 Wind	Section 5.6.5
	- 6.3 Energy and Water Efficiency	Section 3.9
	B.7 Development near Busy Roads and Rail Corridors	Section 5.6.4
	B.8 Safety and Security	Section 5.9
	D.1 General Provisions	
	- 1.1 Building Form	Section 5.2
	- 1.3 Number of Car Parking, Motorcycle and Bicycle Spaces	Section 5.5
	D.4 Development within (B3) Commercial Core Zone	
	- 4.3 Built Form	Section 5.2 & 5.3
	- 4.5 Public Open Space	Section 5.4
	D. Block 2: Christie Precinct The proposed development has been designed generally in accordance with the special locality controls for the 'Christie Precinct'. However, as the sites within the Precinct can not be amalgamated at this time (see Section 5.3) the precinct controls can not be strictly applied to the Concept Plan. Further discussion of the controls is located at the following sections:	
	1. Height	Section 5.2.1
	2. Street Frontage Height	Section 5.2.2
	3. Uses	Section 3.4
	4. Tower Separation	N/A
	5. Tower Footprint	Section 5.2.2
	6. Street Setback	Section 5.2.2
	7. Colonnade	Section 5.2.2
	8. Pedestrian Entry / Address	Section 3.6
	9. Vehicle Entry	Section 5.5
	10. Car parking	Section 5.5
	11. New Laneway and Mid Block Connection	Section 5.2.3
	12. Tower Orientation	N/A
	13. Landscaping and Public Domain	Section 5.4
	14. Public Open Space / Share Zone	Section 5.4

Whilst the following assessment has considered the proposal's consistency with the development standards contained within LEP 2009, it should be noted that under clause 75R(3) of the EP&A Act, environmental planning instruments, such as LEP 2009, do not apply to Concept Plans. In deciding whether or not to give approval for the Concept Plan, the Minister may (but is not required to) take into account the provisions of any environmental planning instrument that would not (because of section 75R) apply to the project.

5.2 Built Form and Urban Design

The height, bulk and scale of the proposed building envelope has been assessed in terms of the development standards set out in LEP 2009 and development controls in DCP 2010.

5.2.1 Height

Clause 4.3 of LEP 2009 sets a maximum building height of 65m for the site. The proposed building generally complies with the maximum building height envisaged by Council as being appropriate on the site. However, as a result of the sloping topography of the site the maximum building height (not including the Architectural Roof Feature) proposed is 69.25m, which exceeds, in part only, the maximum LEP height limit by 4.25m on the Lithgow Street frontage.

As previously discussed, the Concept Plan is not required to comply with LEP 2009. However, in demonstrating that the contravention of the development standard is an acceptable outcome, the proposed height has been assessed under the merit tests used to assess exceptions to development standards set out under clause 4.6 of LEP 2009.

Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

Compliance is both unreasonable and unnecessary in the circumstances of the Concept Plan. As shown in **Figure 24**, the proposed maximum building height complies at the Christie Street frontage (65m in height), however, due to the topography of the site, which slopes sharply both to the south and to the west, the proposal does not comply at the Lithgow Street frontage (69.25m in height). Therefore the actual area of non compliance only consists on part of Levels 15 and 16 (as shown in **Figure 24**).

A reduction to the size of the Level 15 and 16 floorplates to create a complying envelope would no longer result in a commercially usable floorplate and would create an oddly stepped form. Therefore an entirely complying building height would result in the loss of two high-grade commercial levels (3,388m²) which is both unnecessary and unreasonable considering the building complies with the height control at the Christie Street frontage, and as the following assessment demonstrates, will not result in any significant adverse impacts such as overshadowing.

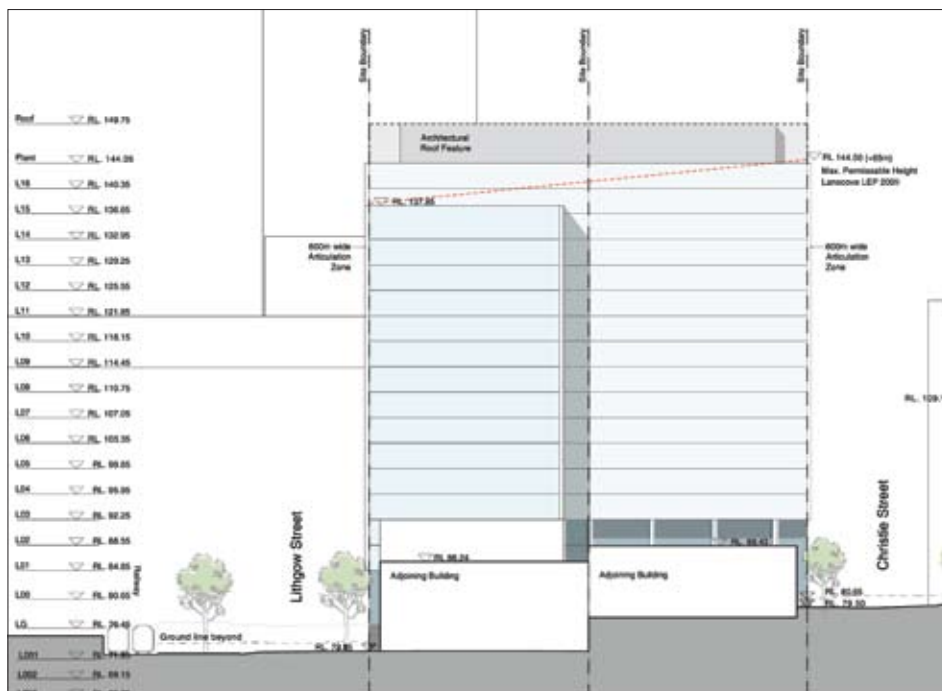


Figure 24 – Southern elevation
Source: Bates Smart

There are sufficient environmental planning grounds to justify contravening the development standard.

The key potential environmental impact of the proposed building height will be additional overshadowing. However, as shown in red on **Figure 25**, even at its greatest impact at 9am on the Winter solstice, the non-complying part of the envelope results in a very minor increase in the area of shadow of a complying scheme and will not result in any significant adverse overshadowing.



Figure 25 – Shadow impact as a result of non complying building height on the Winter Solstice at 9:00am and 9:30am
Source: Bates Smart

The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Table 5 below demonstrates that the proposed development is in the public interest as it is consistent with both the zone and height control objectives of the LEP.

Table 5 – Assessment against relevant LEP objectives

Criteria	Proposal
Zone B3 Commercial Core (1) Objectives of zone (as relevant)	
To maximise public transport patronage and encourage walking and cycling.	The additional floor space gained through exceeding the height control will support this objective to maximise public transport patronage by locating additional employment near St Leonards Station.
To encourage appropriate employment opportunities in accessible locations.	The additional floor space gained through exceeding the height control will support this objective to provide employment in accessible locations by providing additional employment near St Leonards Station.
To maximise sunlight for surrounding properties and the public domain.	As demonstrated in Figure 25 above, the proposed height exceedance will not result in any significant additional adverse overshadowing impacts.
Clause 4.3 Height of buildings (1) The objectives of this clause are as follows:	
(a) to minimise any overshadowing, loss of privacy and visual impacts of development on neighbouring properties, particularly where zones meet, and	As demonstrated in Figure 25 above, the proposed height exceedance will not result in any adverse overshadowing impacts. The height exceedance only relates to part of Levels 15 and 16 on the Lithgow Street frontage and will not result in any additional loss of privacy or have any adverse visual impacts.
(b) to maximise sunlight for the public domain, and	As demonstrated in Figure 25 above, the proposed height exceedance will not result in any adverse overshadowing impacts on the public domain.
(c) to relate development to topography.	As explained above, in order to provide a commercially viable and usable floorplate the size of Levels 15 and 16 could not be reduced to respond to the topography without removing the otherwise complying storeys. In light of the absence of any adverse environmental impacts and the merits of the proposal, the height exceedance is considered justified.

Furthermore the development is in the public interest as it will provide the following regional benefits which will assist both Lane Cove Council and the State Government in meeting its strategic planning objectives for the centre, the Sub-region and the Global Arc:

- premium commercial floor space with large (2,200m²) floor plates;
- approximately 2,121 jobs new jobs;
- employment near good quality public transport thereby utilising existing government infrastructure; and
- amalgamating land presently accommodating outdated low-rise commercial buildings in a Strategic Centre.

