



WINTEN  
PROPERTY  
GROUP



# Preferred Project Report and Response to Submissions

## St Leonards Commerce Centre Concept Plan

Submitted to  
Department of Planning  
On Behalf of Winten Property Group

November 2010 ■ 09485

Volume 1 of 2

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Date 30/11/10

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Date 30/11/10

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
<b>2.0</b>	<b>Key Issues and Proponent's Response</b>	<b>2</b>
2.1	Height and Building Form	2
2.2	View Loss	10
2.3	Car Parking	25
2.4	Other Issues	29
<b>3.0</b>	<b>Preferred Project</b>	<b>37</b>
3.1	Description of Development Proposal	37
3.2	Key Changes	40
<b>4.0</b>	<b>Final Statement of Commitments</b>	<b>44</b>
4.1	Public Domain	44
4.2	Architectural Roof Feature	44
4.3	Transport and Accessibility	44
4.4	Environmental and Residential Amenity	44
4.5	Environmentally Sustainable Development	45
4.6	Contamination	45
4.7	Geotechnical and Groundwater	45
4.8	Rail Infrastructure	45
4.9	Crime Prevention Through Environmental Design	45
4.10	Construction Management	46
4.11	Infrastructure and Utilities	46
4.12	Contributions	46
<b>5.0</b>	<b>Conclusion</b>	<b>47</b>

## Figures

<b>1</b>	<b>Building Height Average - Elevation North</b>	<b>3</b>
<b>2</b>	<b>Building Height Average - Elevation East</b>	<b>4</b>
<b>3</b>	<b>Building Height Average - Elevation West</b>	<b>5</b>
<b>4</b>	<b>Building Height Average - Elevation South</b>	<b>6</b>
<b>5</b>	<b>Northern facade articulation studies</b>	<b>7</b>
<b>6</b>	<b>Preferred Project massing</b>	<b>9</b>
<b>7</b>	<b>Architectural roof feature studies</b>	<b>10</b>
<b>8</b>	<b>PPR envelope view loss to The Forum Apartments</b>	<b>12</b>
<b>9</b>	<b>PPR envelope view loss to The Forum West Apartments</b>	<b>14</b>
<b>10</b>	<b>Indicative floor of The Forum West building.</b>	<b>15</b>
<b>11</b>	<b>Potential view loss from Level 24 - The Forum West tower (PPR &amp; DCP compliant schemes)</b>	<b>17</b>
<b>12</b>	<b>Level 9 Commercial Building (west) (PPR &amp; DCP compliant schemes)</b>	<b>19</b>
<b>13</b>	<b>Level 9 Commercial Building (central) (PPR &amp; DCP compliant schemes)</b>	<b>20</b>
<b>14</b>	<b>Level 9 Commercial Building (east) (PPR &amp; DCP compliant schemes)</b>	<b>21</b>
<b>15</b>	<b>Level 4 Commercial Building (west) (PPR &amp; DCP compliant schemes)</b>	<b>22</b>

## Contents

16	Level 4 Commercial Building (central) (PPR & DCP compliant schemes)	23
17	Level 4 Commercial Building (east) (PPR & DCP compliant schemes)	24
18	PPR Scheme Winter Solstice Shadowing at 9am, 12 noon, and 3pm	30
19	Existing and potential overshadowing of Christie St South Park at 2:15pm and 2:30pm (21 June)	31
20	Existing and potential overshadowing of Christie St South Park at 2:45pm and 3:00pm (21 June)	32
21	Indicative Building Separation Scenarios	35
22	Comparison of the Exhibited and Preferred Project northern elevations	42
23	PPR scheme massing models	43

## Tables

1	Comparison of the Exhibited and Preferred Project building setbacks	8
2	View loss analysis - The Forum Apartments	13
3	View loss analysis - The Forum West Apartments	16
4	Relevant similar car parking controls	26
5	Land use and GFA	37
6	Proposed building setbacks	38
7	Comparison of the Exhibited and Preferred Project building setbacks	40

## Attachments

A	Detailed Response to Individual Submissions / Issues Raised <i>JBA Planning</i>
B	Lane Cove Council letter dated 12 November 2010 <i>Lane Cove Council</i>
C	Revised Traffic Assessment and Response to Traffic-related Issues <i>Colston Budd Hunt &amp; Kafes</i>
D	Architectural Plans and Drawings <i>Bates Smart</i>

## 1.0 Introduction

An Environmental Assessment Report (EAR) for a Concept Plan for a 16 storey commercial building at 88 Christie Street was publicly exhibited for a period of 31 days between 4 August 2010 and 3 September 2010.

In total six agency and 48 public submissions were received in response to the public exhibition of the Concept Plan. The following key issues were identified in submissions made:

- view loss;
- car parking, traffic and transport issues;
- potential impact upon Rail Corp railway infrastructure and the potential future rail corridor;
- non-compliance with various controls or provisions of the Lane Cove Local Environmental Plan 2009 (LEP); and
- non-compliance with various site-specific design parameters of the Lane Cove Development Control Plan 2010 (DCP).

The various non-compliances raised in submissions principally concern the proposed Concept Plan envelope's height, bulk, and scale and co-related design resultant amenity impacts.

The proponent, Winten Property Group, and its specialist consultant team have reviewed and considered the Department of Planning's comments in relation to the Concept Plan proposal and the submissions made during the public exhibition period and, in accordance with clause 75H(6) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), has responded to the issues raised (see Section 2.0 and **Appendix A**). It should be noted that since the close of the exhibition period, Winten and its consultants have also worked closely with Lane Cove Council (via two meetings) to resolve key issues relating to height, bulk, scale, view loss, and parking.

This Preferred Project Report (PPR) sets out the proponent's response to the issues raised, and details the final project including a number of revisions to the Concept Plan and a revised Statement of Commitments for which development approval is now sought.

This report forms part of the Concept Plan and should be read in conjunction with the Environmental Assessment Report (EAR) dated July 2010.

## 2.0 Key Issues and Proponent's Response

The following section provides a detailed response to the key issues raised by the Department of Planning following a detailed review of the submissions.

**Attachment A** provides a response to all the issues raised during the public exhibition period.

Following the exhibition period, Winten has been liaising with senior officers of Lane Cove Council to ensure the Preferred Project represents a reasonable and appropriate development relative to the issues raised. Winten met with Council on two occasions, once with the Department of Planning on 20 October 2010, and again on 2 November 2010. At the meeting on 2 November 2010 Council was presented with 8 different built form studies / options. A copy of the 8 different built form studies / options is included at **Attachment D**.

Winten prefers Option 8 for both design and economic reasons. However, in accordance with its commitment to address the concerns of the Department of Planning, Lane Cove Council and the public, Winten has deferred to Option 7, the option supported by Council.

Council responded to Option 7 by letter, dated 12 November 2010, (see **Attachment B**) indicating that it is the Council's preferred option due to the proposed increased setbacks (which reduce bulk and related amenity impacts). At this time the Council also moderated its previous position on height from requiring an absolute 65m height limit to allowing minor justified variations. These matters and other key issues raised in both the Department of Planning's letter to Winten, and in the Council's submission to the Department and subsequent letter to Winten are addressed below.

### 2.1 Height and Building Form

#### 2.1.1 Issue

The proposed building exceeds the 65m height limit in the Lane Cove Local Environmental Plan. The impact of the height is exacerbated by the monolithic building envelope, particularly on the northern elevation to the Pacific Highway.

In addition, the proposed building envelope is inconsistent with Council's built form and setback controls as it does not comprise of a podium and tower footprint. The intent of the setback control is to provide for slim north-south oriented towers in the southern area of St Leonards to provide equity, view sharing and minimise overshadowing impacts and improve amenity in the public domain.

#### 2.1.2 Proponent's Response

To address the concerns raised above, Winten has revised the proposed Concept Plan envelope in the following ways:

##### Height

In direct response to concerns raised with the height of the building, the maximum building envelope height has been reduced by 0.7m to RL 149.05. The southern portion of the proposed envelope, which abuts the adjoining commercial development to the south, has also been reduced by 1.2m to RL 136.65.

Despite the reduction in the maximum height of the building, the proposal will still not comply with the 65m height limit at the Lithgow Street frontage but will continue to comply at the Christie Street frontage. As indicated above, Council, in its letter dated 12 November 2010 moderated its previous position on height from requiring an absolute 65m limit to also allowing for minor justified variations.

Accordingly, when considering the maximum height limit with the site's topography, the PPR Concept Plan envelope is in part over the limit and in part under the limit.

Whilst it is difficult to definitively quantify the areas over and under the height limit due to the sloping topography in two directions relative to the floorplates, an indicative set of figures has been produced to provide an average or proportionate representation. This shows that compliance with the maximum 65 would result in the loss of one commercial floor, and would challenge the viability of a second commercial floor. Refer to **Figures 1 – 4**. These Figures are also included in the architectural set at **Attachment D**.

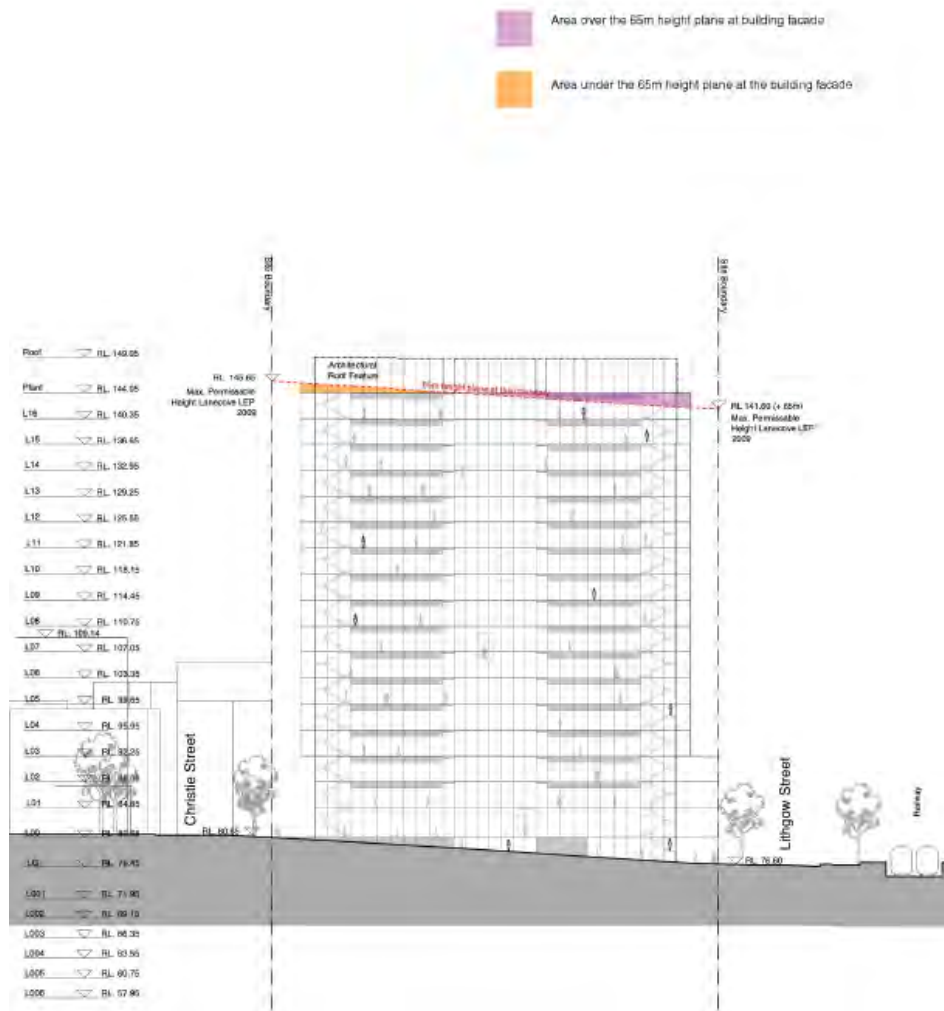


Figure 1 - Building Height Average - Elevation North

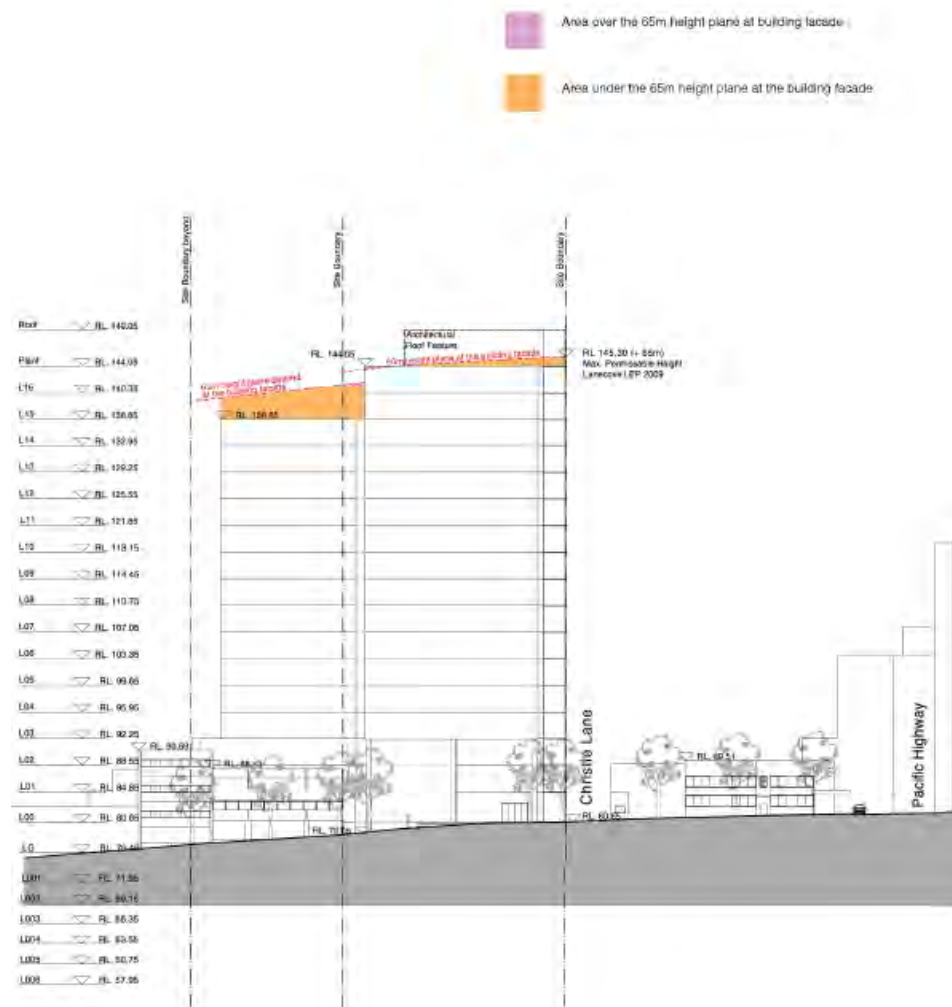


Figure 2 - Building Height Average - Elevation East

It is noted that the provision of the through-site link at ground and lower ground levels occupies 1,806m<sup>2</sup> of potential floorspace within the Concept Plan envelope. This represents an area greater than the entire 16th storey (i.e 1,459m<sup>2</sup>) and part of the 15th storey. It is considered that the generous proportions of the proposed through site link will deliver a significant public benefit in terms of pedestrian amenity.

