

## SYDNEY NORTH PLANNING PANEL

<b>Panel Reference</b>	PPSSNH-65
<b>DA Number</b>	DA6/2018
<b>LGA</b>	Lane Cove
<b>Proposed Development</b>	Section 4.55(2) application to modify approved demolition of remaining structures and basements, excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces, construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket), creation of a new laneway and public domain works at Christie Lane and Lithgow Street and associated works including tree removal, signage, and stratum subdivision.
<b>Original Consent</b>	DA6/2018 – Approved 28/11/2018 by Sydney North Planning Panel (Note: Consent issued 04/12/2018)
<b>Previous modification applications</b>	Nil
<b>Street Address</b>	71-79 Lithgow Street, 82-90 Christie Street, 84A Christie Street, 546-564 Pacific Highway, Christie Lane, and Lithgow Street, St Leonards.
<b>Applicant/Owner</b>	Applicant: Christie Street Development Pty Ltd Owner: JQZ Fifteen Pty Ltd
<b>Date of DA lodgement</b>	31/01/2020
<b>Number of Submissions</b>	Two (2)
<b>Recommendation</b>	<b>Approval</b>
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011</b>	Development that has a capital investment value of more than \$30 million (CIV \$225,915,000).
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• List all of the relevant environmental planning instruments: s4.15(1)(a)(i)</li> <li>• List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii)</li> <li>• List any relevant development control plan: s4.15(1)(a)(iii)</li> <li>• List any relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under s7.4: s4.15(1)(a)(iv)</li> <li>• List any coastal zone management plan: s79C(1)(a)(v)</li> <li>• List any relevant regulations: s4.15(1)(a)(iv) e.g. Regs 92, 93, 94, 94A, 288</li> <li>• <b>List all of the relevant environmental planning instruments: s4.15(1)(a)(i)</b> <ul style="list-style-type: none"> <li>- SEPP 55 – Remediation of Land;</li> <li>- SEPP (Infrastructure) 2007;</li> <li>- SEPP (Building Sustainability Index) 2004;</li> <li>- SEPP 65 (Design Quality of Residential Apartment Development) and Apartment Design Guide (ADG);</li> <li>- SEPP 64 (Advertising and Signage);</li> <li>- SEPP (Vegetation in non-rural areas) 2017;</li> <li>- Lane Cove Local Environmental Plan 2009; and</li> <li>- Airport Act 1996 and Airports (Protection of Airspace) Regulations 1996.</li> </ul> </li> <li>• <b>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii)</b> N/A</li> <li>• <b>List any relevant development control plan: s4.15(1)(a)(iii)</b> <ul style="list-style-type: none"> <li>- Lane Cove Development Control Plan 2010;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"><li>• <b>Other relevant plans:</b><ul style="list-style-type: none"><li>- St Leonards Public Domain Master Plan 2014; and</li><li>- Lane Cove Section 94 Contributions Plan 1996 (as amended).</li></ul></li><li>• <b>List any relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into</b><ul style="list-style-type: none"><li>- Date entered into: 6/10/2017</li><li>- Parties: Lane Cove Council and JQZ Fifteen Pty Ltd as trustees for JQZ Fifteen Unit Trust and Christie Street Development Pty Ltd.</li></ul></li><li>• <b>List any coastal zone management plan: s4.15(1)(a)(v)</b> Not applicable.</li><li>• <b>List any relevant regulations: s4.15(1)(a)(iv)</b> <i>92: Additional matters the consent authority must consider</i> <i>98(1)(a): Compliance with Building Code of Australia</i> <i>98A: Erection of signs</i> <i>98E: Shoring and adequacy of adjoining properties</i></li></ul>																																																						
