



Planning

Mr Oliver Klein
JBA Urban Planning Consultants
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

Our Ref: Y10/01758

Dear Mr Klein,

MAJOR PROJECT REQUEST: 88 CHRISTIE STREET, ST LEONARDS (MP 09_0210)

Thank you for your recent correspondence seeking the Minister's opinion as to whether your proposal is a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* for the above-mentioned site.

I am writing to advise you that as the delegate of the Minister, I have formed the opinion that your proposal meets the mandatory criteria for a Major Project under the *State Environmental Planning Policy (Major Projects) 2005* and is therefore a project to which Part 3A of the Act applies. I have also authorised the submission of a Concept Plan.

In forming this opinion, you are advised that the Department has concern regarding the potential for the 3 properties to the south to realise viable envelopes/floorplates consistent with the height and FSR controls under the draft Lane Cove LEP 2008. Consideration should be given to amalgamating these properties within the proposal. Alternatively, if amalgamation cannot occur, you are requested to demonstrate that these properties can achieve development outcomes which maximise the opportunities available under the draft LEP controls.

You may now apply to the Department to issue the Director-General's Requirements for the proposal.

Please note that Section 75E of the Act requires you to lodge a Major Project application with the Director-General. You should also include a completed application form and a Political Donations Declaration Statement with your application (if required).

If you have any enquiries you should contact Michael Woodland, Director Metropolitan Projects who is available during normal business hours on either 9228 6150 or Michael.woodland@planning.nsw.gov.au.

Yours sincerely

Marcus Ray
A/Deputy Director-General
Development Assessment & Systems Performance

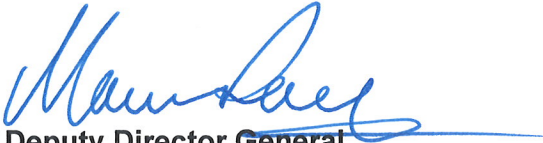
22/01/10

Record of Minister's opinion for the purposes of Clause 6(1) of the State Environmental Planning Policy (Major Development) 2005

I, the A/ Deputy Director-General, as delegate of the Minister for Planning under delegation executed on 4 March 2009, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 1 of the *State Environmental Planning Policy (Major Projects) 2005* – namely Part 5 Clause 13 – Residential, commercial or retail projects, and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

A proposal for a commercial development at 88 Christie Street, St Leonards.


A/ Deputy Director General
Development Assessment and Systems Performance

Date: 22/01/10



Mr Oliver Klein
JBA Urban Planning Consultants
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

Dear Mr Klein,

Director's General Environmental Assessment Requirements for a Project Application for a Commercial Development, 88 Christie Street, St Leonards (MP 09_0210)

Thank you for your request for Director's General Environmental Assessment Requirements (DGR's) for the above project on behalf of Winten Property Group. The DGR's were prepared with reference to the information provided within your application and in consultation with relevant Government agencies, including Council (attached).

Under section 75F(3) of the Act, the Director General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project.

While the provision of key issues and assessment requirements means you are able to commence preparation of your Environmental Assessment, I would like to take this opportunity to reiterate the Department's particular concerns regarding the potential of the 3 properties south of the site to realise viable envelopes / floorplates consistent with the height and FSR controls under the Lane Cove LEP 2009.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. If the Environmental Assessment does not adequately address the DGR's, the Director-General may require the Proponent to revise the Environmental Assessment to address the matters notified to the Proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. Please contact the Department at least two weeks before you propose to submit the Environmental Assessment to determine the fees applicable to the application.

Please also find attached with this letter, copies of submissions from other agencies providing their key issues for the proposal. Please note that these responses have been provided to you for information and should be considered in your Environmental Assessment, however they do not form part of the DGRs for the Environmental Assessment.

If you have any enquiries about these requirements, please contact Mr Tim Hogan on 02 9228 6236 or via e-mail at timothy.hogan@planning.nsw.gov.au.

Yours sincerely



31/3/2010

Michael Woodland
Director
Metropolitan Projects
As delegate for the Director-General