This PPR demonstrates that the non-compliance with the height standard will not have any significant adverse impacts in terms of bulk and scale, view impact and overshadowing.



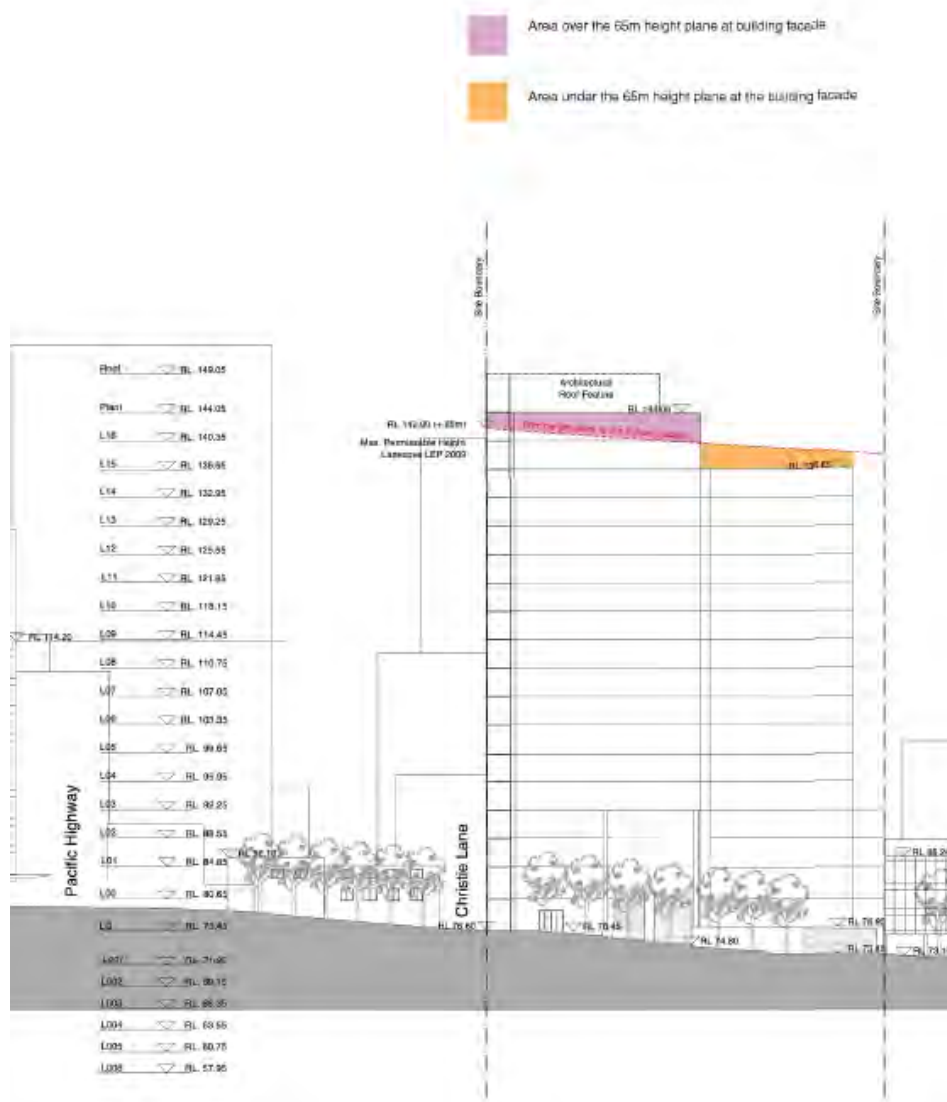


Figure 3 - Building Height Average - Elevation West

Within this context, it must be recognised that if required to comply with the 65m height limit Winten would no longer be able to provide a ground level through-site link of the same nature and proportion as that proposed. It is considered that this would result in a significant loss in public benefit in order to achieve a strict numeric compliance.

The minor variation to the height standard should therefore be supported based on the generous quantity of space being dedicated at ground level to create a significant public benefit, and given the corresponding lack of significant adverse amenity impact arising from the non compliance.

The proposed Concept Plan's non-compliance, which is primarily a result of the sloping topography of the site, therefore provides a better planning outcome in terms of public benefit and creating a feasible and marketable development in-line with the State and Council's strategic planning objectives for the St Leonards Centre.

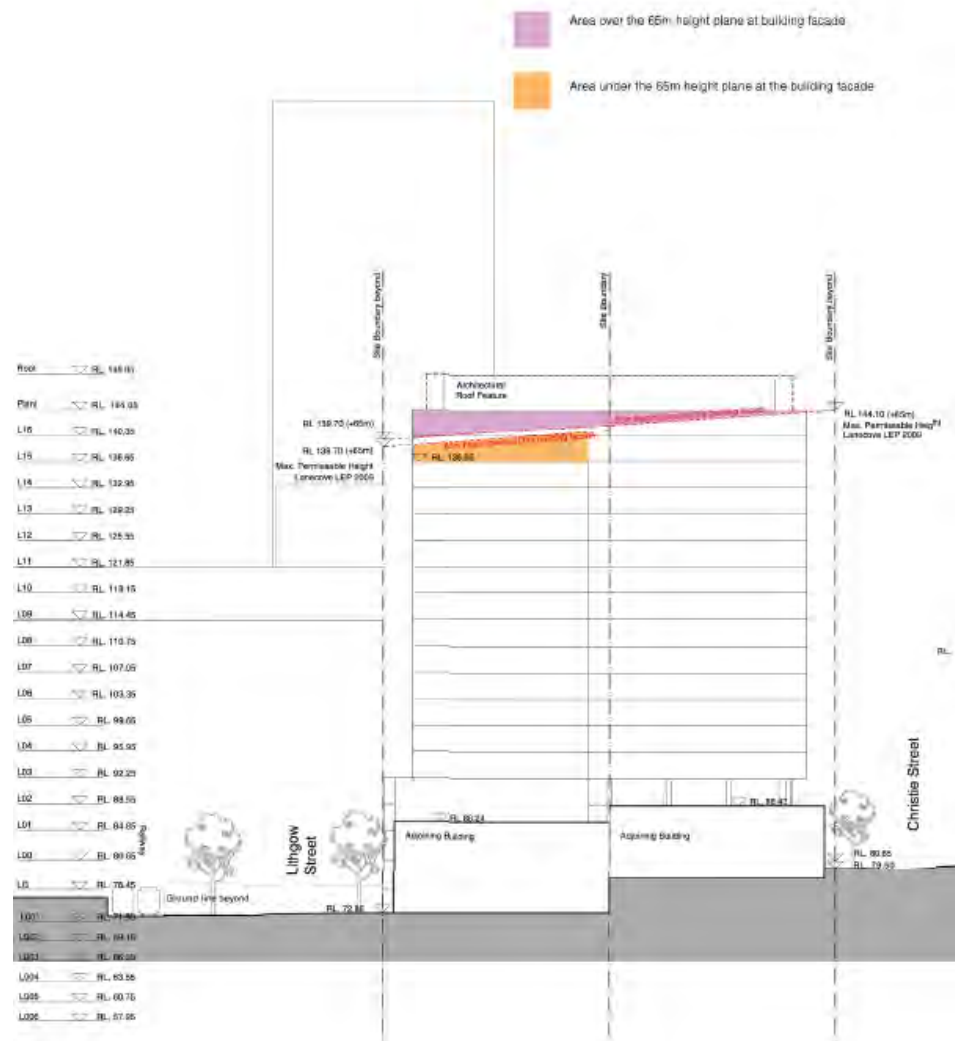


Figure 4 - Building Height Average - Elevation South

### Monolithic envelope / northern facade

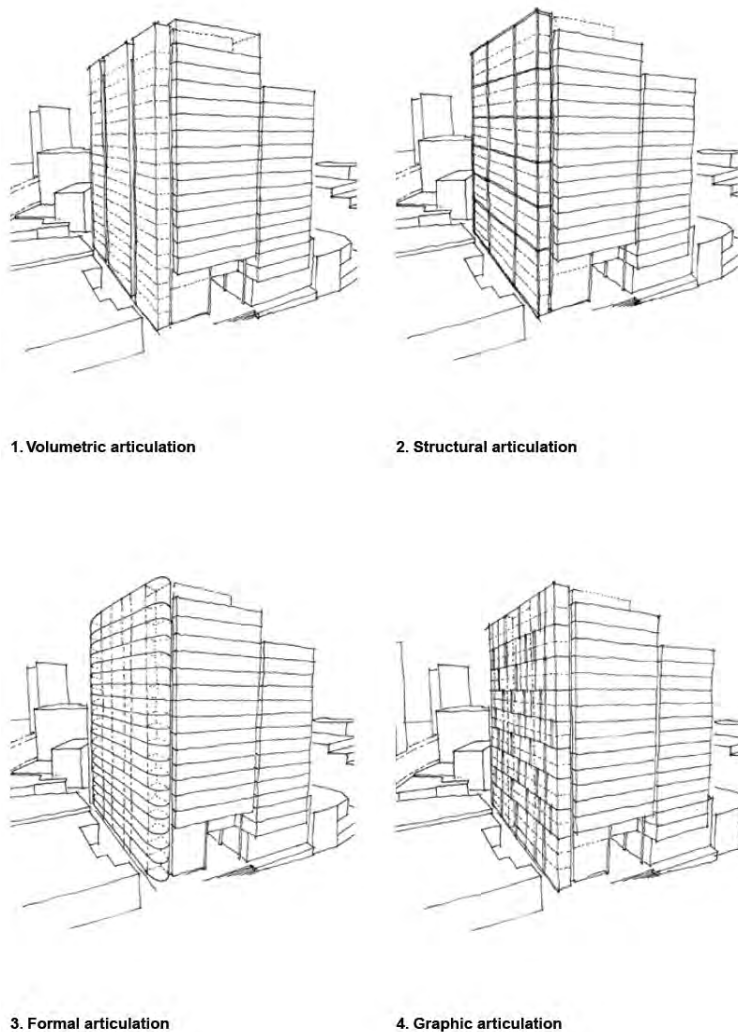
The concern has been raised that the northern facade of the exhibited Concept Plan envelope represents a "monolithic" envelope or form. To address this matter, Bates Smart has remodeled the potential envelope, floorplates, and facade articulation to produce more refined northern facade that addresses the concerns raised.

To achieve and improve future design resolution to the northern facade the following revisions have been made:

- the northern facade's width has been reduced by 12m from 63.58m to 51.58m;
- the flat envelope along this facade has been articulated in plan form either side of the lift core, such that the elevation of the envelope now reads as three distinct planes; and
- further articulation is provided at the corners of the envelope at the northern facade.

The indicative choice and pattern of transparent and translucent materials and potential colours along with the uses / active functions (visible lifts, stair wells) at this part of the building will assist in further breaking up what was considered a long and monolithic facade.

**Figure 5** illustrates the northern facade articulation.



**Figure 5** - Northern facade articulation studies

## Setbacks

The intention of the building setback controls as set out in Lane Cove Council's DCP 2010 is:

- *To reduce the impact of scale as well as assist with cross-ventilation, solar access, privacy, view sharing and to reduce adverse wind effects.*
- *To create a distinctive character onto the Pacific Highway and the 'heart' of the southern side of St Leonards.*
- *To provide a major high quality public plaza or town square to the west of podium A. This public open space is to include the upgrade of the existing pedestrian link to the station. Ideally the link should be provided as part of a 1-2 storey kiosk building development adjacent to the rail line.*
- *To provide high quality tower forms.*
- *To provide a new laneway connector to provide an improved vehicular and pedestrian connection to the rail underpass.*
- *To provide safety and amenity.*
- *To maintain public amenity including solar access to the park on southern end of Christie St.*

There are no objectives or controls relating to the protection and sharing of views included in the DCP for the St Leonard's Specialised Centre. The absence of any controls or objectives to preserve views within the centre implicitly acknowledges that it would not be possible to achieve Lane Cove Council or the Department of Planning's desired built form outcome in the Centre and also preserve existing views from existing commercial developments. It is also noted that the Willoughby DCP states that "'View Sharing' is encouraged whilst not restricting the reasonable development potential of a site."

To reduce built form impacts and improve the public domain outcome, both the ground level and above podium setbacks of the PPR Concept Plan envelope have been substantially increased along the Christie Street and Lithgow Street boundaries. **Table 1** provides a comparison between the Exhibited Project and the Preferred Project building setbacks.