The DCP has a maximum street frontage height control of 18m for Lithgow Street and Christie Street. The proposed development will not comply with the Street Frontage height as the envelope has not adopted an alternative design solution. The impacts of the proposed street frontage height are assessed in terms of the bulk and scale of the building in Section 5.2.2.

Architectural Roof Feature

An architectural roof feature (ARF) is proposed to conceal the plant level which would otherwise protrude above the maximum height limit. Under clause 5.6 of LEP 2009 an ARF may exceed or cause a building to exceed the height limits set by clause 4.3, provided that the ARF meets the criteria set out in clause 5.6(3). **Table 6** assesses the ARF against these criteria. It should be noted that the final design of the ARF will be undertaken as part of the subsequent Project Application for the site.

Table 6 – Assessment against clause 5.6(3) of Lane Cove LEP 2009

Criteria	Proposal	Satisfied
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:		
(i) comprises a decorative element on the uppermost portion of a building;	A decorative element will be designed as part of the subsequent Project Application's detailed design.	✓
(ii) is not an advertising structure;	The proposed ARF is not proposed as an advertising structure.	✓
(iii) does not include floor space area and is not reasonably capable of modification to include floor space area; and	The ARF contains the building plant and does not include any floor space area.	✓
(iv) will cause minimal overshadowing.	As demonstrated in Section 5.6.1 the ARF will cause only minimal overshadowing.	✓

An assessment of the impact of the shadow cast by the proposed envelope is located in Section 5.6.1.

5.2.2 Bulk, Scale and Massing

Clause 4.4 of LEP 2009 sets a maximum FSR of 14:1 for the site. The Concept Plan seeks consent for a total GFA of 36,646m² which results in an FSR of 14:1. The proposal therefore complies with the FSR development standard and is therefore consistent with Council and the Department's intention for massing on the site.

The Lane Cove DCP provides a 'Block Plan' with a desired future development configuration for the 'Christie Precinct', which relates to the portion of the land between Christie Street and Lithgow Street to the south of the Pacific Highway, including the land subject to this Concept Plan. A number of built form controls also exist for the precinct but are generally specific to the desired future building layout (see **Figure 26**).

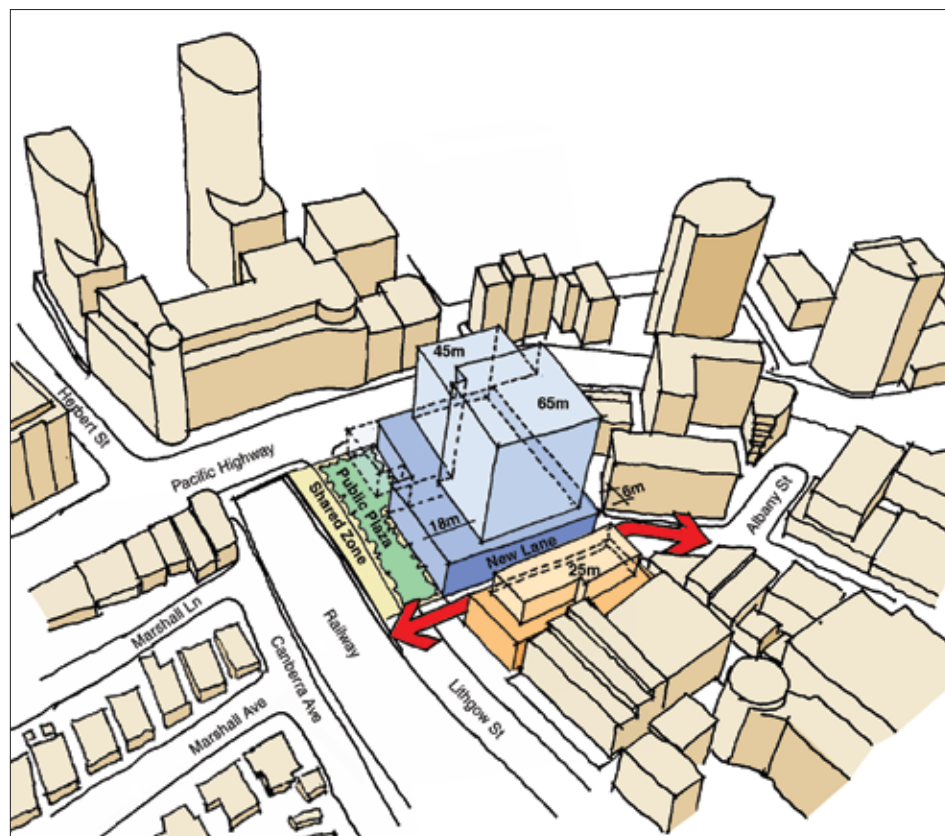


Figure 26 – Lane Cove DCP 2010's desired development in the Christie Street Precinct
Source: Bates Smart

Due to the land ownership constraints in the area (see section 5.3), the proposed Concept Plan is not able to strictly comply with the DCP Block Plan and therefore the Block Plan controls are not directly applicable to the proposed envelope. Furthermore implementation of the DCP controls on the site would create commercially unviable buildings on both the subject site and land to the south as shown in **Figure 27**. It is noted that the intention of the DCP controls are to create a human scale at the street level in order to prevent the mass and height of the building from appearing overbearing on the streetscape. **Table 7** below provides a summary of the proposed envelopes compliance with the controls relevant to the Concept Plan.

Table 7 – Lane Cove DCP Block 2 Christie Street Controls

Control	Provision	Proposal	Compliance
Street Frontage Height	18m		✗
Tower Footprint	1,600m ²	2,220m ²	✗
Street Setback			
- Christie Street	0m	0m - 5.29 m	✓
- Lithgow Street	10m	0m – 5.29m	✗
Tower Setback	6m	0m	✗
Colonnade			
- depth from building edge	4m	5.29m	✓
- storey clear height	2 storeys	2-4 storeys	✓

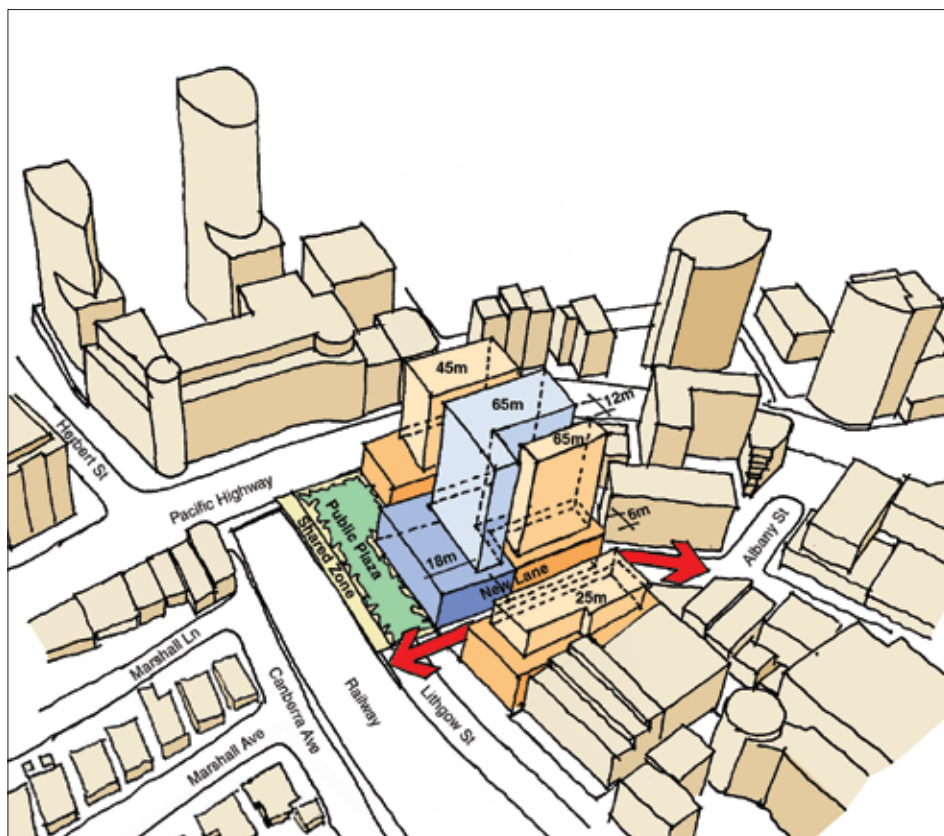


Figure 27 – Outcome of Lane Cove DCP 2010's controls under the current site ownership
Source: Bates Smart

The proposal does not comply with the street frontage height, tower footprint, street setbacks or tower setback controls in the DCP. However, as shown in **Figure 27** above, compliance with the controls will not produce a commercially viable building envelope under the current site ownership arrangements, and as a result Bates Smart has developed an alternative design solution for the site.

