

Compliance Table

Compliance with the Terms of Part 3A Concept Plan Approval - 86-90 CHRISTIE STREET, ST LEONARDS

Schedule 3: Future Environmental Assessment Requirements

	PAC requirement	DA response	Assessment Officer's comment
1 Building Design	Future Applications shall demonstrate that façade design on all elevations incorporates high quality architectural expression.	"Appendix A demonstrates this."	The detail of the façade design has been included in the development application regardless of how "high quality" is to be assessed..
5 Shareway Design	Future Applications shall include detailed Shareway design for the Lithgow Street road reserve, including provision for initial construction plans...	We understand Council is still considering its preferred measures. However to respond to the future Requirement, CBHK has provided a preliminary overview of the process.	This does not satisfy the Requirement –a pre-requisite for this would be discussions during DA preparation with Council, and agreement on a design by Council as landowner, which have not been undertaken.
7 Public Access	Future Applications shall address crime prevention through environmental design and incorporate appropriate measures to provide activity, surveillance and security within the through-site link to allow for 24 hour/ 7 day public access.	<p>"The exact detail of the through-site link's access afterhours will need to be established after the practicality of the link is tested" (DA Appendix O: 3.2).</p> <p>The link can be supervised through the placement of "capable guardians such as building staff and retail staff" (O 5.1).</p> <p>The café's counter design is to maximize the area that can be seen from behind the counter (6.0).</p>	<p>This does not satisfy the Requirement – the design was required to resolve this issue at the Application stage.</p> <p>The reliance on surveillance by retail and other staff does not satisfy 24 hour security needs.</p> <p>The link would be required to allow 24 hours/ 7 days per week public access by a condition of consent.</p> <p>A security management plan to ensure the safety of the public access will also be required by a condition of consent.</p>
8 Upgrade of pedestrian subway	Future Applications should consider a Voluntary Planning Agreement with RailCorp to upgrade the southern portion of the existing pedestrian subway under Pacific Highway.	Challenger, owner of the Forum commercial, has a 99 year lease over the subway. Therefore it is not possible for Winten to enter into a Planning Agreement with RailCorp over privately leased space.	<p>The intent of this Requirement is to improve an important pedestrian facility for use by 88 Christie's future occupants and the public generally. This increasing workforce under the Metropolitan Strategy's subregional employment target for St Leonards was a reason for the Department supporting the proposal.</p> <p>Winten should aim to satisfy the PAC's intent by seeking to negotiate an agreement with Challenger, to whom Winten transferred the subway lease rights in circa 2002.</p>

Schedule 4: Statement of Commitments

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.	A publicly accessible through-site link has been provided between Lithgow Street and Christie Street.	This Commitment would be addressed by conditions of consent.
4.3 Transport & Accessibility	Adequate pedestrian circulation space will be provided in accordance with Lane Cove DCP 2010's objectives and controls for access.	Noted and provided.	Although technically the DCP requirements, including BCA, would be met by lift access between Christie and Lithgow Streets, this is inferior design for a major pedestrian thoroughfare in an employment growth centre – especially one likely to be frequented also by visitors to the Hospital and health services in St Leonards. The access of the building would be required to comply with the BCA provisions by conditions of consent.
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.	A Pedestrian Wind Environmental Statement was prepared by WindTech. Wind tunnel testing is required to determine if the design solution is adequate to mitigate the wind impacts. However, until the final design of the public plaza is determined, no wind amelioration treatments can be tested. It is therefore envisaged [by the Proponent] that Council will place a condition on the DA consent that requires the Proponent to develop a design solution to mitigate the wind impacts on the western façade and under further wind tunnel modelling to the satisfaction of Council prior to Occupation Certificate.	Wind impact assessment has been submitted with the development application.
4.12 Contributions	As part of the detailed design during Project Application stage, negotiation will be undertaken with respect to a suitable material public benefit or S.94.	Re upgrades to Lithgow Street: it is proposed that a Planning Agreement be executed between the Proponent and the Council.	This does not satisfy the Commitment. The negotiation with Council as part of the detailed design has not been undertaken. However there is no S94 plan relating to the upgrades of Lithgow Street and the applicant is encouraged to have a discussion relating to a voluntary agreement.