**Table 1** - Comparison of the Exhibited and Preferred Project building setbacks

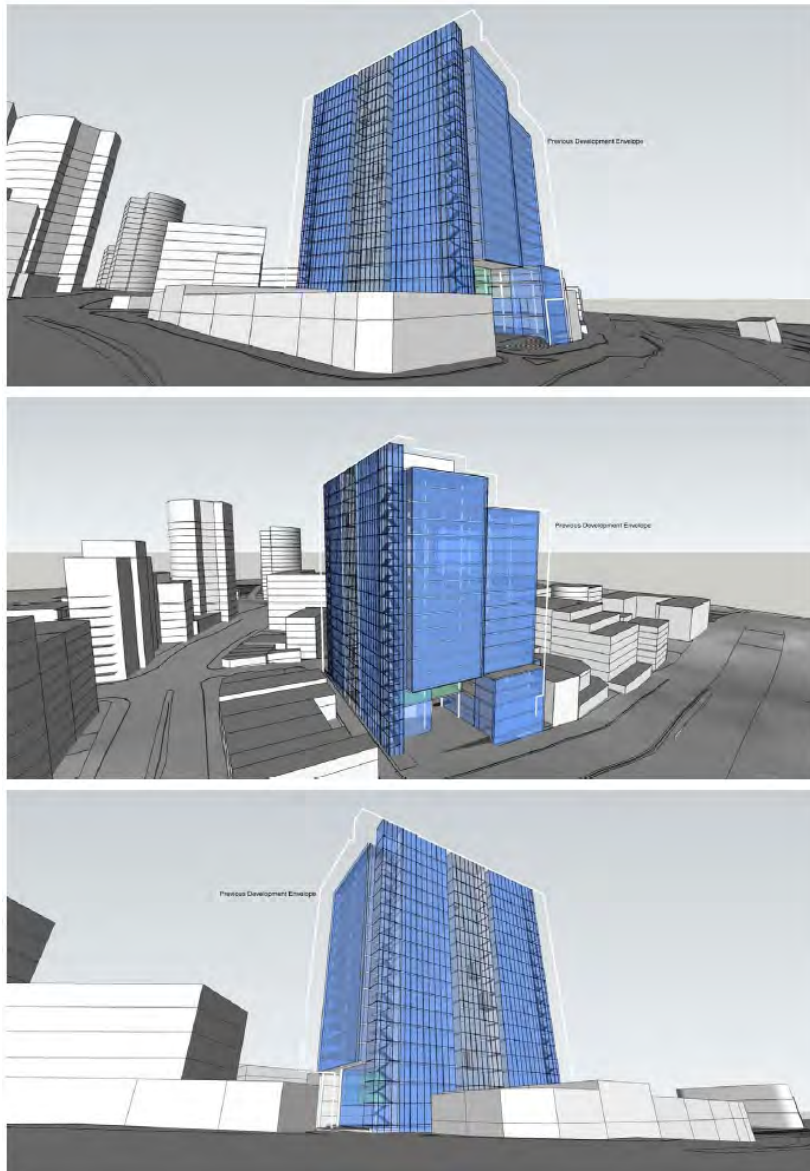
Boundary	Ground Level Setback		Above Podium Setback	
	EAR	PPR	EAR	PPR
Northern (Christie Lane)	0m	0m	0m	0m
Southern (Commercial development)	0m - 4.2m	0m - 3m	3m - 4m	3m - 4m
Eastern (Christie Street)	0m – 5.29m	0m – 7m	0m	4m
Western (Lithgow Street)	0m – 5.29m	0m – 7m	0m	4m

The provision of a new above podium setback of 4m along Lithgow Street will create the podium and tower form envisaged in Council's DCP and minimise built form impacts. The inverted podium design has been maintained in the area above and around the through-site link, which will continue to create a human scale at street level whilst emphasising the public link.

The positive impact of the increased setbacks on view loss is detailed in Section 2.2.

### Built Form / Massing

**Figure 6** illustrates the combined effect that the proposed reduced height and FSR, and increased setbacks and articulation will have in decreasing the overall built form and massing impacts of the development.



**Figure 6 - Preferred Project massing**

### Architectural Roof Feature

In Council's submission it raised issue with the plant level shown in the architectural drawings in the Exhibited Concept Plan not being an Architectural Roof Feature (ARF). The exhibited drawings, which showed the plant room as a plain block envelope on top of the building, do not reflect what the final design of the ARF.

The envelope shown on the plans represents the maximum amount of space required to house the necessary mechanical plant for the future building. The final design of the ARF will satisfy the relevant criteria in clause 5.6 of the LEP. Whilst the design is yet to be resolved, Bates Smart have prepared a series of studies to illustrate how the ARF could be designed. These are shown at **Attachment D** and **Figure 7**.



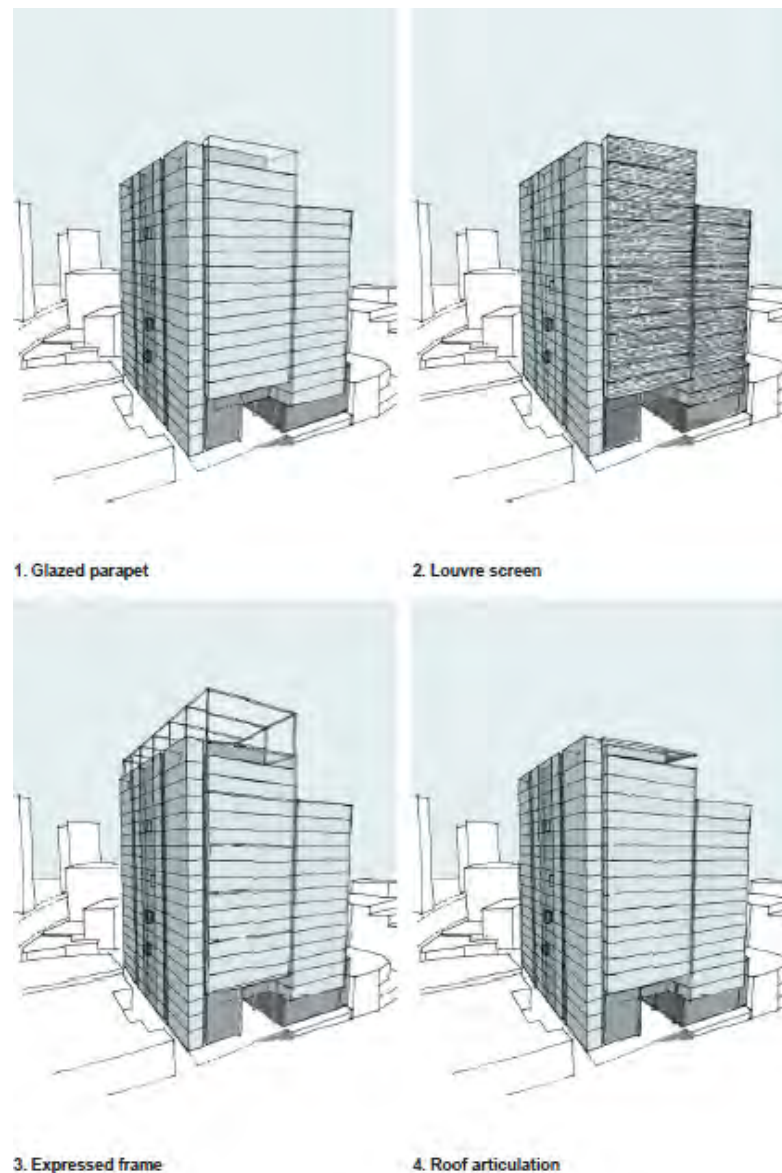


Figure 7 - Architectural roof feature studies

## 2.2 View Loss

### 2.2.1 Issue

The proposed building will affect views from residential and commercial properties on the northern side of the Pacific Highway, particularly The Forum and The Forum West residential towers.

### 2.2.2 Proponent's Response

The Forum is located above the St Leonards Railway Station in the centre of the St Leonards commercial centre and comprises 32,000m<sup>2</sup> of offices, 5,000m<sup>2</sup> of retail and 773 apartments, surrounding an expansive public plaza. The proposed building is located approximately 160 metres south-east of The Forum residential apartment buildings. Between the Forum residential apartments and the proposed building are the office buildings known as 201, 203 and 205 Pacific Highway, the Pacific Highway and Christie Lane, St Leonards Station Bus Stop and the retail block bound by Christie Street / Christie Lane / Lithgow Street and the Pacific Highway.

It is noted that the land between the Pacific Highway and Christie Lane has the potential under the LEP to be developed to a maximum height of 65m. Furthermore, because of the narrow dimensions of the land it is likely that any development proposal submitted on the site would extend across the entire distance between Christie Street and Lithgow Street. Such a development would in turn have a potentially greater impact on the views from the various commercial and residential components of The Forum.

### Impact on Residential Properties - The Forum units

The Forum is a 36 storey building orientated north-south. Only those units at the southern end of The Forum building between levels 14 and 24 will be affected. There are generally two units at the southern end on each level, one having views to the south and east and the other to the south and west. The views include Sydney Harbour east, North Sydney, the Sydney skyline (inclusive of the Harbour Bridge), Darling Harbour, and the Anzac Bridge, and Sydney Harbour west. These areas are viewed principally from living room spaces and also some bedrooms.

The proposed building envelope will affect southerly views to levels 14 to 24 inclusive. In the main, views directly south towards the city skyline and associated features such as the Harbour Bridge (partially) will be blocked. Existing easterly and westerly views enjoyed from the apartments on the southern elevation of The Forum residential building will not be affected.

The attached analysis (as part of **Attachment D**) identifies that the proposed PPR building envelope will affect 9.5% of the existing view corridor from the southern elevation of the Forum residential apartments from levels 14 to 24. As originally submitted, the proposed building envelope affected 12.4% of the existing view corridor (see **Figure 8** below).

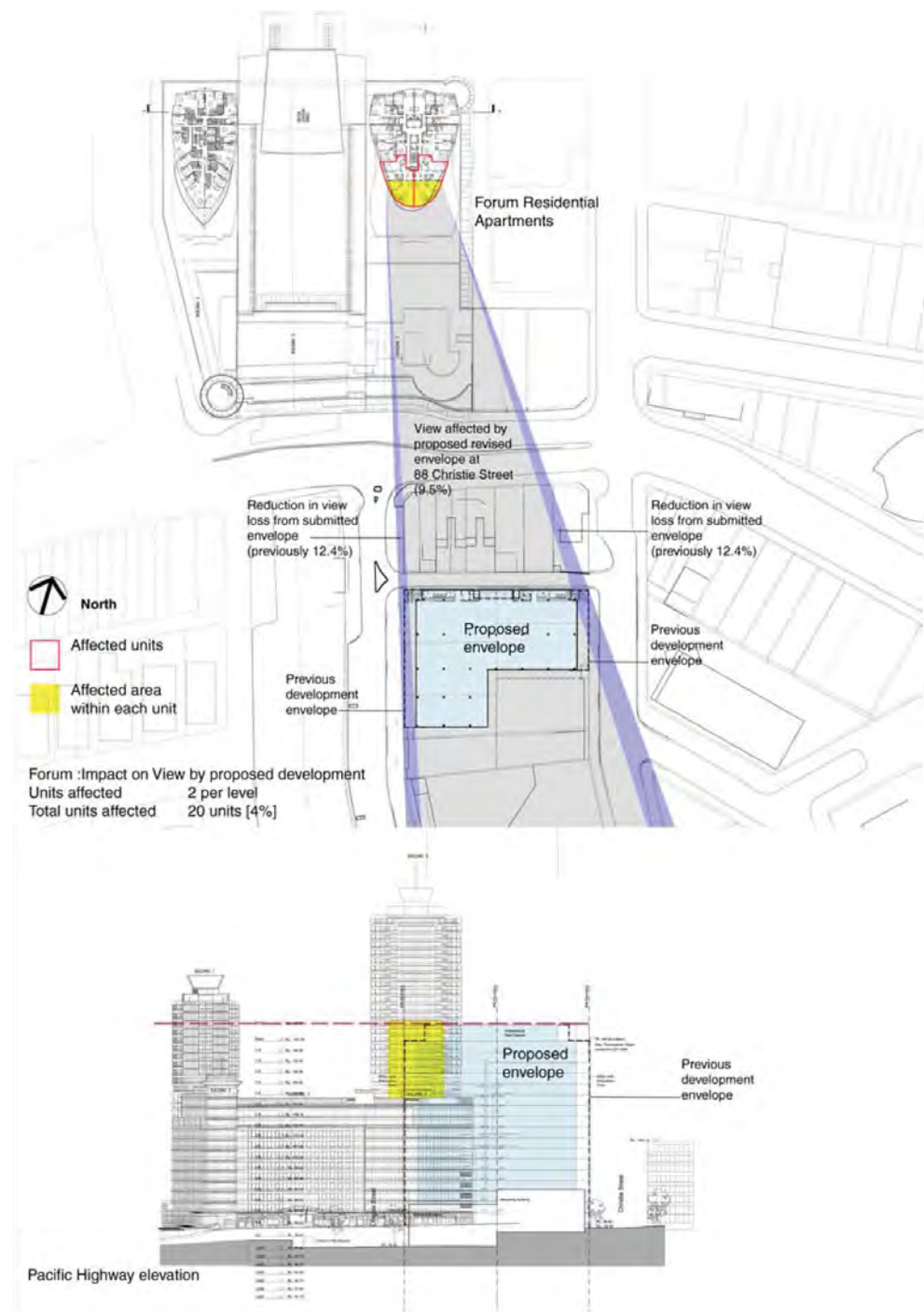


Figure 8 - PPR envelope view loss to The Forum Apartments

Views below level 14 and above level 24 will not be affected. Only 2 units per floor over 10 floors on average are affected, or a total of 21 out of The Forum's 483 units (i.e 4% of total units) - see **Table 1** below. This is considered to be a relatively minor effect, particularly given the pre-existing LEP height and FSR controls, and the strategic planning objectives that encourage taller premium floor plate commercial buildings to be established within this part of St Leonards.

Overall, the marginal non-compliance with the LEP height limit has an extremely minor or negligible affection upon view loss.



**Table 2 - View loss analysis - The Forum Apartments**

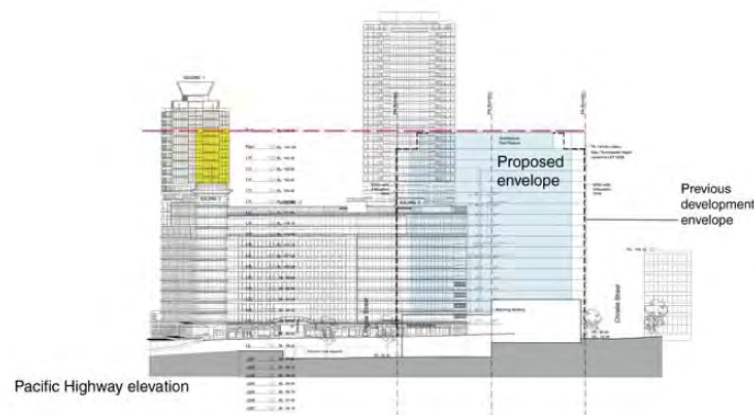
Unit Number	Orientation	Affected room	Unit Number	Orientation	Affected room
1402	South and West	Lounge	1901	South and West	Lounge
1419	South and East	Lounge + 1 bedroom	1908	South and East	Lounge + 1 bedroom
1502	South and West	Lounge	2001	South and West	Lounge
1519	South and East	Lounge + 1 bedroom	2008	South and East	Lounge + 1 bedroom
1601	South	Lounge + 1 bedroom	2101	South and West	Lounge
1602	South and West	Lounge	2108	South and East	Lounge + 1 bedroom
1619	South and East	Lounge + 1 bedroom	2201	South and West	Lounge
1701	South and West	Lounge	2208	South and East	Lounge + 1 bedroom
1708	South and East	Lounge + 1 bedroom	2301	South and West	Lounge
1801	South and West	Lounge	2308	South and East	Lounge + 1 bedroom
1808	South and East	Lounge + 1 bedroom			

### Impact on Residential Properties - The Forum West units

The Forum West is a 25-storey building orientated north –south. Only those units at the south-eastern corner of the building between levels 17 and 23 will be affected. These units have views to the south and east which include Sydney Harbour east , North Sydney, the Sydney skyline (including the Harbour Bridge), Darling Harbour and Anzac Bridge. These areas are viewed principally from living room spaces and also some bedrooms.