The proposed envelope adopts the innovative approach of inverting the podium and tower. Despite not complying with these DCP controls, the unconventional envelope, which was developed after a detailed site analysis, will achieve a better urban design outcome on the streetscape whilst still being capable of achieving the objective of the DCP controls.

Specifically, it will:

- create a human scale by establishing physical reference points in the form of the inverted podium at the ground levels;
- open up base of the building creating the illusion of an expansive protected space that:
 - emphasises the entrance into through-site link;
 - enhances the amenity of the proposed urban plaza on Lithgow Street;
- create an architectural feature at both the Christie Street and Lithgow Street frontages; and
- maximise the commercial efficiency of the building.

The detailed site analysis, design rationale and benefits of the proposed approach are discussed in the Design Report at **Appendix A**. Furthermore, the view analysis diagrams at **Figure 28** below demonstrate that the proposed building mass and scale are appropriate on the site and within the context of the St Leonards Centre and the wider objective of creating a commercial hub.

It is also noted that a building which complies with the DCP controls it would only produce an FSR of approximately 8:1, not the 14:1 permissible under the LEP. The DCP is therefore inconsistent and more restrictive than the development standards contained within LEP 2009 and would not be capable of achieving a commercially viable building for the site in any circumstance.

Furthermore, the proposed envelope allows Winten to provide the St Leonards Centre, particularly the Lane Cove LGA section, much needed large premium commercial floorplates and as a result will assist both Lane Cove Council and the State Government in meeting its strategic planning objectives for the centre.



View from Pacific Highway



View from Berry Road, St Leonards



View from Pyalla Street, North Bridge

Figure 28 – Strategic view points of the site

5.2.3 Siting and Layout

As discussed in Section 5.2.2, The Lane Cove DCP provides a 'Block Plan' with a desired future development configuration for the 'Christie Precinct' which incorporates the site. Due to the land ownership constraints in the area (see section 5.3), the proposed Concept Plan is not able to strictly comply with the DCP Block Plan. However, Part B3.1 of the DCP notes that the Block Plan diagrams are intended to be a starting point for consideration, and Council should assess development applications on a merit-based, flexible basis, taking into account factors including the realistic development potential / timeframe of other sites in the vicinity.

In light of the inability to amalgamate with the adjoining sites, the proposed building layout and proposed creation of the Lithgow Street Plaza presents the best outcome for the Christie Precinct that is available in the short to medium term, and is consistent with the objectives for the Precinct in that it will provide:

- the 'heart' to the southern side of St Leonards;
- a major high quality public plaza to the west of the podium and upgrade of the existing pedestrian link to the station;
- an envelope capable of producing a high quality tower form;
- enhanced safety and amenity; and
- solar access to the park on the southern end of Christie Street (see Section 5.6.1).

It is noted that the development will not realise the envisaged closure of Christie Lane and the creation of a new lane to the south of the site. The relocation of the lane, as shown on the Block Plan, was intended to prevent vehicles from needing to cross the proposed pedestrian plaza. However, as Winten does not own the land on which the new lane is proposed it is not possible to close Christie Lane or create the new laneway. To address the traffic safety concerns associated with vehicles crossing the pedestrian plaza to access Christie Lane, traffic calming devices, such as pavers, could be used within the plaza and up the laneway to clearly communicate that the area is a shared pedestrian/vehicle zone. An example of how the laneway and plaza could be finished is illustrated on the Landscape Concept Plan at **Appendix E**.

5.2.4 Building Articulation

The building articulation will be designed as part of the subsequent Project Application. However, a 600mm wide articulation zone has been provided on both the Lithgow Street and Christie Street frontages to allow for the future articulation of the building facade. The stepped tower form of the building will also allow for further articulation of the building.

5.3 Amalgamation

Over the past 5 years Winten has attempted to amalgamate the three properties to the south of the site. All three owners have communicated privately to Winten and publically to Lane Cove Council (during a Council Meeting on 19 October 2009) that they are not willing to sell and relocate. This is principally on the basis of recent refurbishment and upgrades carried out by these parties on their premises and the high relocation costs. A detailed history of Winten's attempts to purchase the properties is located at **Appendix G** and summarised in **Table 8**.

Winten also attempted to purchase the lots fronting the Pacific Highway to the north of the Concept Plan site. Despite making numerous offers above their potential development value, they were only able to purchase 2 of the 8 lots. It should also be noted that all the tenancies are currently leased with extended options on those leases.

Table 8 – Adjoining Site Amalgamation History

Property Address	Owner	Owners Use	Owners Stated Position
84 Christie Street	Pharmacy Guild of Australia	Head Office	Are not willing to sell and relocate
82 Christie Street	Pharmaceutical Society of Australia	Head Office	Are not willing to sell and relocate
71-73 Lithgow Street	Australian Dental Association	Head Office	Are not willing to sell and relocate

Further information regarding Winten's attempts to purchase the sites to the north and south can be provided to the Department at their request.

Figure 29 below demonstrates that the adjacent land to both the north and south, can achieve development outcomes which maximise the opportunities available under the LEP controls. The indicative podium and tower floor plans (see **Figure 30**) illustrates that if the properties to the north and south were amalgamated in a similar fashion to the Winten site, could be able to realise their development potential under the LEP by achieving:

- to the south: a maximum height of 65m stepping down to 25m, and a potential total of 26,900m² of GFA with an FSR of 7.8:1; and
- to the north: a maximum height of 45m, and a potential total of 15,510m² of GFA with an FSR of 8.4:1.

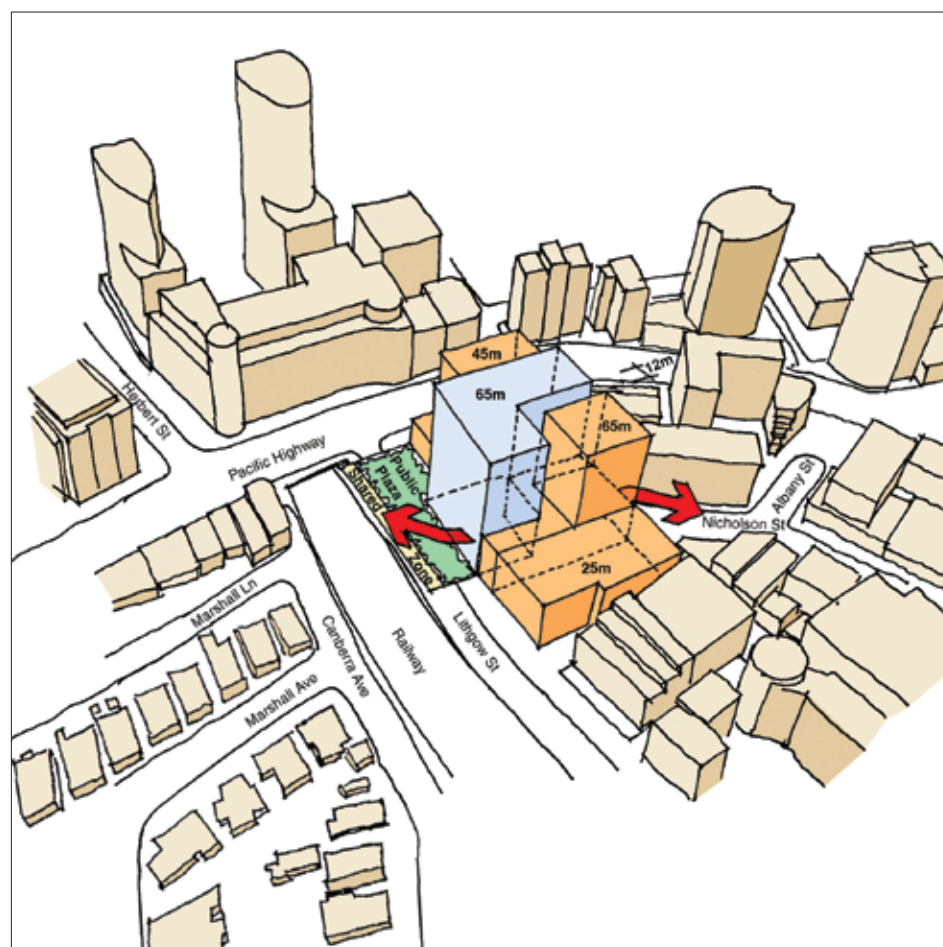


Figure 29 – Indicative development potential of the adjoining sites under Lane Cove LEP 2009
Source: Bates Smart