List all documents submitted with this report for the Panel's consideration	<table><tr><th>Annexure</th><th>Document</th><th>Prepared By</th></tr><tr><td>1</td><td>Original Assessment Report</td><td>Philippa Frecklington (Consultant, Sydney Planning)</td></tr><tr><td>2</td><td>Original Notice of Determination</td><td>Sydney North Planning Panel</td></tr><tr><td>3</td><td>Draft Conditions of Consent</td><td>Philippa Frecklington</td></tr><tr><td>4</td><td>S4.55 Architectural Plans (revised)</td><td>PTW Architects</td></tr><tr><td>5</td><td>S4.55 Landscape Plans (revised)</td><td>Arcadia</td></tr><tr><td>6</td><td>Section 4.55(2) Report / SEE</td><td>Urbis</td></tr><tr><td>7</td><td>S4.55 Access Report</td><td>BCA Logic</td></tr><tr><td>8</td><td>S4.55 SEPP 65 Verification Statement</td><td>PTW Architects</td></tr><tr><td>9</td><td>S4.55 View Impact Analysis</td><td>PTW Architects</td></tr><tr><td>10</td><td>S4.55 Structural Advice</td><td>ABC consultants</td></tr><tr><td>11</td><td>S4.55 Traffic and Parking Statement</td><td>MLA Transport Planning</td></tr><tr><td>12</td><td>S4.55 Lift Advice</td><td>Schindler</td></tr><tr><td>13</td><td>S4.55 Wind Report</td><td>Windtech</td></tr><tr><td>14</td><td>S4.55 Operational Waste Management Plan</td><td>Elephants Foot Recycling Solutions</td></tr><tr><td>15</td><td>S4.55 BCA Report</td><td>BCA Logic</td></tr><tr><td>16</td><td>S4.55 BASIX Statement of Compliance</td><td>Northrop</td></tr><tr><td>17</td><td>Executed VPA</td><td>Lane Cove Council &amp; JQZ</td></tr></table>	Annexure	Document	Prepared By	1	Original Assessment Report	Philippa Frecklington (Consultant, Sydney Planning)	2	Original Notice of Determination	Sydney North Planning Panel	3	Draft Conditions of Consent	Philippa Frecklington	4	S4.55 Architectural Plans (revised)	PTW Architects	5	S4.55 Landscape Plans (revised)	Arcadia	6	Section 4.55(2) Report / SEE	Urbis	7	S4.55 Access Report	BCA Logic	8	S4.55 SEPP 65 Verification Statement	PTW Architects	9	S4.55 View Impact Analysis	PTW Architects	10	S4.55 Structural Advice	ABC consultants	11	S4.55 Traffic and Parking Statement	MLA Transport Planning	12	S4.55 Lift Advice	Schindler	13	S4.55 Wind Report	Windtech	14	S4.55 Operational Waste Management Plan	Elephants Foot Recycling Solutions	15	S4.55 BCA Report	BCA Logic	16	S4.55 BASIX Statement of Compliance	Northrop	17	Executed VPA	Lane Cove Council & JQZ
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Clause 4.6 requests	n/a																																																						
Summary of key submissions	<p><b>Building height</b></p> <ul style="list-style-type: none"><li>• Object to increase in building height to T1 and T3.</li><li>• Justification for increase in height due to internal reconfigurations to improve amenity of apartments and office space does not provide any demonstrable benefit to the community.</li><li>• Approval of the proposed increase will establish an undesirable precedent.</li><li>• Provision for the height of the lift over-runs should have made at the original DA stage.</li></ul> <p><b>Unit size and hallway width</b></p> <ul style="list-style-type: none"><li>• Any reduction in size of units should not be supported.</li><li>• Reduced hallway size to accessible units is unacceptable.</li></ul> <p><b>Building signage</b></p> <ul style="list-style-type: none"><li>• Size of JQZ signage to Pacific Highway unacceptably large and not in keeping with existing signage in the area.</li><li>• Any signage should not be illuminated.</li></ul> <p><b>Public interest</b></p> <ul style="list-style-type: none"><li>• Amendments sought are not in the public interest.</li></ul>																																																						