The proposed building envelope will affect south-easterly views from levels 17 to 23, inclusive. In the main, views directly south-east towards the North Sydney skyline will be blocked. Existing southerly and easterly views enjoyed from the apartments will not be affected, including the Sydney skyline and Harbour Bridge.

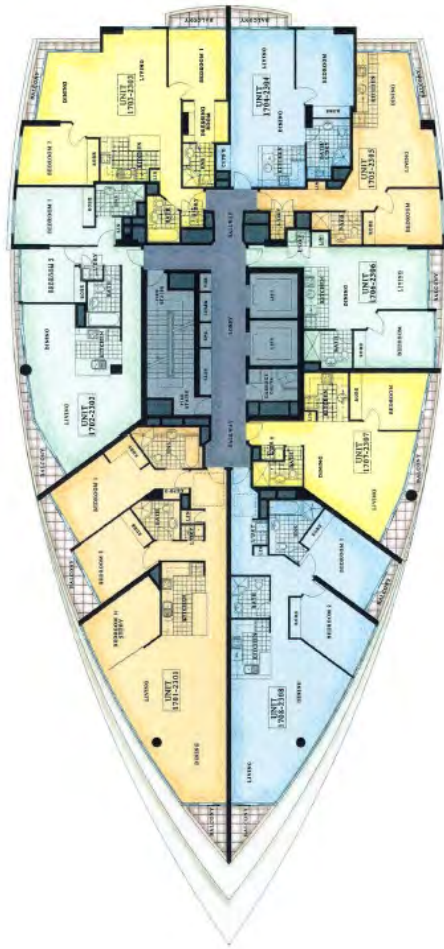
The attached analysis identifies that the proposed PPR building envelope will affect 9.5% of the existing view corridor from the affected units. This was previously a 11.7% affectation (see **Figure 9** below and **Attachment D**).



**Figure 9 - PPR envelope view loss to The Forum West Apartments**

Views below level 17 and above level 23 will not be affected.

It is noted that in the exhibited EAR, Bates Smart indicated that the 08 and 07 series of units of The Forum West building would have existing views affected. Upon closer examination we do not believe that the 07 units will be affected at all. This is predominantly due to the units' orientation being east and the fact that the living room and bedroom have solid walls blocking the view lines in a southerly direction. Additionally, there is a structural column located on the balcony of the 07 units further obstructing any southerly view (see indicative floor - Level 17 - of The Forum West) at **Figure 10** below. Accordingly, as described above, only 1 unit per floor (over 7 floors) as opposed to the initially documented 2 units per floor will be affected by the proposed building envelope.



**Figure 10** - Indicative floor of The Forum West building.

Given only 1 unit per floor over 7 floors on average are affected, a total of 7 of this building's 290 units (2%) - see **Table 3**. Again, as with The Forum apartments, this is a relatively minor affect, particularly given the pre-existing LEP height and FSR controls, and the strategic planning objectives for taller premium floorplate commercial buildings for this part of St Leonards.

Overall, the marginal non-compliance with the LEP height limit has an extremely minor or negligible affectation upon view loss.

**Figure 11** below illustrates the potential view loss from Level 24 of The Forum West Tower. As seen in **Figure 11**, the level of view loss at Level 24 is relatively insignificant when compared to the same apartments seven consecutive floors below (as identified in **Table 3**). Each of the units listed below will progressively lose a view to North Sydney CBD, but will be able to maintain (a now framed to the east) view of the Harbour Bridge and the CBD and Sydney Harbour west, where this isn't otherwise already blocked by other buildings or parts of buildings.

**Table 3 - View loss analysis - The Forum West Apartments**

Unit Number	Orientation	Affected room	Unit Number	Orientation	Affected room
1708	South and East	Lounge + 1 Bedroom	2108	South and East	Lounge + 1 Bedroom
1808	South and East	Lounge + 1 Bedroom	2208	South and East	Lounge + 1 Bedroom
1908	South and East	Lounge + 1 Bedroom	2308	South and East	Lounge + 1 Bedroom
2008	South and East	Lounge + 1 Bedroom			

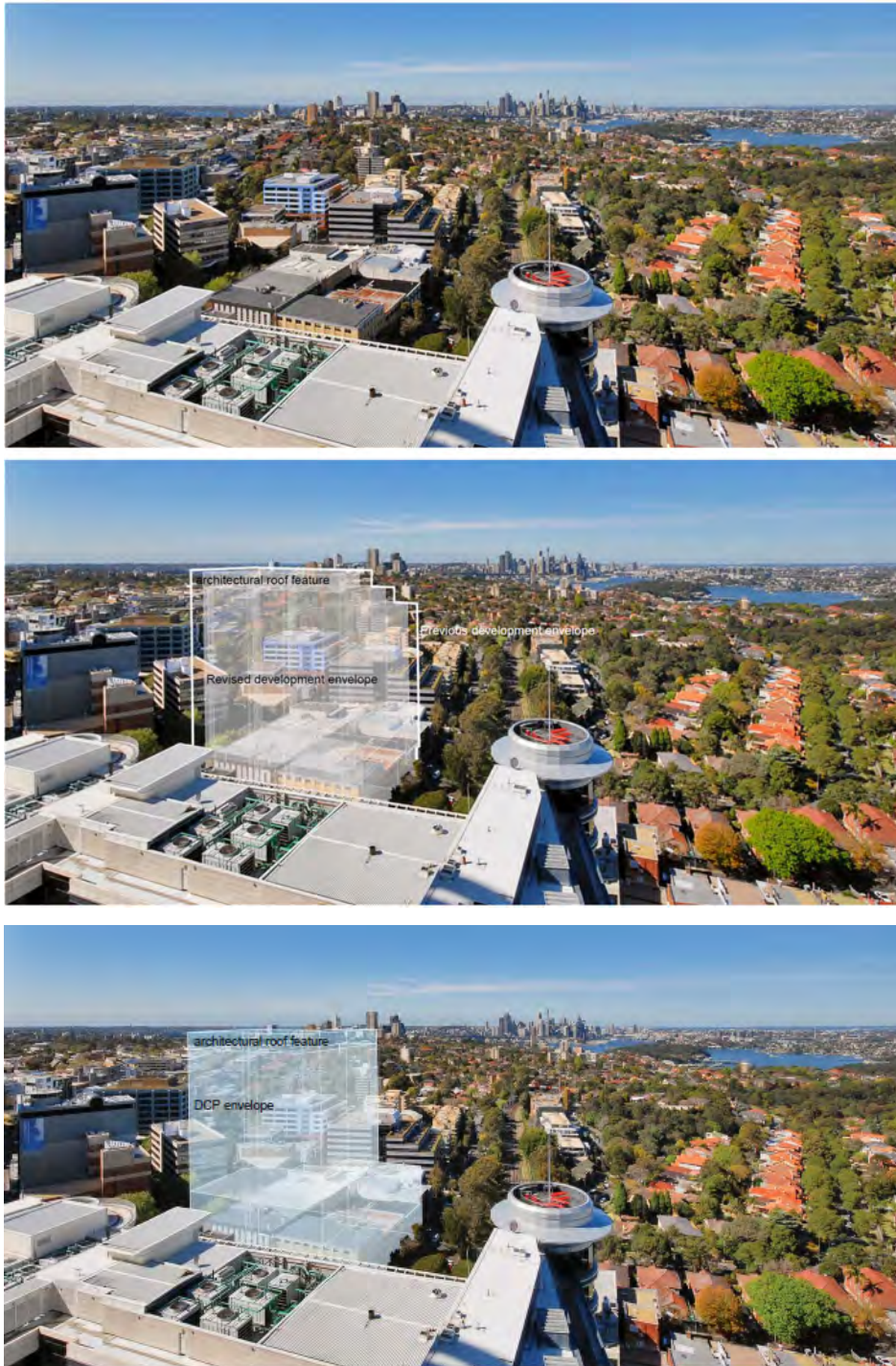
### Impact on Commercial Properties

The Forum Commercial building sits as a 9-storey podium principally facing south and addressing the Pacific Highway. The podium extends from Christie Street at the east to Herbert Street to the west. Views presently exist along this commercial floor space (dependent upon which floor) towards North Sydney, the CBD skyline (including the Harbour Bridge, and beyond to the Anzac Bridge and Sydney Harbour west).

To demonstrate the extent of view impact, Bates Smart has modeled the view impact of the Concept Plan envelope as originally submitted, the PPR envelope and a scheme that fully complies with existing planning controls. The view impact from both Level 9 and Level 4 of the building have been modeled from three vantage points – west, central and east along the southern façade of the commercial building).

The view impact modeling is included at **Appendix F** and reproduced at **Figures 12 – 17** below.





**Figure 11** - Potential view loss from Level 24 - The Forum West tower (PPR & DCP compliant schemes)

**Figures 12 – 14** illustrate potential view loss from the Level 9 commercial tenancies along the western end of the building's southern facade, centrally, as well as from the eastern end of this facade. As demonstrated, the PPR envelope generally preserves Sydney CBD views at the western to central locations of the building, with the eastern location facing directly upon the proposed building envelope and accordingly losing the majority of its current views to the city.

As also demonstrated by **Figure 14**, a scheme that fully complies with the maximum 65 metre building height and establishes an 18 metre setback would not preserve existing Sydney CBD views from Level 9 of the commercial building. Retention of existing Sydney CBD views from Level 9 is not therefore an objective that would be met by compliance with the existing planning controls.

**Figures 15 – 17** illustrate views from the same vantage points (west, central and east along the southern facade of the commercial building) from Level 4 of the commercial building.

As demonstrated, the PPR envelope results in either an improved or neutral view outcome. There is no significant difference in view sharing between the PPR envelope and the DCP compliant envelope when considering the Level 4 (west) view. All existing distant views to the CBD will be retained. Similarly, any southerly view from Level 4 (east) will be lost to a comparable extent under either the PPR scheme or under a DCP compliant scheme.

**Figure 16** demonstrates that the PPR envelope results in a superior planning and view sharing outcome in that greater (albeit minor existing) CBD views can be retained. Under the PPR, CBD views are largely retained and framed by the envelope, whereas, the DCP compliant envelope would result in a podium form that would block views to the CBD.





Figure 12 - Level 9 Commercial Building (west) (PPR & DCP compliant schemes)

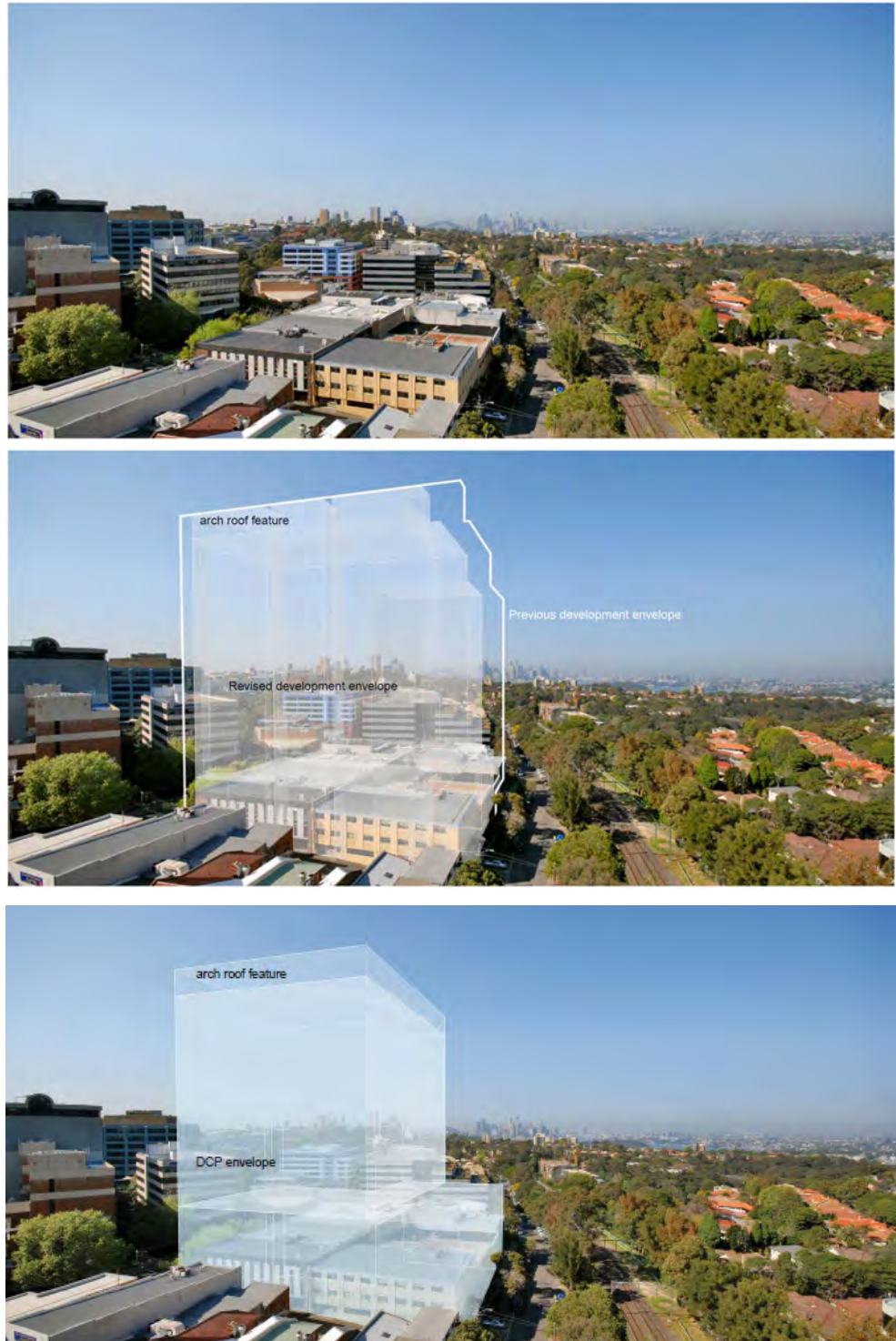


Figure 13 - Level 9 Commercial Building (central) (PPR & DCP compliant schemes)