Figure 30 – Indicative podium and tower floor plate of the adjoining land to the south of the site under Lane Cove LEP 2009
Source: Bates Smart

5.4 Public Domain

As detailed in Section 3.8, the Concept Plan seeks approval for the provision of a 12m wide through-site link between Christie Street and Lithgow Street and a new urban plaza along Lithgow Street.

The design of the public domain is generally consistent with Part B.2 and Part D of the Lane Cove DCP 2010 and will provide the significant public domain upgrades envisaged by Council. As the adjoining sites to the north and south could not be amalgamated with the Concept Plan site (see Section 5.3), the plaza and through-site link can not be created in the exact form envisaged in the DCP. However, the plaza and through-site link will still function as a high-quality public spaces which will directly benefit the entire St Leonards Centre.

Lithgow Street Plaza

Lithgow Street is currently dominated by perpendicular parking and a wide, but neglected, landscaped verge (see **Figure 8**). The proposed public plaza and shared area will significantly enhance the public domain on the southern side of St Leonards by creating a high quality public space. Specifically, the plaza will:

- improve the amenity for pedestrians travelling from the railway station / The Forum to the southern side of the CBD; and
- create a new, sunny, public recreation space for workers, visitors and residents to enjoy throughout the day.

The current vehicular access and intersection arrangements along Lithgow Street will be maintained.

Through-site Link

Pedestrians moving between Christie Street and St Leonards Station or The Forum via the Pacific Highway underpass are currently forced to walk up Christie Lane. As a result, the laneway carries a significant amount of pedestrian traffic. The laneway (see **Figure 12**) in its current state has a very low level of pedestrian amenity as:

- it is used to provide rear access, bin storage and loading facilities to the retail shops fronting the Pacific Highway;
- there are no awnings or cover to provide refuge from the weather;
- vehicles travelling down Lithgow Street are diverted up the laneway; and
- pedestrians are forced to walk on the road reserve as there are no pedestrian footpaths on either side of the laneway.

The proposed 12-15m wide through-site link will provide a safe and protected alternative with a much higher level of pedestrian amenity than currently available. A lift will provide disabled access between the lower ground and ground levels as part of the through site link.

The through-site link will be open to the public 7 days a week, with the final hours to be finalised at the Project Application Stage.

The proposed commercial lobbies and retail uses at the ground and lower ground levels will activate the public domain. The built-form will clearly reinforce the boundary between public and private domain, particularly within the through-site link.

5.5 Transport and Accessibility

A Transport & Accessibility Impact Study (TAIS) has been prepared by Colston Budd Hunt & Kafes in accordance with the DGRs and RTA's Guide to Traffic Generating Developments (see **Appendix H**). The findings of the TAIS are summarised below.

5.5.1 Parking Provision

Consistent with the Department's policy, the Lane Cove DCP adopts a minimalist approach to provision of car parking and requires a maximum of one parking space per 110m² for sites within 800m of St Leonards Railway Station.

Application of the DCP rate results in a maximum allowable provision of 333 parking spaces for the proposed development. The proposed provision of 330 parking spaces is therefore in accordance with this requirement, and is considered appropriate.

In addition to the proposed car parking, 14 motorcycle space, 72 bicycle lockers and 13 bicycle racks are proposed to be provided in the basement parking levels in accordance with the DCP.

5.5.2 Traffic Generation

Based on the existing traffic conditions and estimated traffic generation created by the proposed development, the TIAS estimates the impact of the proposal on the surrounding road network.

Traffic generated by the proposed development will have its greatest impacts during morning and afternoon peak periods when it combines with commuter traffic. Based on surveys of the traffic generation of the existing building, the existing parking spaces within the development generate some 0.25 to 0.4 vehicles per hour per space (two-way) during peak periods.

With an increase in parking provision of some 220 spaces proposed, the increase in traffic generation of the proposed development would be some 88 vehicles per hour two-way during peak hours. **Table 9** provides a summary of the development's impact on the Level of Service at the key intersections surrounding the development.

The TIAS concludes that the intersections would continue to operate at their existing satisfactory levels of service, with similar average delays per vehicle. As a result no road / intersection upgrades will be required.

Table 9 – Pre and Post Development Levels of Service

Intersection	Pre-Development Level of Service	Post-Development Level of Service
Pacific Highway / Herbert Street	C	C
Pacific Highway / Lithgow Street	C	C
Pacific Highway / Christie Street	C	C
Pacific Highway / Albany Street	C	C
Pacific Highway / Oxley Street	C	C
Oxley Street / Nicholson Street	A/B	A/B
Oxley Street / Lithgow Street	A/B	A/B
Christie Street / Nicholson Street	A/B	A/B
Christie Street / Christie Lane	A/B	A/B
Lithgow Street / Christie Lane.	A/B	A/B

5.5.3 Travel Demand

To encourage travel modes other than private vehicle, it is proposed to adopt a travel demand management approach through a work place travel plan (WTP).

The WTP will assist in delivering sustainable transport objectives by considering the means available for reducing dependence solely on cars for travel purposes, encouraging the use of public transport and supporting the efficient and viable operation of public transport services. It is noted that the implementation of a WTP would be through the responsibility of the future tenants of the building.

5.5.4 Impact on Non-Car Travel Modes

The TIAS provide an assessment of the implications of the proposed development for non-car travel modes including public transport, walking and cycling. In regards to the relevant non-car travel modes, the TIAS concludes that:

- as the proposed development will increase employment densities close to existing public transport services it will provide more potential customers for the existing public transport services and hence support their efficient and viable operation;
- the site is readily accessible for pedestrians as it is close to residential areas, public transport nodes and is well serviced by existing pedestrian crossings and footpaths; and
- appropriate bicycle parking (approximately 13 bicycle racks and 72 bicycle lockers and shower / change facilities will be provided in accordance with Lane Cove Council's DCP rate, which will support accessibility for cyclists.

5.5.5 Access

Colston Budd Hunt & Kafes has undertaken a review of the proposed car park access arrangements and indicative loading lock and internal car park designs shown on the Concept Plan drawings.

Access to the proposed development will be provided via a combined entry and exit driveway at the southern end of the site on Lithgow Street. The proposed access driveway is in the same location as an existing driveway to the site. The TAIS concludes that the proposed access arrangements are appropriate.

Within the upper basement level, a loading dock is proposed. The loading dock will provide for a range of service vehicles, including vans and courier-sized vehicles, as well as small and medium rigid trucks. Five bays will be provided for trucks and five bays for vans and courier sized vehicles.

All access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002.

5.5.6 Construction Traffic

An assessment of the construction traffic will be undertaken at the Project Application stage once the methodology, process and staging of construction can be determined. A preliminary review of the construction traffic management on the site are considered in the TAIS at **Appendix H**.

The builder will be responsible for the preparation of a construction traffic management plan, which will be prepared prior to the commencement of work following approval of the subsequent Project Application for the site.

The above recommendations are reflected in the draft Statement of Commitments.

5.6 Environmental and Residential Amenity

5.6.1 Solar Access

In terms of the overshadowing impact on the environmental and residential amenity of the nearby land uses, the shadow diagrams (**Appendix A**) demonstrate that the proposed building envelope, which generally complies with the building envelope envisaged by the development standards in LEP 2009, will result in some additional overshadowing to that of a complying scheme of a small number of dwellings to the south west of the site, however, the additional shadow will not result in any significant loss of amenity.