Application number	MP 09_0210
Project	Concept Plan Application for commercial development proposal.
Location	88 Christie Street, St Leonards
Proponent	JBA Urban Planning Consultants Pty Ltd on behalf of Winten Property Group
Date issued	31 March 2010
Expiry date	If the Environmental Assessment (EA) is not exhibited within 2 years after the date of issue, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed <ul style="list-style-type: none"> Planning provisions applying to the site, including permissibility and the provisions of all plans and policies are contained in Appendix A. 2. Built Form and Urban Design Impacts <ul style="list-style-type: none"> The EA shall address the height, bulk and scale of the proposed development within the context of the locality. In particular, detailed envelope / height and contextual studies should be undertaken to ensure the proposal integrates with the local environment. The EA shall also provide the following documents: <ul style="list-style-type: none"> Comparable height study to demonstrate how the proposed height relates to the height of the existing/approved developments surrounding the subject site and in the St Leonards Centre; View analysis to and from the site from key vantage points; and, Options for the siting and layout of the building envelope. The EA shall address the design quality with specific consideration of the massing, setbacks, building articulation, landscape setting, and public domain, including an assessment against the CPTED Principles. 3. Amalgamation <ul style="list-style-type: none"> The proposal shall seek to amalgamate the three properties to the south of the site which also benefit from the increased height and FSR provisions under the draft LEP 2008. If this is demonstrated not to be possible, the EA shall demonstrate that the adjacent land can achieve development outcomes which maximise the opportunities available under the draft LEP controls. 4. Public Domain <p>The EA shall consider:</p> <ul style="list-style-type: none"> the interface of the proposed development and public domain (where applicable); the relationship to and impact upon existing public domain; and provision of linkages with and between other public domain spaces including access rights, openness to the sky and legibility. 5. Transport and Accessibility (Construction and Operational) <ul style="list-style-type: none"> The EA shall address the following matters: <ul style="list-style-type: none"> the provision of appropriate on-site car parking for the proposal having regard to local planning controls, RTA guidelines, and the high public transport accessibility of the site. (Note: the Department supports reduced car parking rates in areas well-served by public transport). an estimate of the trips generated by the proposed development and

	<p>consider how the demand for travel to and from the development is to be managed;</p> <ul style="list-style-type: none"> • provide a Traffic and Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, service vehicle generation and movements, any required road/intersection upgrades, access, loading dock(s), car parking arrangements, and measures to promote public transport usage and pedestrian and bicycle linkages; particularly between the site and St Leonards train station and the nearest bus stops. The key intersections which are required to be modelled are detailed on Page 2 of the correspondence from the RTA dated 26 February 2010; • provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling). <p>6. Environmental and Residential Amenity</p> <ul style="list-style-type: none"> • The EA must address solar access, visual privacy and view loss and achieve a high level of environmental and residential amenity. Acoustic privacy and wind impacts should also be considered. <p>7. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development. • The EA should include a commitment to a likely minimum standard of ESD to be attained and provide detail of how those standards can be met. <p>8. Contributions</p> <ul style="list-style-type: none"> • The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94 Contribution Plan, and provide details of any Planning Agreement or other legally binding instrument proposed to facilitate this development. <p>9. Statement of Commitments</p> <ul style="list-style-type: none"> • The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project. <p>10. CBD Rail Link Corridor</p> <ul style="list-style-type: none"> • The EA shall address any potential impacts on the future CBD Rail Link corridor, and address issues contained in "<i>Development Near Rail Corridor and Busy Road – Interim Guidelines</i>" as set out in the attachment to the RailCorp letter dated 1 March 2010. <p>11. Consultation</p> <ul style="list-style-type: none"> • Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.
Deemed refusal period	60 days

APPENDIX A

Relevant EPI's policies and Guidelines to be Addressed

- Objects of the EP&A Act 1979;
- NSW State Plan, Metropolitan Transport Plan and Integration Land Use and Transport Policy.
- Draft Inner North Sub-regional Strategy;
- Lane Cove LEP 2009 and Lane Cove DCP 2010 with emphasis on Part B (General Controls) and Part D (Commercial Development and Mixed Use – Locality 1, St Leonards), and any relevant draft EPI's and DCP's;
- SEPP (Infrastructure) 2007
- SEPP 55 Remediation of Land;
- NSW Planning Guidelines for Walking and Cycling;
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines, including Draft EPI's, and, justification for any non-compliance.

APPENDIX B

Plans and Documents to accompany the Application

General	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP); and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
Plans and Documents	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating; <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes. 4. Architectural drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on

	<p>adjoining land;</p> <ul style="list-style-type: none"> • concept floor plans, sections and elevations of the proposed buildings; • elevation plans; • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; and • any changes that will be made to the level of the land by excavation, filling or otherwise. • View Analysis - Visual aids such as a photomontage and digital perspectives must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas and should include long sections of the St Leonards Centre. • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site. • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm. • Ground Water Management - Identify ground water issues and potential degradation to ground water sources and identify mitigation measures required to remediate, reduce or manage potential impacts to the existing ground water resource and any dependent ground water environment or water users. • Stormwater / Drainage Concept Plan - illustrating the concept for stormwater management.
Documents to be submitted	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy (TOA); • Once the EA has been determined adequate and all outstanding issues adequately addressed, 12 copies of the EA for exhibition; • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 12 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. <p>NOTE: All files must be titled and saved in such a way that it is clearly recognisable without the file being opened. If multiple PDF's make up one document/report each must be titled in sequential order.</p>