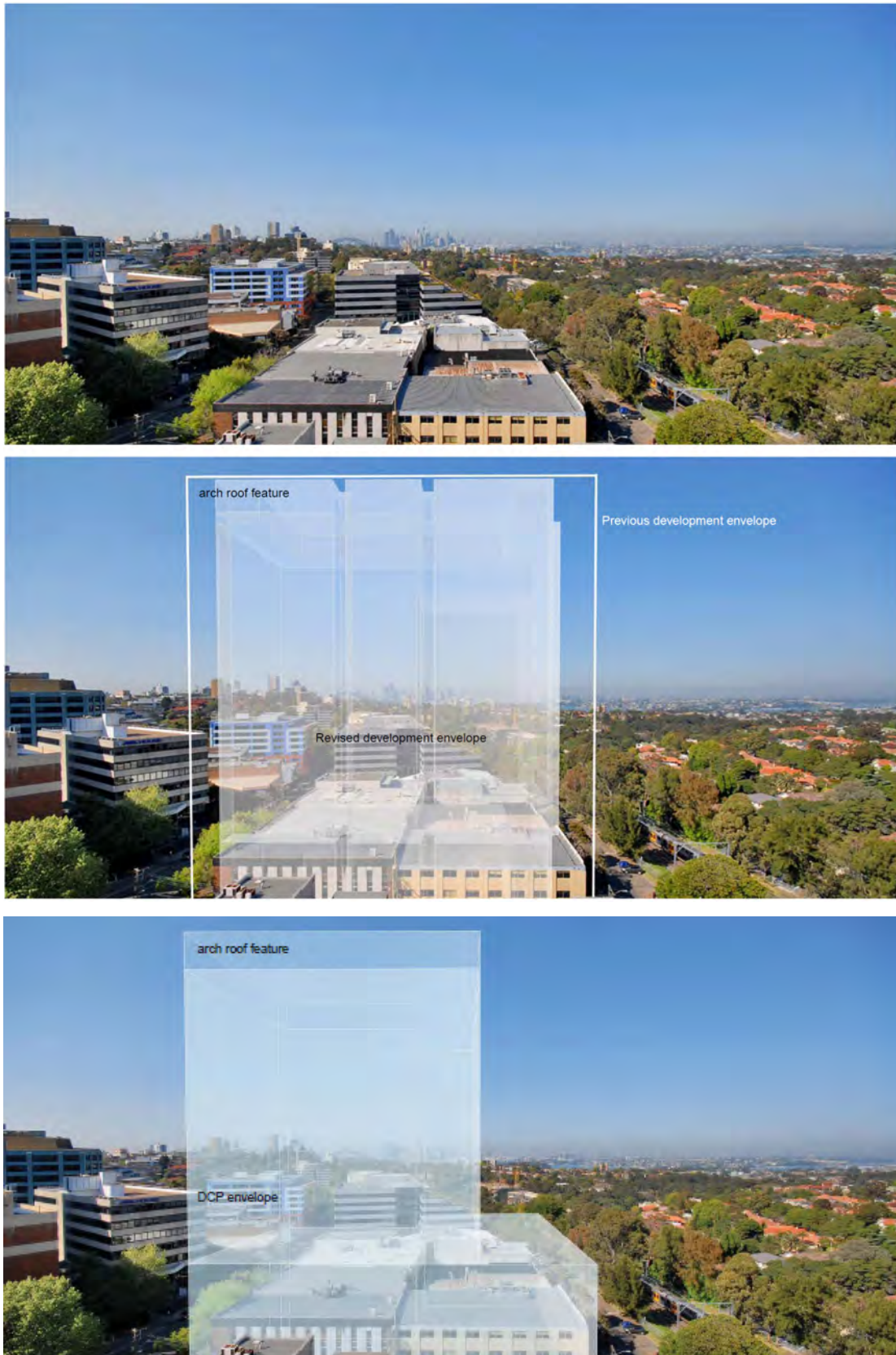


Figure 14 - Level 9 Commercial Building (east) (PPR & DCP compliant schemes)

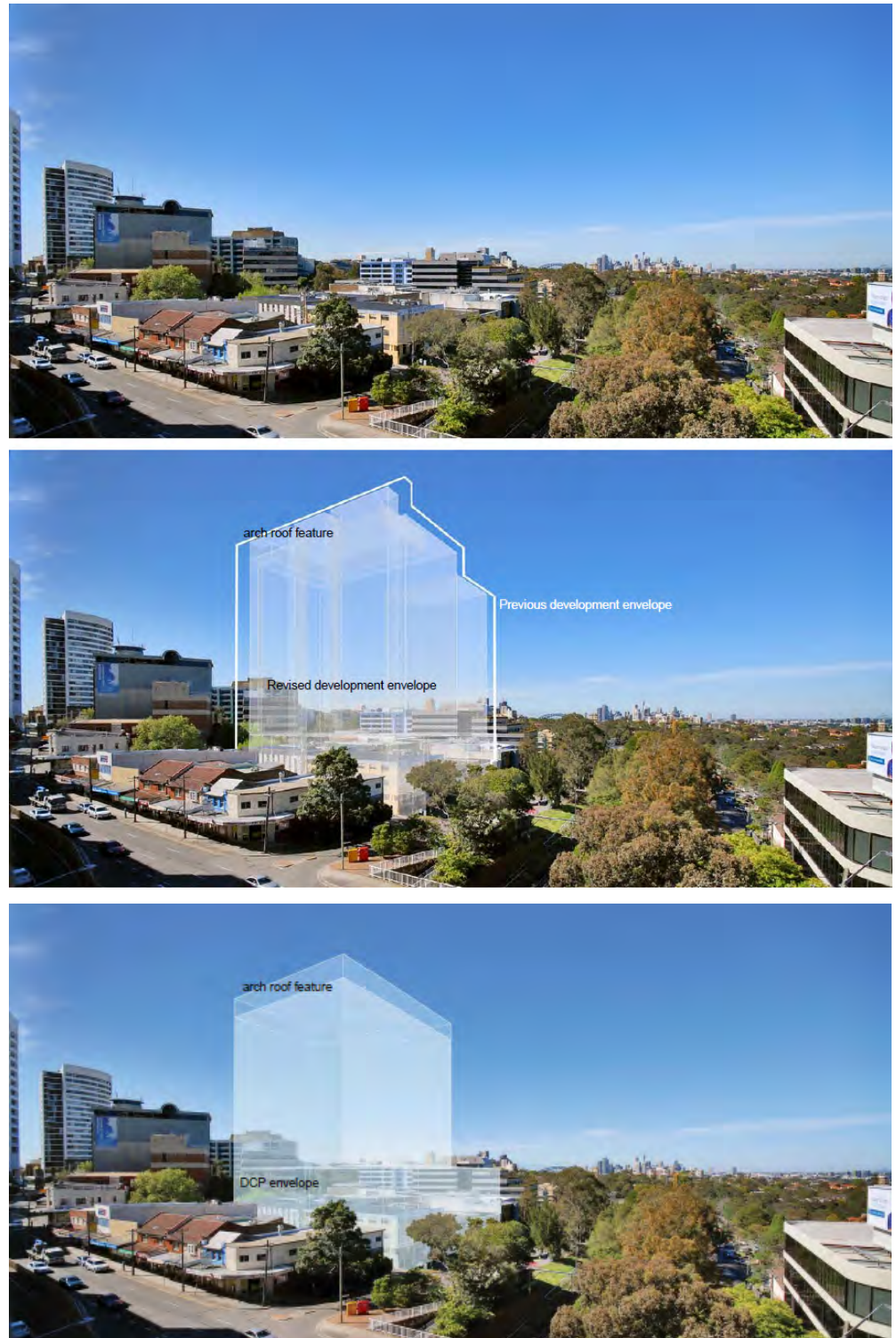


Figure 15 - Level 4 Commercial Building (west) (PPR & DCP compliant schemes)



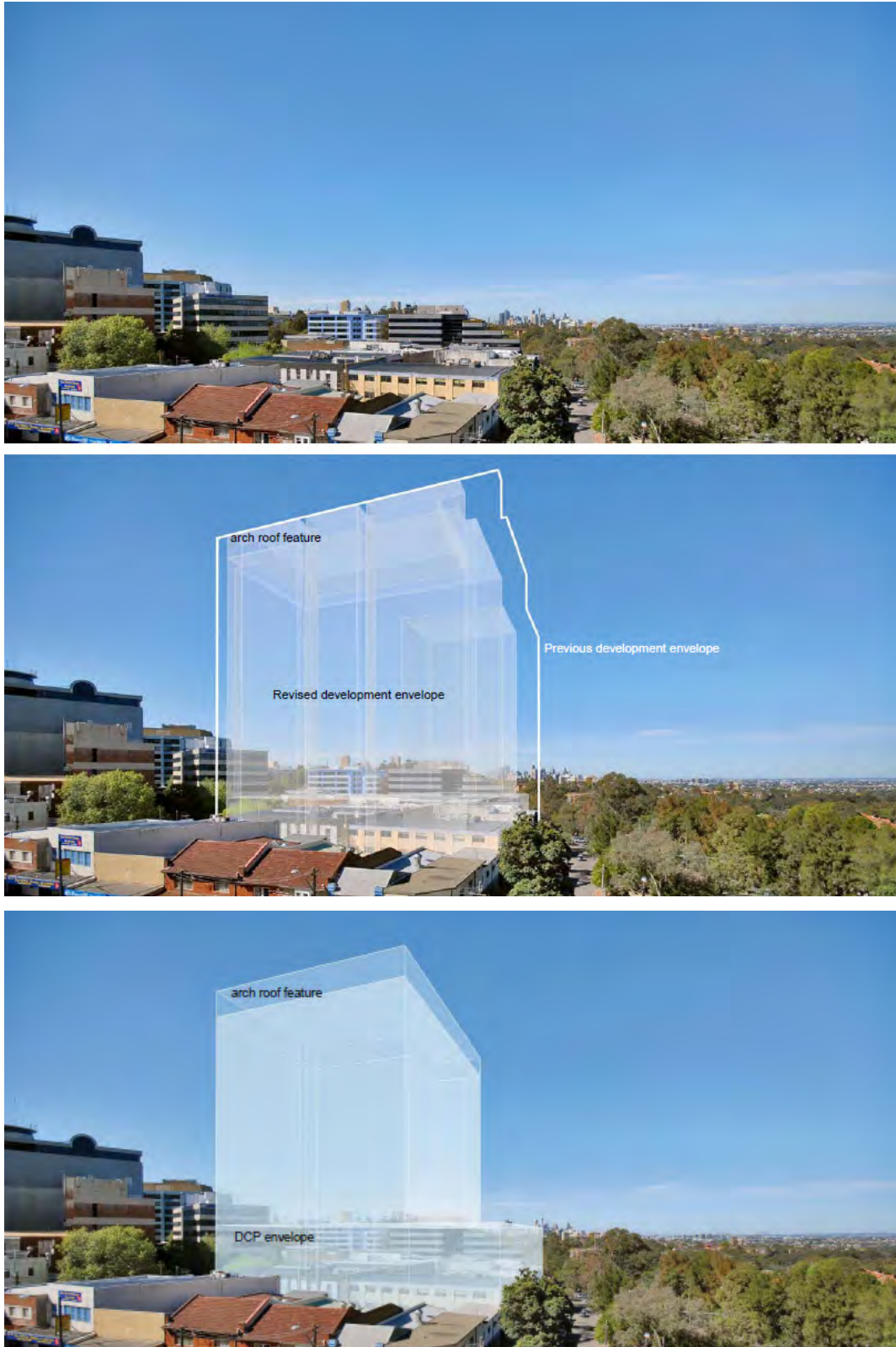
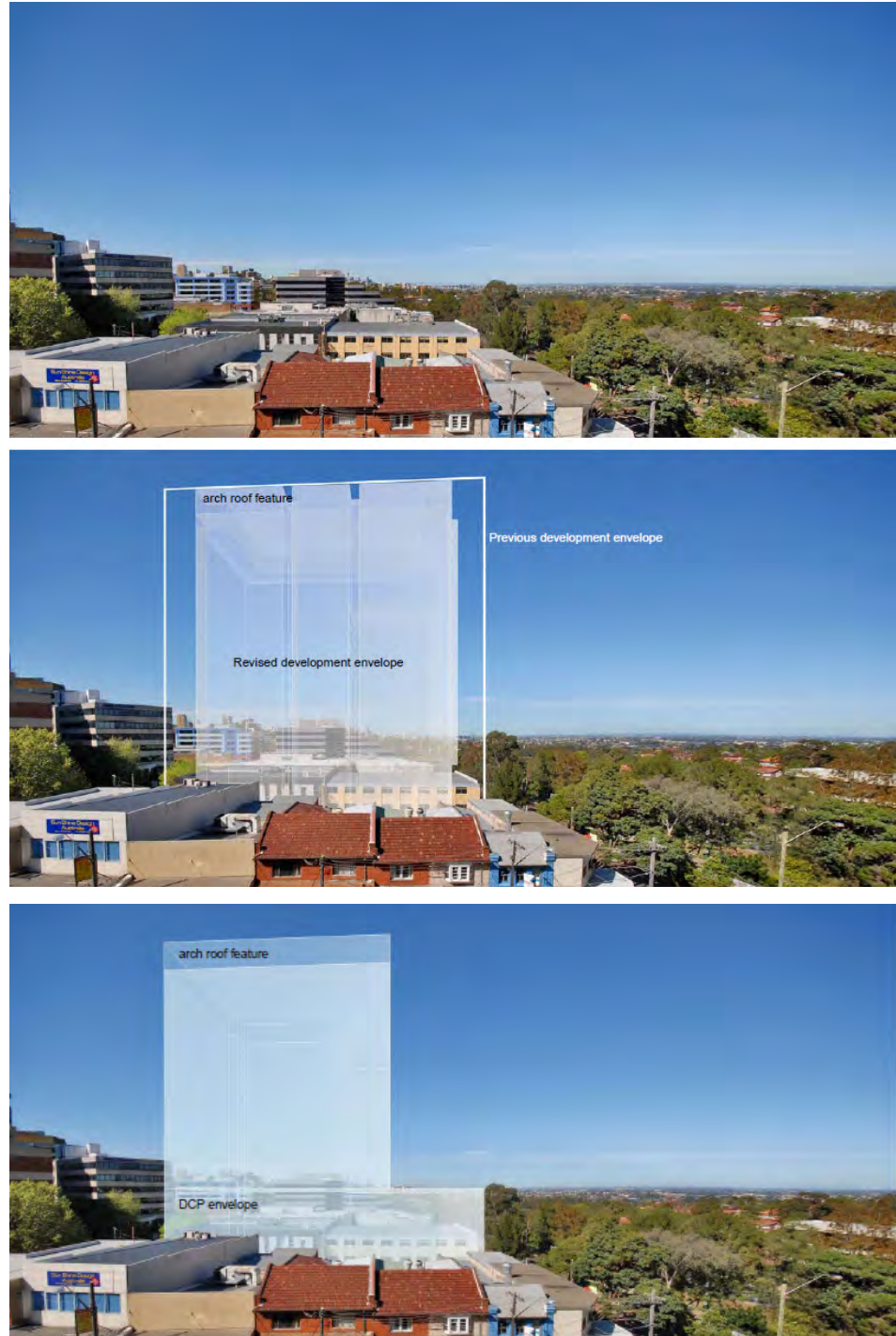


Figure 16 - Level 4 Commercial Building (central) (PPR & DCP compliant schemes)



**Figure 17** - Level 4 Commercial Building (east) (PPR & DCP compliant schemes)

The LEP and DCP both promote substantial growth and tall buildings (not only on this site alone) but other sites and land to the south of the Pacific Highway. In some cases these buildings are, or are proposed to be taller than the envelope proposed by this Concept Plan. The combined effect of all these future envelopes and buildings is certain to result in loss of existing views from various sites within the St Leonards centre.