The greatest shadow impact occurs on the Winter Solstice at 9am. As shown in the Shadow Diagrams at **Appendix A, Figure 31** and **Table 10** below, at 9am the shadow will completely overshadow 3 dwellings, and partially overshadow 10 other dwellings, affecting a total of 13 dwellings. However, by 10am the envelope only partially overshadows 6 dwellings, and by 11am the shadow has moved off the dwellings completely.



Figure 31 – Shadow impact between 9-11am on the Winter Solstice

Table 10 – Dwellings overshadowed by proposed development

Time	Dwellings Overshadowed	Dwelling Partially Overshadowed	Total
9:00am	3	10	13
9:30am	3	6	9
10:00am	0	6	6
10:30am	0	3	3
11:00am	0	0	0

The shadow diagrams illustrate that with the exception of 2 Marshall Avenue, the dwellings affected on the winter solstice will not be overshadowed during the Equinoxes or Summer Solstice. 2 Marshall Avenue will receive minor overshadowing of its front garden at the corner with Canberra Street for a brief period at 9am on the Spring and Autumn Equinoxes. Despite resulting in additional overshadowing during winter, on balance, the proposed shadow impacts are considered an acceptable outcome for the following reasons:

- The overshadowing only occurs for a limited time early in the morning during a small period of the year where it is unlikely to have any adverse impact on the amenity of the affected dwellings.
- The proposal complies with the DCP overshadowing provisions of Part D 1.9 Solar Access as the affected dwellings will still receive a minimum of 3 hours of direct sunlight to 50% of their living areas and private open space on the 21st June.
- The proposed height and mass of the envelope is largely / predominantly with that envisaged in the Lane Cove LEP. Note: the non compliances (assessed in Section 5.1) result in a negligible increase in overshadowing
- The affected dwellings are located adjacent to the boundary of the St Leonards Centre, which is identified in both State and Local planning strategies as a location for the future intensification of commercial development.
- The dwellings are in close proximity to other areas which experience high levels of amenity during the Winter Solstice such as Newlands Park (approximately 150m away).
- Whilst not shown on the shadow diagrams, the affected houses on Canberra Avenue are currently overshadowed by the tall evergreen trees along the rail corridor (see **Figure 32**).

The shadow cast on the residential flat building at 2 Canberra Avenue at 10am will have no adverse impacts on the flat building as it only affects part of the site occupied by two garages (see **Figure 32**).



Figure 32 – View of the overshadowed area at 2 Canberra Avenue looking East

During the Spring and Autumn Equinoxes three dwellings to the north of Marshall Avenue will be overshadowed between 9am and 10am (see **Figure 33**). The shadow falls on the side and front gardens of the dwellings (see **Figure 34**) and will not result in any loss of amenity.

There will be no overshadowing of any other residential uses other than those discussed above.

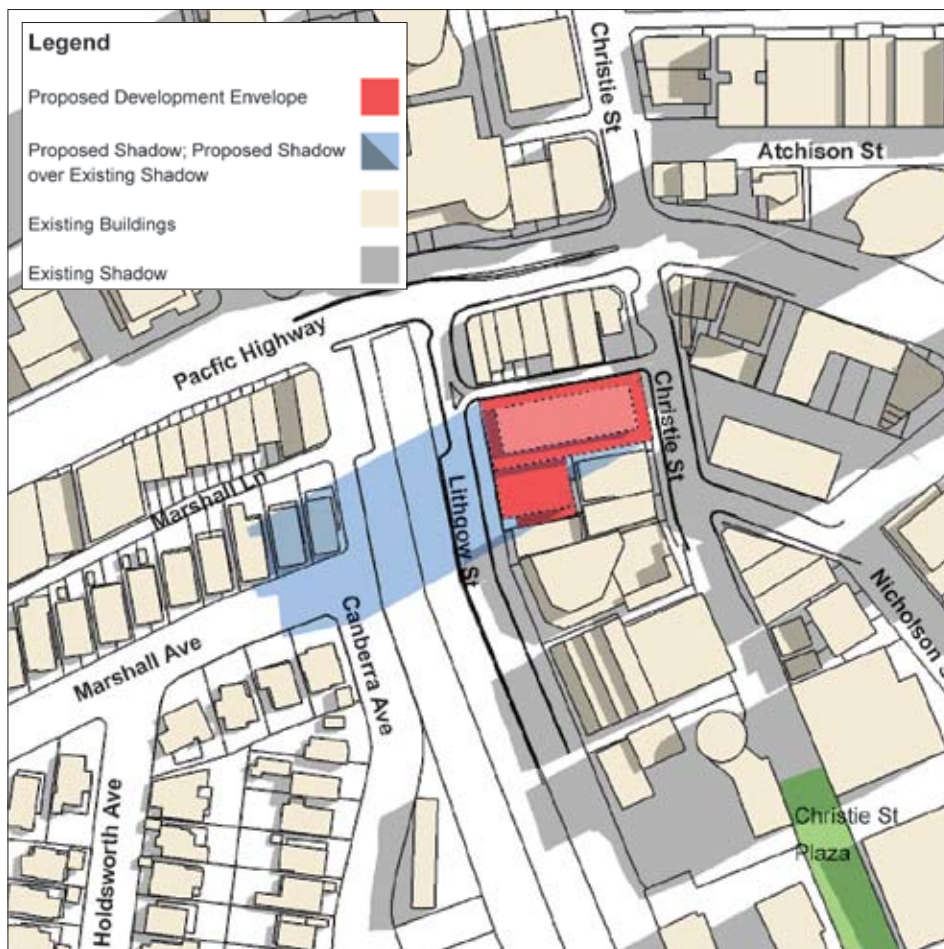


Figure 33 – Shadow impact at 9am during Spring Equinox
Source: Bates Smart



Figure 34 – Side and front garden of the affected dwelling at the corner of Marshall Avenue and Canberra Avenue

The Cabana Bar and Lounge, which has an outdoor bar area, is located to the south of the site. The Shadow Diagrams at **Appendix A** and **Figure 35** illustrate that on the Winter Solstice the Cabana Bar and Lounge will not receive any additional overshadowing as the outdoor area is already overshadowed by adjoining properties to the north.



Figure 35 – Overshadowing on Cabana Bar during the Winter Solstice
Source: Bates Smart

Figure 35 also demonstrates that the development will not result in any additional overshadowing of pedestrian plaza at the end of Christie Street.

It should also be noted that the proposed Lithgow Street plaza will receive excellent solar access throughout the year, including at the critical period between 12-2 when workers in the area take their lunch.

5.6.2 Visual Privacy

The building will have distant views to the residential development in the surrounding area to the south west but will not result in the loss of any visual privacy to those dwellings.

5.6.3 View Loss

The Forum and Forum West residential towers currently have views back to the south over the site. The proposed tower envelope will have a minor impact on the views experienced from some units within the residential towers. The view analysis at **Figures 36** and **37** illustrates the number of affected apartments and their level of affectation.

In total the proposed development will affect 20 units in The Forum (4% of the total number of units), and 14 units in Forum West (5% of the total number units). The analysis demonstrates that the level of affectation will be minor, as the units are a considerable distance from the proposed development and the affected view is small in comparison with the panoramic views enjoyed by the buildings.

It should be noted that the proposed development predominantly complies with the Lane Cove LEP height control, as envisaged by Council for the site, in its location within a growing commercial centre. The proposed area of non-compliance with the height control occurs due to the topography of the site in an east-west direction, and therefore has little bearing on the level of view loss affectation. It should also be noted that under Lane Cove LEP, the tests for determining the suitability of an ARF do not have regard to view loss impacts.

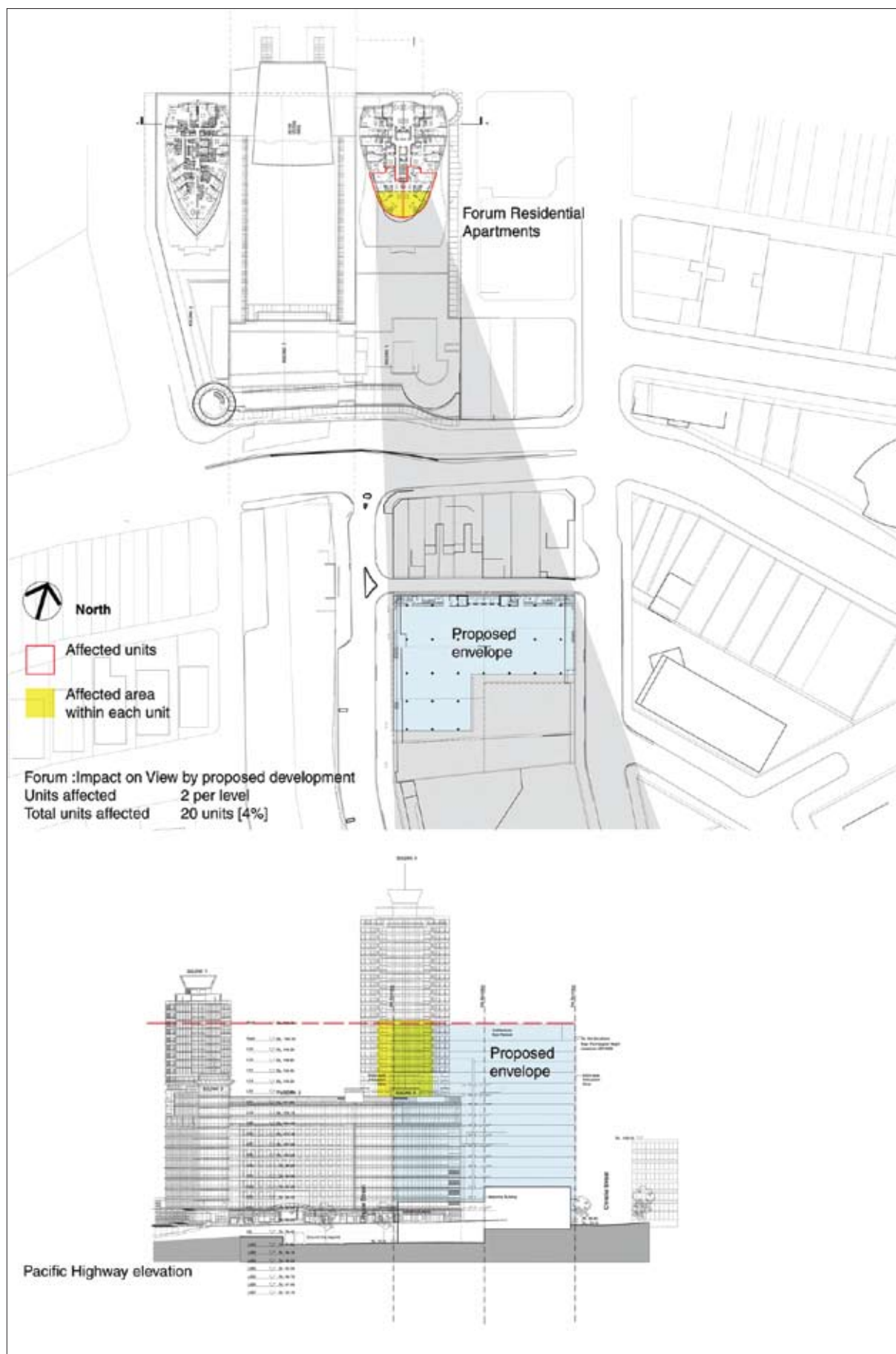


Figure 36 – View loss analysis from The Forum
 Source: Bates Smart

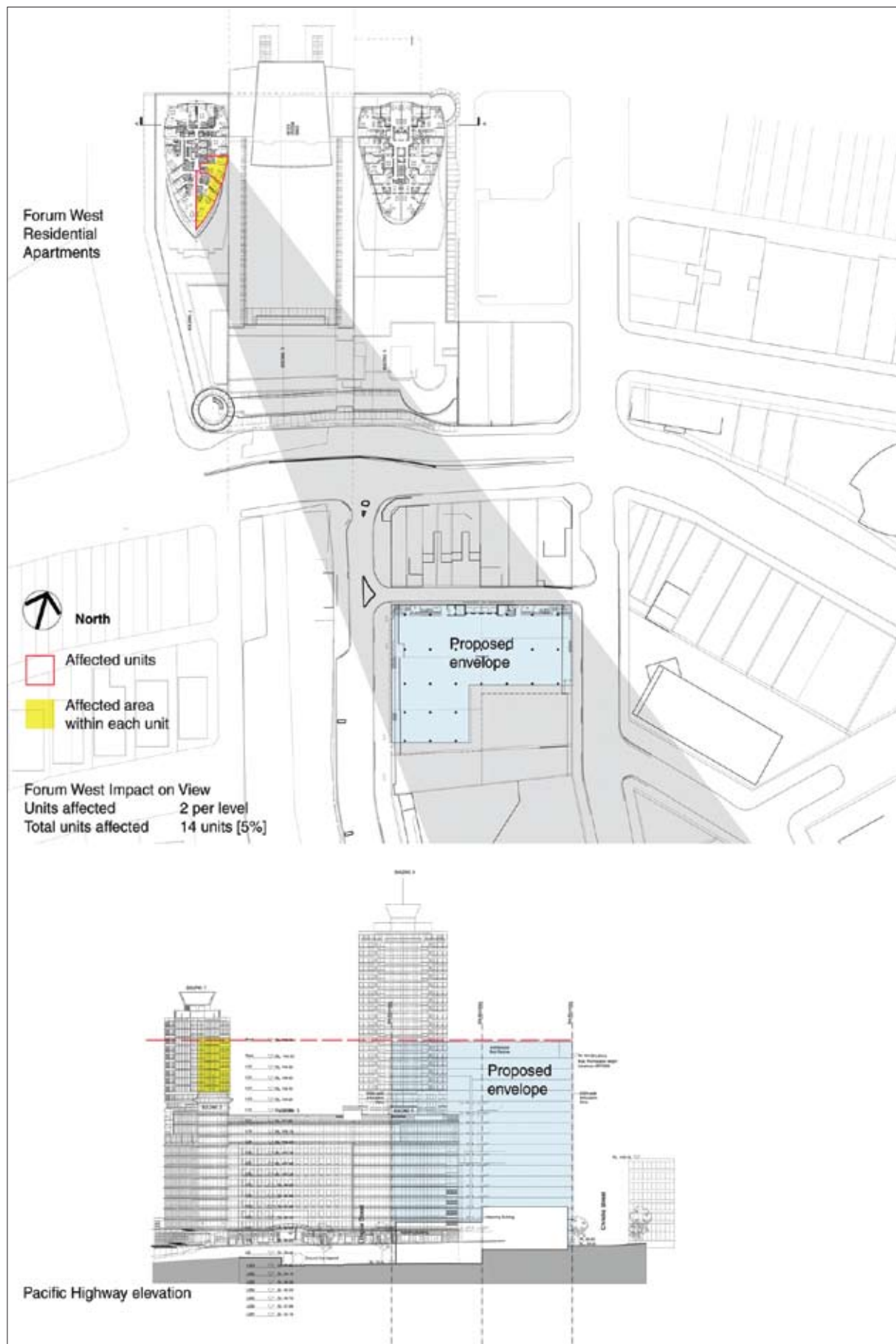


Figure 37 – View loss analysis from The Forum West
Source: Bates Smart

5.6.4 Acoustic Privacy

The proposed development is not envisaged to have any impacts on the acoustic privacy of residential developments in the vicinity. The mechanical plant such as rooftop exhausts and air-conditioning associated with the future development has the potential to impact on nearby residential and commercial properties. The details of the mechanical plant for the development will be finalised at the Project Application stage. Therefore the proponent will commit to prepare an Acoustic Report to assess the impact and make necessary recommendation to manage these impacts as part of the Project Application stage.

5.6.5 Wind Impacts

An Environmental Wind Assessment of the Concept Plan building envelope has been prepared by WindTech (see **Appendix I**). The assessment reviews the existing wind environment, assesses the potential impacts of the proposed tower and makes recommendations to be incorporated at the detailed design stage. A summary of the assessment is located below.

Three principal wind directions, from the north east, south and west, were identified as potentially affecting the development.