The extent of view impact from The Forum Commercial building is considered reasonable, particularly given the strategic planning objectives sought by the Department of Planning and the three relevant local Councils with respect to:

- job generation,
- increased commercial density at St Leonards,
- delivering premium floor plates to attract desirable tenants and uses to the centre commensurate with adjacent land uses and functions and the centre's place in the urban and commercial hierarchy.

Not least, the proposal is LEP compliant in the greater part in height and completely compliant with respect to FSR controls.

This position acknowledges that with a permitted 65m height limit and the applicable FSR control, a change to existing views available from development on the northern side of the Pacific Highway is inevitable.

It should also be acknowledged that views from commercial premises are accepted as being a lower-order consideration to those from residential premises.

Relative to the development controls and the strategic planning objectives, the proposed PPR Concept Plan envelope has struck an appropriate balance to ensure a high environmental amenity and suitable opportunity for job growth and renewal of the Lane Cove portion of the St Leonards Centre.

## 2.3 Car Parking

### 2.3.1 Issue

The on-site car parking provision is considered excessive given the accessibility to rail and bus services.

### 2.3.2 Proponent's Response

The proposed car parking provision is based on the relevant local planning controls, achievement of a modal split in favour of public transport use, consideration of the likely need for car-oriented transit for a proportion of the likely workforce of prospective future tenants of the envelope, achievement of marketable floorspace to assist in achieving strategic planning outcomes, and comparable rates in similar transit-oriented locations and hubs near, or in the context of, St Leonards Centre.

#### Parking Rate

The proposed car parking rate is at less than 1 space per 110m<sup>2</sup>. This is consistent and complies with Lane Cove Council's current and newly implemented rate. Under the PPR scheme on a maximum GFA of 32,599m<sup>2</sup> the maximum car parking provided is **294 spaces**. This is some 184 new parking spaces, instead of the originally proposed 220 new parking spaces.

The Forum development rate immediately above St Leonards Station is at about 1 space per 80m<sup>2</sup>. If applying this rate, the PPR scheme would be allowed 408 spaces. Willoughby Council's recently gazetted LEP re-confirms the 1 space per 80 m<sup>2</sup> car parking rate for development above St Leonards Station.

For further relevant comparison to current corresponding rates applied in Willoughby, North Sydney and Lane Cove, the following car parking would be permitted at a maximum.

**Table 4** - Relevant similar car parking controls

LGA (relevant parking control)	Commercial Parking Rate / Spaces @ 32,599m <sup>2</sup> GFA
Willoughby (Part I of Willoughby DCP - St Leonards special provisions)	1:100 / 326 spaces
(Part I of Willoughby DCP - various Chatswood special provisions)	1:75 / 435 spaces
North Sydney (North Sydney DCP - Car parking section - non-residential zone controls)	1:400 (North Sydney CBD) / 82 spaces
Lane Cove DCP 2010 (Part D Commercial Development and Mixed Use)	1:110 / 297 spaces

**Table 4** above demonstrates compliance with the current Lane Cove control, satisfactory (over)compliance with the relevant control within Willoughby immediately over the Pacific Highway and above St Leonards Station, and a satisfactory comparison with a rate applied by North Sydney Council for the North Sydney CBD which sits in a different context in terms of transport and strategic planning objectives.

It should be noted that until recently with the Lane Cove car parking rate for the site and for this part of the locality for commercial development was 1 space per 40m<sup>2</sup>. This would have permitted 815 car parking spaces. Whilst we agree that this rate was worthy of review and refinement to assist in meeting public transport use objectives, and that 1:110 is also a suitable rate, it is the effect of this sudden increase in rate (and decrease in parking supply) upon the ability to successfully market new commercial floorspace that should be noted. A measured reduction in parking rates will achieve a more sustainable and viable result in fostering development and growth in the centre.

There is anecdotal and documented evidence that commercial tenants will seek alternative and additional car parking where either or both the parking rate is too restrictive or the tenant is moving from a location where there is a more generous parking rate to a more restrictive rate. Vodafone's move to North Sydney's ARK building is a recent documented case, where the company leased 11,700m<sup>2</sup> of GFA and was allocated 30 parking spaces (approx 1:400m<sup>2</sup>). This did not meet its car parking demand or expectation and the company immediately further leased an additional 200 spaces in a nearby public parking station, resulting in 230 spaces on aggregate resulting in an effective parking rate of 1:50m<sup>2</sup>.

### Marketability

In order for St Leonards to be able to meet all the strategic planning objectives with respect to new A-grade or better office accommodation, large premium floorplates, employment targets (and not just transport modal share) the marketability and feasibility of the proposal needs to also be considered. Major tenants, investors, and clustering of like-minded commercial entities are less likely to consider St Leonards as a prime or suitable location for business if appropriate commercial incentives are not available. To that end excessively enforced car parking rates act as a disincentive and these parties are more likely to seek alternatives in locations such as Macquarie Park.

By way of comparison to the Macquarie Park Corridor, Ryde's recently gazetted LEP and its accompanying DCP allow for a parking rate at 1:80m<sup>2</sup> immediately surrounding the new stations in the corridor. Further, the Department's own assessment and the Minister's approval of the Macquarie University Concept Plan has permitted a car parking rate at 1:80m<sup>2</sup> at and around the Macquarie University Station.



This control has permitted up to 4,125 additional spaces (on top of that already supplied within the University) within the Mixed Use zone where up to 330,000m<sup>2</sup> of commercial development is envisaged.

1 space per 80m<sup>2</sup> is clearly the accepted upper limit for the Corridor at and over the Stations. Again, even at this rate the Winten St Leonards proposal is seeking only 294 spaces (or an additional 184 spaces) where a comparable 408 spaces could be accepted as the norm.

## Modal Splits

The St Leonards Strategy (a jointly funded strategic planning exercise by the Department of Planning, and Willoughby, Lane Cove and North Sydney Councils), raises interesting comments about potential targets for public transport and car use in the centre. It is suggested that modal splits consistent with that of the Sydney CBD (being 49% of all trips by public transport and 33% by car with 71% of AM peak trips being by public transport). It notes that parking rates should be consistent with achieving these examples.

More recently, the NSW Government has released the following mode share split targets from the 2010 State Plan.

NSW Transport Mode Share Split target: Improve the public transport system (State Plan 2010). Increase the share of commute trips made by public transport:

- *To and from Sydney CBD during peak hours to 80% by 2016*
  - *To and from Parramatta CBD during peak hours to 50% by 2016*
  - *To and from Newcastle CBD during peak hours to 20% by 2016*
  - *To and from Wollongong CBD during peak hours to 15% by 2016*
  - *To and from Liverpool CBD during peak hours to 20% by 2016*
  - *To and from Penrith CBD during peak hours to 25% by 2016*
- Increase the proportion of total journeys to work by public transport in the Sydney Metropolitan Region to 28% by 2016*

It should be noted that the 1:80m<sup>2</sup> car parking rate being applied in Ryde LGA / Macquarie Park Corridor and within Macquarie University (in tandem with other non-car initiatives) has also been translated as the achievement of a 40% mode share to public transport.

The effective mode share split of the current proposal if an occupancy rate of 1 FTE / worker per 20m<sup>2</sup> is applied is in the order of (and at worst) 82% in favour of public transport and other non-car based trips on the basis that of the potential 1,630 employees all 294 spaces are taken up by a single employee (ie no car pooling). This is comparable to and exceeds the above rates under the St Leonards Strategy, State Plan, and that for the new rail infrastructure through the Macquarie Park Corridor.

We understand that part of Council's concern over the applied rate of 1:110m<sup>2</sup> stems from the impression that this and other future development consistent with the LEP density controls will result in excessive and cumulative traffic congestion in peak periods in the secondary roads in this part of St Leonards where they link with main roads. This in part has generated the suggestion that the proposed parking is excessive relative to the development and its proximity to public transport, when in reality it is the efficiency and effectiveness of the secondary roads network in feeding traffic onto main roads that is in question.

The current parking supply on the site is 110 spaces for a current GFA of about 6,500m<sup>2</sup>. This equates to a current parking rate of about 1:60m<sup>2</sup>. The current scheme will add 184 car spaces, rather than 294, remembering that the site is presently occupied and used.

In the context of the existing parking rate, similar rates applied in the area and in the vicinity of new transport hubs and infrastructure, and relative to St Leonards place and function in the Global Arc, the proposed (compliant) rate of 1:110m<sup>2</sup> cannot be considered excessive.

### Nature of Car Use on the site

Further, a key consideration in relation to the car parking ratio applied, and co-related to the marketability and viability of the centre and the current scheme, is the nature of car use by tenants of buildings at St Leonards and other centres away from the Sydney CBD. Tenants choose locations such as St Leonards for their accessibility to clients and customers in similar locations by car as part of their regular face-to-face business. Public transport and taxis are not ideal forms of transport for the regular coming and going for on-the-road type visitation. Employees in buildings in centres such as St Leonards use their cars as work tools, not merely as a way of commuting to and from work.

This is supported by information provided by Craig Winter, General Manager of Forum Properties, the facilities manager of all the buildings comprising the Forum, along with the shared and public spaces. Forum Properties manages the Forum East car park which comprises 1,135 spaces including 152 public spaces.

He has advised that historically the long-term tenants in the commercial buildings in The Forum and tenants of buildings in the surrounding areas utilising The Forum car park have had a high proportion of sales staff.

Principal tenants within The Forum Complex past and present have included, Carnival Australia, Lenovo, CISCO, Verizon, One Steel and Adshel, with other long term parking tenants locally having included IBM.

The utilisation of the car park has therefore predominantly been one of constant coming and going during the working day for these particular companies. Sales staff generally do not remain in allocated parking spaces for an 8 hour period through normal business hours, and they may enter and leave the car park a number of times during the course of each working day.

One Steel and Adshel currently have a proportion of their employees sharing car spaces as their time is split between office and sales work. This emphasises not only the market's desire and need for parking spaces, but also that the spread of traffic generation is not exclusively limited to the respective peak periods.

### Response

Based on the above, no change to the parking rate is proposed. There has been a reduction in the total number of spaces as a result of the design modifications (based on other issues / comments made). The originally proposed 330 spaces is reduced to 294 based on the rate of better than 1 space per 110m<sup>2</sup>. This will aid some easing of traffic numbers (particularly in the peaks) in the streets surrounding the site. It should be noted that the site presently accommodates 110 spaces and that the proposal will result in an addition of 184 spaces.

The proposed rate is not considered excessive given it:

- matches Council's new / current rate for commercial development in its LGA;
- exceeds mode share split targets by the State by producing an effective split of at least 82:18 in favour of public transport



- the nature of the potential use of the building is driven by the need for face-to-face contact by business, often best and most effectively achieved through car use; and
- to ensure marketability and viability of the commercial floorspace, and to that end assist in achieving the Government's Strategic planning objectives with respect to premium commercial office space with large floorplates and a suitable mode share split (see the St Leonards Strategy) and car parking rate that fosters growth balanced with sustainable transit needs to be applied.

Overtime, tolerances to changes in car parking rates will be better accepted from the current base of 1:110m<sup>2</sup>, however attempting to make a more dramatic transition from 1:40m<sup>2</sup> to anything beyond 1:110m<sup>2</sup> is likely to have a significant effect on development feasibility and potential uptake (should development even occur). This will naturally have a major impact on the ability to meet the employment and development objectives of all relevant strategic planning documents.

Additionally, any potential sharing of the basement space for a public car park (as mooted by Lane Cove Council in the recent meeting with Winten, Council and the Department of Planning) will be resolved in future detailed discussion and negotiation with Lane Cove Council.

## 2.4 Other Issues

### 2.4.1 Traffic and Transport

Aside from the comments made about the proposed parking rate and supply being excessive in its context, numerous other traffic related issues were raised by Council, Transport NSW, and public submissions.

These issues have all been individually addressed in detail by Colson Budd Hunt & Kafes (see Revised Traffic Assessment and Response to Traffic-related Issues included at **Attachment C**). The main conclusions of this report are that the proposal does not present adverse car parking, traffic or transport outcomes for the site and its environs in the context of the existing and proposed road network, and the context of the strategic planning outcomes for the site and the St Leonards Centre. This is reinforced by the PPR proposed 10% reduction in GFA compared to that of the exhibited Concept Plan.

As a consequence of the 10% reduction in GFA, the PPR Concept Plan proposal includes the provision of 184 new car parking spaces as compared to the originally planned 220 new spaces. As a result, the PPR Concept Plan proposal will result in a 16% reduction in new traffic generation as compared to the originally exhibited scheme. As demonstrated by the Revised Traffic Assessment and Response to Traffic-related issues at **Attachment C**, the key intersections around, and servicing, the site continue to operate at a Level of Service of between A/B and C as documented in Section 5.5.2 of the exhibited EAR.

Colston Budd Hunt & Kafes has refuted claims that the traffic-generation model used was based on an incorrect set of assumptions out of context with the site's role and function within a growing commercial centre. Surveys undertaken by Colston Budd Hunt & Kafes found traffic generations of between 0.18 and 0.4 vehicles per hour per space during peak hours in North Sydney and other like locations in the vicinity of St Leonards.

The Colston Budd Hunt & Kafes traffic report conservatively assessed 0.4 vehicles per hour per space during peak hours, at the upper end of this range. The RTA rate of 0.8 vehicles per hour per space during peak hours is based on data (from 1990) for the whole of the Sydney Metropolitan Area, not just areas with superior public transport access, such as North Sydney or St Leonards.

There are likely to be a number of reasons that commercial development in other like locations in the vicinity of St Leonards may have a lower traffic generation per parking space since the RTA surveys. Apart from the fact that the RTA surveys are now 20 years old, there would also be new factors contributing to commercial trip generation rates such as increased flexibility in working hours, and the introduction of car parking rates that constrain parking provision (such as is the case in North Sydney and St Leonards), and the likely allocation of a proportion of spaces to senior personnel who don't necessarily travel to and from work during peak hours.

It should be acknowledged that a number of the more detailed traffic and transport-based issues raised in submissions will be directly related to the development of a scheme to fill the proposed envelope. These matters (such as loading docks, construction traffic, access arrangements, Workplace Travel Plans etc) will all be subject to future detailed planning and studies once a building is designed and the building can be tenanted. Winten has accordingly made Commitments (see Section 4) to ensure appropriate information and planning occurs around these issues at the relevant time.

### 2.4.2 Overshadowing

As previously discussed in Section 5.6 of the exhibited EA for this project, the overshadowing impacts of the proposal are minor and allow for residential dwellings to the south-west to enjoy solar access at levels recommended by SEPP65 and generally consistent with the shadow impacts that a 65m envelope under the LEP controls would allow.

The maximum LEP height was driven by overshadowing considerations and the minor additional shadows have no significant material amenity impact given the time of day, year, the duration and speed of the shadows, and where they fall on property.

As indicated in the EA, a total of 13 properties are affected at 9am at the Winter Solstice, however by 10:30am only 3 properties' front yards are affected. No properties are affected from 11:00am. Accordingly, the SEPP65 rule-of-thumb of a minimum 3 hours of solar access to principal living spaces is achieved from 11:00am through to 3:00pm during mid-Winter.

Under the refined envelope, this impact has been marginally improved with narrower and shorter shadows during all times of the year due to the reduced width of the building and new setbacks. This is most pronounced at 9am at the Winter Solstice, when 11 properties (as opposed to 13) are affected - see **Figure 18** below. Again, by mid-morning most properties will be unaffected. All residential properties to the south-west will be unaffected by 12 noon.



**Figure 18** - PPR Scheme Winter Solstice Shadowing at 9am, 12 noon, and 3pm

Since exhibition and the receipt of comments / submissions, Bates Smart has also remodelled the shadow impacts of the proposed Preferred Project envelope upon the Christie Street South Park from 2:15pm to 3:00pm on 21 June.

The remodelling demonstrates that a small section of the park, and particularly hard stand and walkway space in front of the cafe adjacent to the Fitness First gym will be affected after 2:30pm and through to 3:00pm. The shadow diagrams are included as part of the architectural package at **Attachment D**. **Figures 19 and 20** below indicate the potential additional shadows.



**Figure 19** - Existing and potential overshadowing of Christie St South Park at 2:15pm and 2:30pm (21 June)





**Figure 20** - Existing and potential overshadowing of Christie St South Park at 2:45pm and 3:00pm (21 June)

The modelled overshadowing impact is considered to be minor given the very minor additional extent of shadow, its short duration (about 30 minutes), the time of day (outside of lunchtime use of the space and cafe), the time of year (worst case scenario), that the majority of the space shadowed in walkway or hard stand and not greenspace, and the fact that there is existing shadow cast over part of this open space by other existing development closer to the cafe.

The space itself acts as the street closure between Christie Street and Oxley Street, and serves as a green buffer between residential and non-residential uses in this part of the locality, as well as a thoroughfare and passive recreation space. The space itself does not appear to be in high use, particularly in the mid to late afternoon period. Given the size of the space and the relatively small shadow cast onto it, and the potential to use spaces within the green space area at this time of day, the impact is considered minor.

Further, there is no prohibition with respect to shadows into open space and the hard stand area under the LEP. Council's DCP (Section B.6 - 6.1 Sunlight to Public Spaces) states that sun access, especially during lunchtime hours, is desirable in all public spaces.

Overshadowing should be avoided during the lunchtime period for commercial and retail centres. The section of the DCP further seeks to ensure that there is adequate sun access to publicly accessible spaces during winter at the time of day when the space is likely to have its highest use by visitors and residents.

To meet this objective, the relevant provision is for new development to allow for a minimum of 2 hours of solar access to at least 50% of public open areas between 11am and 2pm on 21 June.

Given the above modelling, it is clear that the proposal meets these objectives and controls as the shadowing does not occur at lunchtimes, the space itself is not a highly trafficked or major space (indeed it acts as a green passage), and the quantum of space and solar access achieved between 11am and 2pm is unaffected by the proposal.

Furthermore it should be acknowledged that the shadow cast by the envelope into the Christie Street Park space is from the southern portion of the proposed Concept Plan envelope, which already sits well below the height limit set by the LEP. Accordingly, the shadow impact does not arise as a consequence of the minor non-compliance with the 65 metre height limit.

It should be reiterated any change to the height of the envelope would require a significant change to the potential floorspace relative to the extremely minor public benefit that might be gained by reduce shadow impacts at mid winter.

### 2.4.3 Building Setbacks and Separation

Council acknowledges that a serious effort has been made to reduce the proposed bulk of the Concept Plan envelope and its related impacts, and to increase setbacks. To that end, Council has endorsed the proposed PPR Concept Plan envelope subject to “any variations in the south-eastern corner complying with appropriate requirements in building separation from future redevelopments adjacent”.

The various relevant objectives of Council's DCP that relate specifically to St Leonards centre and the respective development blocks as well as to the matter of building setbacks and separation include:

- To reduce the impact of scale as well as assist with cross-ventilation, solar access, privacy, views sharing and to reduce adverse wind effects.
- To acknowledge the economic realities of redevelopment while striving for high quality revitalisation including large developments.
- To balance the built form character and massing across both sides of the Highway and improve the amenity of southern St. Leonards adjacent to the rail line.
- To create a linked centre that mitigates and reduces the dividing impact of the Pacific Highway between north and south St Leonards.
- To create a vibrant and exciting live and work major centre on the southern side of St Leonards.
- To improve the connectivity within southern St Leonards to public transport and facilities.
- To achieve design excellence in new development for the southern side of St Leonards.
- To activate the streets and public open spaces of the St Leonards centre and achieve an appropriate human scale to the streetscapes.

- To mitigate against the acoustic and visual impacts of the rail line and traffic movement on the highway.
- To achieve 'slimline towers in the round' and avoid continuous secondary street walls above podium levels.
- To facilitate view sharing and reasonable solar access to streets and buildings on the southern slope of St Leonards
- To relocate laneways and through block links to the most appropriate locations to achieve a high level of connectivity and safety to public transport and key uses.

It is considered that the 6 metre building separation, which assumes a 3 metre setback for development on either side of the boundary, is appropriate and satisfactory with respect to the setback objectives of Council's DCP relating to tower forms and amenity, as well as ensuring a high quality urban design outcome and realistic development opportunity.

Specifically, the following is noted:

- The south-eastern face of the proposed PPR building envelope cannot be viewed from any street, and therefore building separation could only be required to satisfy BCA purposes (see marked **A** below in **Figure 21**). Accordingly, a 3 metre setback as proposed is appropriate at this facade.
- The Dental Association site off Lithgow Street is designated as the new or future through-road so no building separation is required under the adopted DCP in relation to this frontage of the proposed building (see marked **B** below).

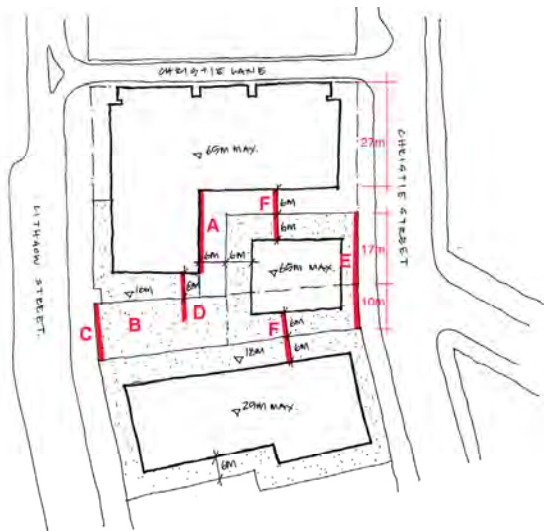
Whilst the Dental Association site has a 65 metre height limit under the LEP, the Club to its south has a 25 metre height. The Dental Association site has a narrow 14 metre frontage to Lithgow Street and its potential to be developed to the permissible height with or without the Club will not be possible with a full 6m (or total 12m) setback (see marked **C** below). It will not be viable for the Dental Association to redevelop on its own and if it goes with the Club it will in all likelihood be built to 25 metres (as detailed in the original Concept Plan EA at Figures 26 and 27).

The Winten podium is at around 18 metres in height, and the Dental Association / Club redevelopment would also have an 18 metre podium. To achieve the 25m height, there would only be a further 2 storeys in height above the respective podiums. A building separation of 12 metres for 2 storeys above an 18m podium would not serve any reasonable BCA, urban design or architectural purpose, particularly given a general principle of promoting a street and built-edge along Lithgow Street (see marked **D** below). Most critically, a maximum setback would diminish development opportunity without any clear tangible public benefit. Whilst the Winten site can absorb a setback (as proposed at 3 to 4.09 metres in this location), any further setbacks beyond that required under the BCA (3.0m) would severely diminish the opportunities of the Dental Association / Club.

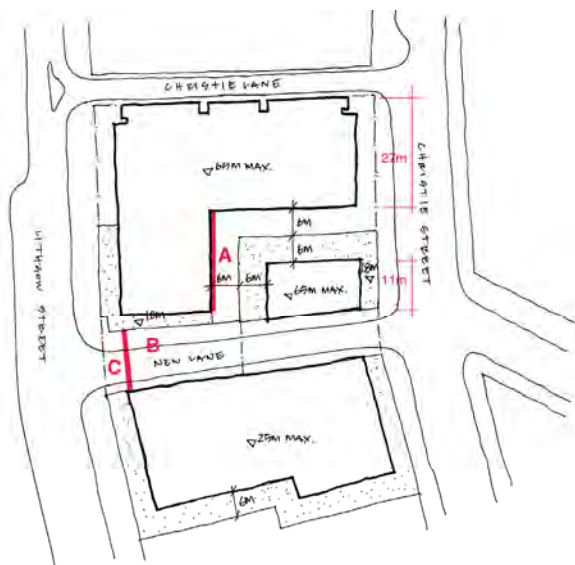
- The common boundary with the Pharmacy Guild off Christie Street. These same manifestations occur at Winten's Christie Street interface with the Pharmacy Guild building. The Pharmacy Guild has a 17 metre frontage and its southern neighbour has a 10 metre frontage (see marked **E** below). Both sites have a 65 metre height limit under the LEP. In our EA and response to public submissions we showed a scenario to demonstrate that the Pharmacy Guild could release its height through redevelopment with the Club (assuming that the new road does not happen). Our submission was based on a 3m setback each side of the boundary (being the BCA requirement).

In reality the Pharmacy Guild would more likely have a lower height in a redevelopment. A 6 metre setback to the common boundary will have a significant negative impact on the Pharmacy Guild (much like for the Dental Association) and with little, if any, benefit to overall design merit (see marked F below).

It is our view that with a frontage to Christie Street of some 27m and a depth along the common boundary with the Pharmacy Guild of about the same, that a shared 6 metre separation for the 27m length is more than adequate and appropriate from an urban design and amenity perspective, given that the only visible element within this gap would be the south-east wall of the Winten envelope/ building. There is no vista, no through link, and hence no amenity issue with regard to wind or the like. To impose a shared 12m setback would again impose difficulties in achieving a suitable footprint of development, impinge on development opportunity, and be of very little material benefit to the public in terms of views, vistas, amenity, or consistent street edges and urban design outcomes.



Plan - If the proposed laneway does not eventuate with 12m tower separation



Plan - If the proposed laneway comes into fruition with 12m tower separation

Figure 21 - Indicative Building Separation Scenarios



The potential scenarios (with and without the new east-west laneway between Christie and Lithgow Streets) are demonstrated at **Figure 21**. As can be seen, strict compliance with all setback and building separation controls has the affect of greatly reducing the potential for a marketable and realistic development.

It is Winten's view that strict compliance with the DCP's setback and separation controls will not result in a development that best meets the planning objectives for the St Leonards centre. Particularly, when considering the first-quoted objective above with respect to setbacks, the proposal with a 3m setbacks will still achieve a suitable scale as well as assist with cross-ventilation, solar access, privacy, views sharing and reduction of adverse wind effects. A superior architectural and urban design outcome can still be achieved for this part of St Leonards with this scheme and reduced setbacks and separation. There is the potential to create a new precinct south of the Pacific Highway that reproduces the same built form character, massing, amenity, human scale in existence to the north with reduced setbacks and separation that can provide genuinely high quality design outcomes that do not result in street or tower walls or any lower pedestrian amenity and which also allows for realistic development opportunities.

#### 2.4.4 Rail Infrastructure

The original submission made by Transport NSW - Rail Corp includes comments based on a lack of information within that organisation at the time of drafting. As the project has proceeded it has become apparent that only part of Rail Corp had received and reviewed the exhibited Environmental Assessment and that a wider commentary was not forthcoming as other parts of Rail Corp were not aware of the project.

This has since been remedied by Winten's engineering consultants (Parsons Brinckerhoff) liaising directly with the relevant Rail Corp officers and providing additional material for review.

This liaison has demonstrated that all technical areas of Rail Corp's interest in protecting the existing and potential future rail corridors (as raised in the submission) can be suitably satisfied at the next stage of the development and design process. This will include liaison with relevant sections within Rail Corp about detailing planning near the existing and potential future rail corridors and will include such matters as acoustic impacts of the rail corridors upon the development, electrolysis impacts of the future construction and design, and any other matters as required at that stage. This is represented in the final Statement of Commitments.

All outstanding Rail Corp issues have now been satisfied with respect to the Concept Plan design.



## 3.0 Preferred Project

In accordance with its commitment to address the concerns of the Department of Planning, Lane Cove Council and the public, Winten has modified its proposal.

The architectural drawings of the revised development have been prepared by Bates Smart and are located at **Attachment D**.

### 3.1 Description of Development Proposal

#### 3.1.1 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 32,599m<sup>2</sup>;
- up to a maximum height of RL149.05;
- land uses;
- pedestrian and vehicle access arrangements; and
- a maximum 294 car parking spaces to service the tenants of the building.

#### 3.1.2 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.

#### 3.1.3 Land Use and GFA

The Concept Plan seeks approval for a commercial building envelope with an overall GFA of 32,599m<sup>2</sup> with a maximum FSR of 12.6:1. Retail or business premises will be located at the ground level to support activation of the street and through-site link. **Table 5** provides a summary of the proposed land uses on a floor by floor basis.