With the exception of the through-site link and Lithgow Street pedestrian areas, which are exposed to westerly winds in winter, the report concludes that the wind conditions for most of the outdoor areas within and around the site are expected to be acceptable for their intended uses without the need for additional ameliorative treatments.

The report recommends that:

- An airlock at the western entrance to the through-site link be used to prevent westerly winds from funnelling through the link. Alternatively a full length canopy on the western frontage of the development could be used to capture down-washed westerly winds.
- The proposed trees along the Christie and Lithgow Street frontages be retained in the final landscape plan and be an evergreen species.
- Impermeable balustrades 1.2m in height and landscaping be placed around the Level 15 terrace to further improve wind conditions in this areas.

The above recommendations are reflected in the Statement of Commitments.

5.7 Contamination

A Phase 1 Environmental Site Assessment (ESA) was undertaken by Hyder to determine the potential risk for land contamination from past and current activities (see **Appendix J**).

Analysis of the site history through aerial photographs has suggested that the previous land uses were likely to be commercial or light warehousing which are unlikely to lead to significant land contamination. A search of Council and State Government databases showed no record of contamination on the site. Despite the lack of known contamination issues on the site, the ESA concludes that there is a potential contamination risk on the site due to the potential groundwater contamination issues associated with adjacent land uses, specifically the Royal North Shore Hospital, the Gore Hill Cemetery and the dry cleaners uphill from the site.

The ESA recommends that in order to confirm levels of site contamination, a Phase 2 ESA be undertaken as part of the Project Application stage.

The above recommendations are reflected in the Statement of Commitments.

5.8 Geotechnical and Groundwater

A Geotechnical and Groundwater Assessment was undertaken by Hyder (see **Appendix K**). Based on previous site investigation data the sub-surface conditions were identified to be:

- fill and residual soil of varying thickness in the order of 1 to 4m; and
- Shale of varying weathering and strength overlaying Hawkesbury Sandstone.

The groundwater table is anticipated to be at or below the existing basement level. As The Forum development is only 150m away the groundwater table at the site may have already been drawn down by the deep (9 storey) basement of The Forum.

The report concludes that the proposed development is feasible at the concept stage from a geotechnical and groundwater perspective but recommends that a comprehensive geotechnical site investigation be carried out as part of the future Project Application for the site. The comprehensive geotechnical site investigation should:

- Develop appropriate design and construction methodologies to mitigate noise and vibration impacts during excavation of the basement car park.
- Identify existing services and utilities and relocate them if required prior to demolishing and excavation works.
- Investigate the need to develop a retaining or shoring system for the existing building during demolition and for the excavation of the basement levels to ensure structural integrity of the adjacent buildings and basements.
- Develop temporary and/or permanent shoring systems to retain the soil and residual as well as the weak sandstone overlying the good quality sandstone so that the basement excavation can be carried out in a safe manner.
- Develop appropriate design solutions and construction methodologies to mitigate ground movement that may occur due to stress relief resulting from the basement excavation.
- Identify any significant geological features intersecting the project or in the close vicinity of the site that may have an impact on the development.

5.9 Crime Prevention Through Environmental Design

The proposed development has been assessed against the key principles of Crime Prevention Through Environmental Design (CPTED) and Part B.8 of the Lane Cove DCP. A detailed CPTED assessment will be undertaken at the project application stage.

Natural Surveillance

By providing commercial lobbies and retail on both Lithgow Street and Christie Street, the development will activate the street and will provide a high degree of passive surveillance over the new through-site link and public domain on Lithgow Street and Christie Street.

During the Project Application stage consideration will be given to:

- the choice of material, façade construction, barriers, plants, foliage and similar design elements; and
- lighting design.

Territoriality

Territoriality and a delineation of public and private space has been achieved through activating the ground level which aim to promote use of the through-site link and plaza as public spaces while deterring would-be criminals from conducting unfavourable acts in the space.

Ownership

Effective ownership of the space aids in promoting to the public, a well used and maintained facility, which in turn encourages legitimate activity. The enforcement of ownership aims to deter criminals and vandals from opportunistic crime and vandalism when the space is clean, well lit, and filled with people.

Management

Management of the Christie Street development will develop efficient mechanisms for reporting and rectifying maintenance, cleanliness and property damage issues, particularly the prompt removal of graffiti and similar vandalism.

5.10 CBD Rail Link Corridor

As the proposed development is within 25 metres of a rail corridor Parsons Brinckerhoff has prepared a preliminary impact assessment of the proposal on RailCorp's infrastructure including an assessment of noise and vibration (see **Appendix L**).

Following a meeting on the 18 May 2010, RailCorp provided details of the likely future upgrades to the corridor, which include:

- the quadruplication project which will involve the addition of 2 tracks, one on each side of the existing lines within the existing protection corridor; and
- the CBD Rail Link (CBDRL) project which will involve twin driven single track tunnels. The tunnels have defined protection zones and RailCorp through their consultants have provided the protection zones.

An indicative illustration of the upgrades next to the Concept Plan envelope is shown in **Figure 38**. The figure demonstrates that the proposed basement excavation will not extend into proposed protection zones for the CBDRL project.

Whilst it is anticipated that the basement excavation will result in minor changes to existing ground stress, groundwater regime and deformation in the ground within the RailCorp corridor, the Assessment concludes that these effects will be negligible and are not expected to impact the existing RailCorp infrastructure or the future construction of the proposed CBDRL and the quadruplication project in St Leonards.

Whilst the detailed design and construction will be subject to a future Project Application for the site, the Report makes the following recommendations:

- Temporary anchors that extend to within the protection zone should be de-stressed to ensure no horizontal loads from the basement will be present when the CBDRL tunnel is built.
- Following geotechnical investigations, numerical modelling is recommended to confirm likely ground deformation and settlement effects that the proposed CBDRL running tunnel may have on the multi-storey development. Provision should be made within the building design to allow for these expected displacements.

The Assessment also notes that an instrumentation and monitoring program may be required to measure ground movements and stresses between the proposed developments prior to CBDRL construction. The monitoring systems should be installed prior to the construction of the running tunnels and should measure internal ground movements including lateral bedding plane shear and bedding plane dilation, and excavation sidewall convergence.

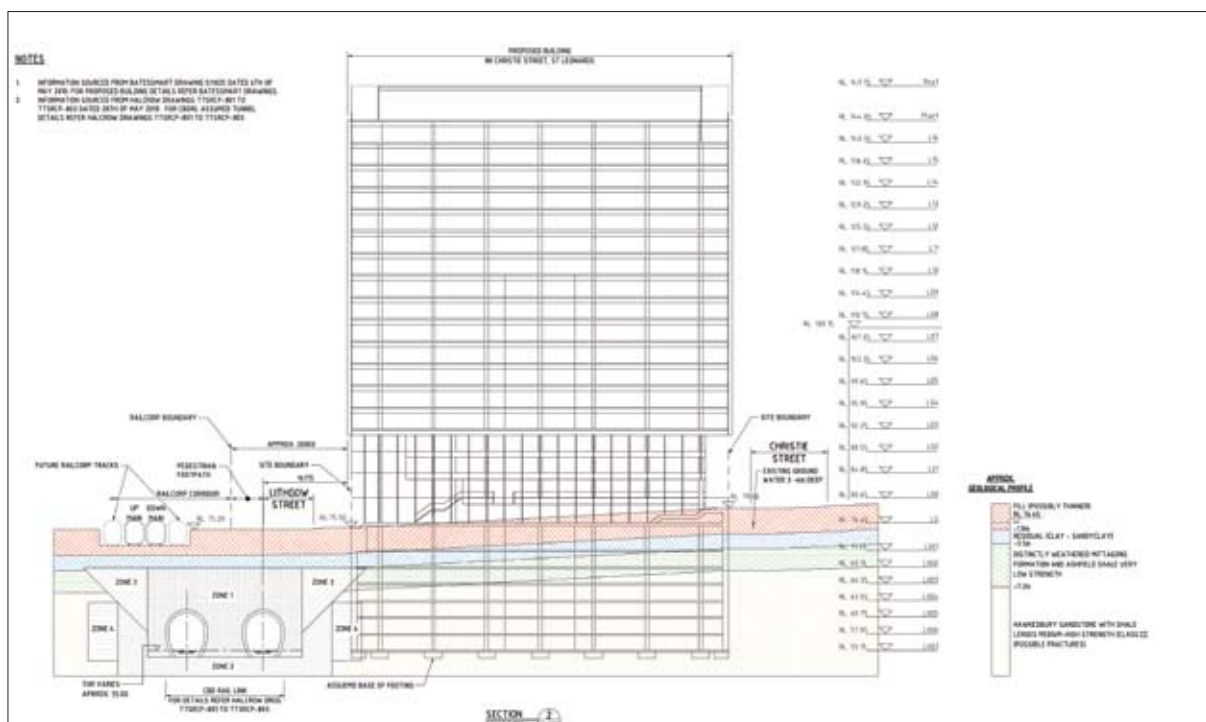


Figure 38 – Proposed envelope near adjoining
Source: Parsons Brinkerhoff

The noise and vibration assessment indicates that the construction, which will be subject to a subsequent Project Application will have negligible impact on the existing RailCorp infrastructure. The assessment also provides recommendations to mitigate potential construction impact on RailCorp's existing and future infrastructure.

A commitment regarding the proposal's impact on Rail Corp's infrastructure will be made at the Project Applications stage.

5.11 Stormwater

A Stormwater Concept Plan and Report has been prepared for the proposed development and is located at **Appendix F**. The proposed development will not increase the imperviousness of the site, nor increase the developed area discharging into the drainage system in Lithgow Street. Therefore the report concludes that the development will not increase stormwater discharges from the present condition and therefore no on-site detention is required.

5.12 Consultation

In accordance with the Environmental Assessment Requirements issued by the Director-General for this project, consultation was undertaken with relevant Local and State government authorities, and other stakeholders. This sub-section summarises the consultation processes undertaken during the preparation of the proposal.

Winten will undertake further consultation with the key stakeholders during the Project Application stage.

Lane Cove Council

Winten has been working closely with Lane Cove Council over the past 3 years in regards to their land holdings in the St Leonards Centre. In particular they were heavily involved with assisting Lane Cove Council prepare its draft LEP for the southern side of the St Leonards Centre.

With regards to the subject Concept Plan, Winten met with planning staff at Lane Cove Council on 24 June 2010 to present the proposed Concept Plan. Following the meeting several members from Council's planning staff indicated their support of the proposed development concept. Applauding the effort made by the Proponent to meet the DCP objectives, in particular providing the public plaza, an inviting pedestrian link and the shared way, stating that:

The project looks like a marvellous catalyst for St Leonards' revitalisation - Lane Cove residents will ... have an attractive centre on the south side of the Highway.

And that the architect appears to have:

...taken on board the urban design objectives of the DCP and provides a concept that adds value to public space with a building that would be dynamic, functional and considerate of the various competing stakeholders.

Council also noted that the proposed approach seemed best resolution of the issues created by land ownership around the site in the foreseeable future.

State Government Agencies

Expert Consultants acting on behalf of Winten met with RailCorp to discuss the impacts of the development on the rail corridor to the west of the site. During the meeting RailCorp also provided details of the likely expansion of RailCorp infrastructure in the future.

Other Stakeholders

Information sharing sessions have been undertaken with various stakeholders.

In attempting to amalgamate the site, Winten met with the adjoining land owners to the south. During which time they were made aware of Winten's intent to develop their land and were given the opportunity to be involved in the redevelopment process.

On 31 May 2010 Winten also met with AMP, the owner of a number of sites to the north to present the proposal with them.

6.0 Draft Statement of Commitments

In accordance with the Director-General's Environmental Assessment Requirements, the proponent is required to include a Draft Statement of Commitments in respect of environmental management and mitigation measures on the site. The following are the commitments made by the Winten Property Group to manage and minimise potential impacts arising from the project.

6.1 Public Domain

A publicly accessible through-site link will be provided between Lithgow Street and Christie Street 7 days a week. The hours of access will be determined at the Project Application stage.

6.2 Transport and Accessibility

Winten makes the following commitments regarding transport and accessibility:

- All access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002.
- An assessment of the construction traffic generated by the development will be undertaken at the Project Application stage.
- A construction traffic management plan will be prepared prior to the issuing a construction certificate.
- Appropriate bicycle parking (approximately 13 bicycle racks and 72 bicycle lockers) and shower / change facilities will be provided in accordance with North Sydney Council's DCP rate.

6.3 Environmental and Residential Amenity

6.3.1 Acoustic Privacy

An Acoustic Report will be prepared to assess the acoustic impacts of the proposal at the Project Application stage.

6.3.2 Wind Impact

Winten commits to implementing the following wind mitigation measures at the Project Application stage:

- Developing a design solution for the western frontage of the development to capture down-washed westerly winds;
- Retaining the proposed evergreen trees along the Christie and Lithgow Street frontages.
- Providing impermeable balustrades 1.2m in height and landscaping around the Level 15 terrace.

6.4 Environmentally Sustainable Development

The proposed building will achieve a 4.5 Star Green Star Office Design (v3) rating and a 4.5 Star NABERS Office Energy Rating.

Winten also commits to exploring the following environmental initiatives:

- natural ventilation to the podium;
- orientation specific sun shading to minimise heat gain;
- low temperature VAV or chilled beams;
- rainwater recycling;
- solar water heating; and
- low embodied energy in materials.

6.5 Contamination

A Phase 2 Environmental Site Assessment will be undertaken at the Project Application stage.

6.6 Geotechnical and Groundwater

A comprehensive geotechnical site investigation will be undertaken at the Project Application stage. The comprehensive geotechnical site investigation will:

- Develop appropriate design and construction methodologies to mitigate noise and vibration impacts during excavation of the basement car park.
- Identify existing services and utilities and relocate them if required prior to demolishing and excavation works.
- Investigate the need to develop a retaining or shoring system for the existing building during demolition and for the excavation of the basement levels to ensure structural integrity of the adjacent buildings and basements.
- Develop temporary and/or permanent shoring systems to retain the soil and residual as well as the weak sandstone overlying the good quality sandstone so that the basement excavation can be carried out in a safe manner.
- Develop appropriate design solutions and construction methodologies to mitigate ground movement that may occur due to stress relief resulting from the basement excavation.
- Identify any significant geological features intersecting the project or in the close vicinity of the site that may have an impact on the development.

6.7 Crime Prevention Through Environmental Design

A detailed CPTED assessment will be undertaken at the Project Application stage.

6.8 Infrastructure and Utilities

As part of the detailed design during the Project Application stage, an investigation into the existing capacity and required infrastructure works, including water, electricity and telecommunications, will be undertaken for the proposed building.

An external substation is currently located on the boundary with Christie Street and the site. It is the intention of Winten to enter into an appropriate arrangement with Energy Australia to organise for the substation to be relocated (and upgraded if necessary) within the basement of the St Leonards Commerce Centre to allow for the entrance of the building to extend across the Christie Street frontage.

7.0 Conclusion

This Concept Plan seeks approval for the redevelopment of 88 Christie Street, St Leonards into a 16 storey commercial development known as the St Leonards Commerce Centre.

The proposal represents a significant upgrade and enhancement of a dated commercial development and will provide an envelope capable of delivering a landmark building on the southern site of the St Leonards Centre.

The proposal will result in positive economic, environmental and public benefit in the form of the:

- provision of a new through-site link between Christie Street and Lithgow Street;
- creation of a new urban plaza along Lithgow Street;
- amalgamation and redevelopment of a series of tired underdeveloped buildings;
- provision of a high grade commercial building with large floor-plates;
- consolidating 6 existing vehicle access points into to 1; and
- various other urban design and public domain improvements.

The assessment of the Concept Plan has demonstrated that the proposed development will have minimal adverse environmental effects. In terms of the bulk and scale, an assessment against Lane Cove LEP 2009 and DCP 2010 demonstrate that the proposal generally complies with the height and massing controls, and where non-compliances occur variations to the controls are strongly supported by the merits of the project, substantial public benefit, and the absence of any adverse amenity impacts.

Given the environmental planning merits described above, and significant public benefits proposed, it is requested that the Minister approve the Concept Plan under Section 75O of the EP&A Act.