**Table 5** - Land use and GFA

Level	Land Use	GFA (m <sup>2</sup> )
Basement 2 - 6	275 car spaces (55 per level)	-
Basement 1	19 car spaces	-
Lower Ground	Commercial Lobby Retail / Business Premises	1757
Ground Floor	Commercial Lobby Commercial office space	1172
Levels 1 – 2	Commercial office space	1787
Levels 3 – 14	Commercial office space	1932
Level 15	Commercial office space Roof Terrace	1459
Level 16	Commercial office space	1459
Plant Level	Plant	-
<b>Total</b>		<b>32,599</b>

### 3.1.4 Building Height and Setbacks

The proposed maximum height of the building is RL 149.05. The building will include an architectural roof feature to incorporate the building plant. The basement level will have a maximum depth of RL 57.95.

**Table 6** outlines the proposed building setbacks to its respective boundaries.

**Table 6** - Proposed building setbacks

Boundary	Ground Level Setback	Above Podium Setback
Northern (Christie Lane)	0m	0m
Southern (Commercial development)	0m - 3m	3m - 4m
Eastern (Christie Street)	0m – 7m	4m
Western (Lithgow Street)	0m – 7m	4m

### 3.1.5 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). The proposed through site link is of generous proportions, and will provide a significantly improved amenity to pedestrians as compared to the existing Christie Lane connection.

#### 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.

### 3.1.6 Parking

294 car parking spaces, 12 motorbikes spaces, 18 bike racks and 55 bike lockers will be provided across 6 basement levels to service the proposed office and retail uses.

4 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 / Development Application stage in accordance with the Lane Cove DCP 2010 and relevant Australian Standards.

### 3.1.7 Landscaping and Public Domain

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

### 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 afterhours will be resolved at the Project / Development Application stage.

### 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. 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 / a future Development / Project Application for the site.

## 3.1.8 Environmental Sustainable Development

ESD principles are a key driver of the project. The Proponent is seeking to achieve at minimum, a 5 Star Green Star Office Design (v3) rating and a 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.

## 3.1.9 Stormwater

A stormwater concept plan has been prepared for the proposed development and is located at Appendix F of the exhibited EAR. 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.

### 3.1.10 Infrastructure and Utilities

As part of the detailed design during the Project / Development 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.

### 3.1.11 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 / Development Application will be lodged for the development.

## 3.2 Key Changes

As detailed in Section 2.0, the design of the Concept Plan envelope has been modified in response to the concerns raised by the Department, Council and the public following the exhibition process. The key changes to address these concerns, which are detailed below, are:

- increased building setbacks;
- reduced GFA;
- reduced building height;
- revised indicative core and plant area design; and
- reduced parking provision.

### 3.2.1 Increased Setbacks

To reduce built form impacts and improve the public domain outcome, both the ground level and above podium setbacks have been substantially increased along the Christie Street and Lithgow Street boundaries. **Table 7** provides a comparison between the Exhibited Project and the Preferred Project building setbacks.

**Table 7** - Comparison of the Exhibited and Preferred Project building setbacks

Boundary	Ground Level Setback		Above Podium Setback	
	EAR	PPR	EAR	PPR
Northern (Christie Lane)	0m	0m	0m	0m
Southern (Commercial development)	0m - 4.2m	0m - 3m	3m - 4m	3m - 4m
Eastern (Christie Street)	0m - 5.29m	0m - 7m	0m	4m
Western (Lithgow Street)	0m - 5.29m	0m - 7m	0m	4m

### 3.2.2 Reduced GFA

To reduce the bulk and scale of the building and improve the built form outcome, the GFA of the building has been reduced by over 10%. The exhibited Concept Plan sought approval for 36,253m<sup>2</sup> with an FSR of 14:1. The GFA proposed in the Preferred Project seeks approval for 32,599m<sup>2</sup> with an FSR of 12.6:1. This represents a reduction of 3,654m<sup>2</sup> or a new envelope only 89.9% of that exhibited.

### 3.2.3 Reduced Height

To reduce built form impacts, the maximum building height has been reduced by 0.7m to RL 149.05. The southern portion of the proposed envelope, which abuts the adjoining commercial development to the south, has been reduced by 1.2m to RL 136.65.

### 3.2.4 Reduced Parking Provision

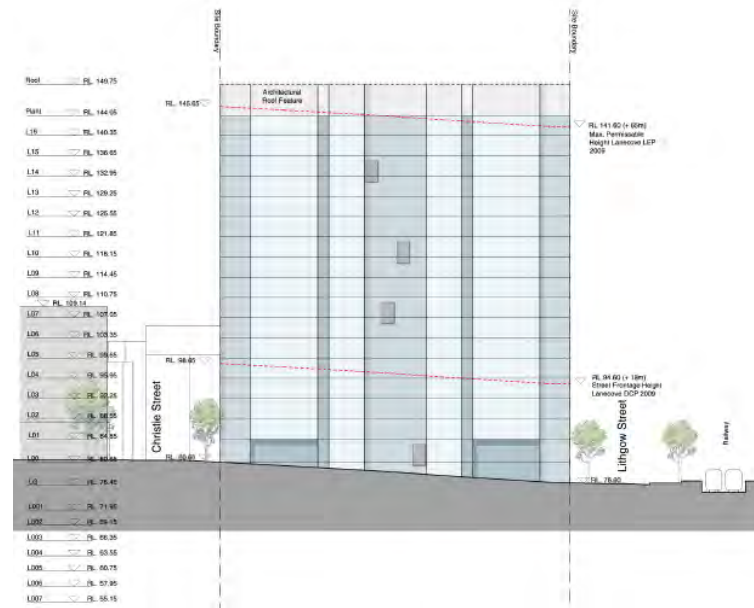
In line with the proposed GFA reduction, and to minimise traffic impacts, the proposed parking provision has been reduced by 36 car spaces from 330 spaces to 294 spaces. As noted in Section 2.0 above, the proposed provision of 294 spaces results in a net increase of 184 spaces, given the site currently accommodates 110 spaces.

### 3.2.5 Core and Plant

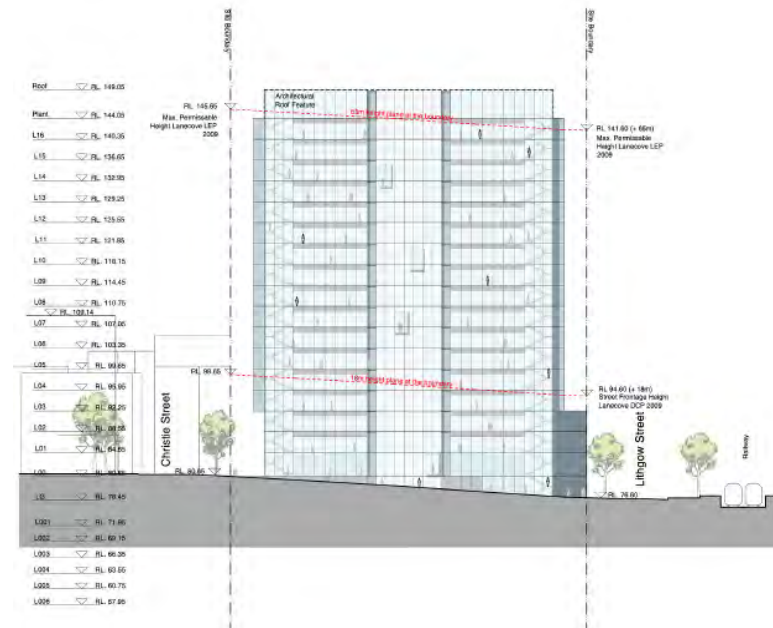
The indicative core area has been redesigned and reduced in size to provide greater articulation and break up the massing of the northern façade of the Concept Plan envelope. A comparison of the indicative cores is shown at **Figure 22** below. The redesign and relocation of plant has resulted in a narrowing of the northern facade by 12m and the building by between 4m and 8m.



### Exhibited Concept Plan



### Preferred Project



**Figure 22** - Comparison of the Exhibited and Preferred Project northern elevations

Studies of the built form and massing of the PPR scheme are indicated below in **Figure 23**. The exhibited scheme's silhouette is shown as a white line, further demonstrating the various height reductions and setback increases, to better modulate the proposed envelopes built form and improve views from properties to the north of the site.

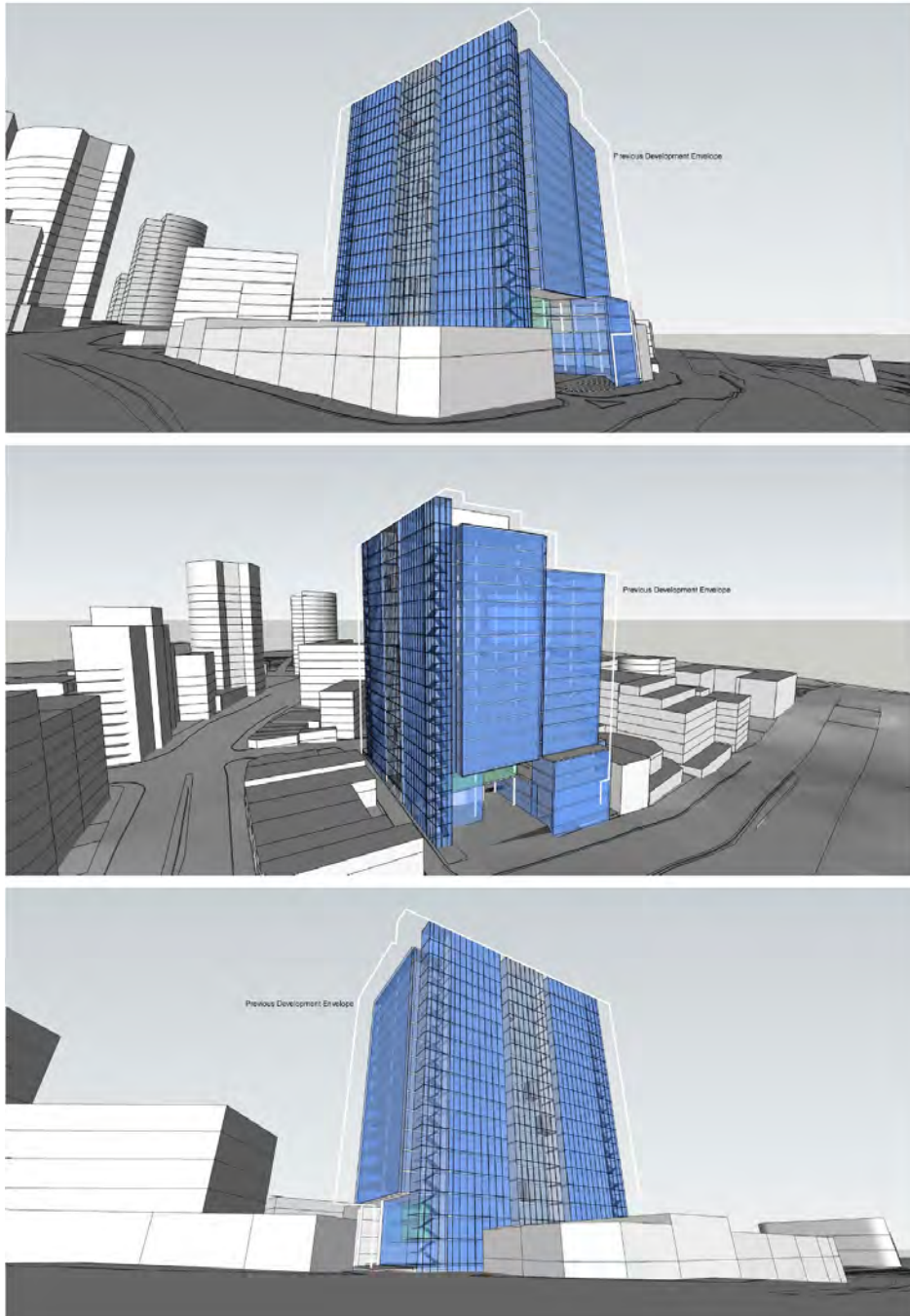


Figure 23 - PPR scheme massing models

## 4.0 Final Statement of Commitments

In accordance with Part 3A of the *Environmental Planning and Assessment Act 1979*, the following are the commitments made by Winten to manage and minimise potential impacts arising from the proposal. These commitments replace the draft commitments included with the EAR.

### 4.1 Public Domain

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

### 4.2 Architectural Roof Feature

All building plant will be fully integrated into the design of the Architectural Roof Feature.

### 4.3 Transport and Accessibility

Winten makes the following commitments regarding transport and accessibility:

- Winten will request that workplace travel plans and transport access guides be prepared by future tenants prior to occupation.
- 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 / Development Application stage.
- A construction traffic management plan will be prepared prior to the issuing a construction certificate.
- Adequate pedestrian circulation space will be provided in accordance with Lane Cove DCP 2010's objectives and controls for access.
- Additional visitor bicycle parking will be provided near the external entrances to the building - this will be further considered at the relevant next application stage.

### 4.4 Environmental and Residential Amenity

#### 4.4.1 Acoustic Privacy

An Acoustic Report will be prepared to assess the acoustic impacts of the proposal and of the adjacent existing and potential future rail corridors at the Project Application stage.

#### 4.4.2 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.

## 4.5 Environmentally Sustainable Development

The proposed building will achieve a 5 Star Green Star Office Design (v3) rating and a 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.

## 4.6 Contamination

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

## 4.7 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.

## 4.8 Rail Infrastructure

Detailed planning and design of the building will be undertaken at the Development or Project Application stage with liaison with relevant officers of Rail Corp to ensure adequate protection measures or mitigation can be provided for existing and potential future rail corridors in the immediate vicinity of the site.

## 4.9 Crime Prevention Through Environmental Design

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



## 4.10 Construction Management

A construction management program will be submitted to North Sydney and Lane Cove Councils for approval by their respective traffic committees prior to the issue of a Construction Certificate.

The Construction Management Plan will include measures to encourage construction workers to travel to the site by public transport whenever possible.

## 4.11 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, wastewater, 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.

## 4.12 Contributions

As part of the detailed design during the Project Application stage, consideration and negotiation will be undertaken with respect to a suitable material public benefit and/or monetary contribution based on Council's applicable s94 plan.

## 5.0 Conclusion

Winten have considered the issues raised by the Department, Council, State agencies and the public during the public exhibition process and have revised the exhibited Concept Plan to address these concerns. The result of this process is the Preferred Project, which presents the most appropriate and best planning outcome in terms of environmental impacts, public benefit, and achieving strategic planning objectives for the Centre.

This Report in conjunction with the EAR has demonstrated that the Concept Plan will have minimal adverse environmental effects. The proposal is well below the FSR development standard, and the proposed minor variation to the height standard is strongly supported by the merits of the project, substantial public benefit, and the absence of any significant adverse amenity impacts.

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 consistent with Metropolitan and Sub-Regional planning objectives for the Centre, particularly in regard to employment generation and the ongoing viability and vibrancy 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.

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.