	<ul style="list-style-type: none"> <li>• Money obtained via the VPA or any State Infrastructure levies should be spent by Lane Cove Council in the immediate St Leonard's area.</li> <li>• Concerns about timing for delivery of public plaza adjoining JQZ site. Has approval been obtained from State Rail for plaza to be built over the rail line?</li> </ul> <p><b>Infrastructure</b></p> <ul style="list-style-type: none"> <li>• St Leonards in dire need of proper infrastructure to deal with influx of people and access to rail and bus interchanges.</li> <li>• Overpass/underpass upgraded to improve connections to public transport.</li> <li>• Separate access should be provided to health services to reduce conflict between users.</li> <li>• Improved traffic and pedestrian flow needed around St Leonards.</li> </ul>
<b>Report prepared by</b>	Philippa Frecklington, Sydney Planning (Consultant)
<b>Report date</b>	2 June 2020

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**1 SUMMARY**

<b>ADDRESS</b>	71-79 Lithgow Street, 82-90 Christie Street, 84A Christie Street, 546-564 Pacific Highway, Christie Lane, and Lithgow Street, St Leonards.
<b>DA NUMBER</b>	6/2018 – Section 4.55(2) Application
<b>DATE LODGED</b>	31/01/2020
<b>NOTIFICATION PERIOD</b>	04/02/2020 – 10/03/2020
<b>COST OF WORK</b>	\$255,915,000.00
<b>OWNER</b>	JQZ Fifteen Pty Ltd
<b>APPLICANT</b>	Christie Street Development Pty Ltd
<b>AUTHOR</b>	Philippa Frecklington (Consultant, Sydney Planning)
<b>PROJECT DESCRIPTION</b>	Section 4.55(2) application to modify DA6/2018 for demolition of remaining structures and basements, excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces, construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket), creation of a new laneway and public domain works at Christie Lane and Lithgow Street and associated works including tree removal, signage, and stratum subdivision.
<b>DESCRIPTION OF MODIFICATIONS SOUGHT</b>	<ul style="list-style-type: none"> <li>• Minor changes to apartment mix</li> <li>• Re-allocation of approved car parking spaces</li> <li>• Provision of additional car exit lanes in Basement 2</li> <li>• Revised loading dock layout</li> <li>• Relocation of the public lift, and stairs/escalators</li> <li>• New stair/lift to improve Lithgow Street connection</li> <li>• Increase in approved height of T1 by 4.52m to accommodate extended lift overrun</li> <li>• Additional projection of T2 300mm to the east to accommodate enlarged services platform</li> <li>• Increase in height of T3 by 3.65m to provide A-grade office lobby entry</li> <li>• Replacement of Y-columns with V-columns to T3 and minor changes to awning designs</li> <li>• Condition 18 revised to permit planting on structures to the Pacific Highway</li> <li>• Consolidation of construction stages into one</li> <li>• Minor amendments to communal open space</li> <li>• Minor amendments to internal floor plans of retail levels</li> <li>• Deletion of planter boxes to western elevation of T3</li> </ul>
<b>ZONING</b>	<p>B3 Commercial Core:</p> <ul style="list-style-type: none"> <li>- 546-564 Pacific Highway</li> <li>- Part 82 Christie Street</li> <li>- Part 71-73 Lithgow Street</li> <li>- Part of Lithgow Street</li> <li>- Christie Lane</li> </ul> <hr/> <p>B4 Mixed Use</p> <ul style="list-style-type: none"> <li>- Part 82, 84A, 84-90 Christie Street</li> <li>- Part 71-73 Lithgow Street, 75-79 Lithgow Street</li> <li>- Portion of Lithgow Street opposite Site A.</li> </ul>
<b>IS THE PROPOSAL PERMISSIBLE WITHIN THE ZONE?</b>	Yes

	Note: Permissibility of proposed residential use on the portion of 82 Christie Street and 71-73 Lithgow Street zoned B3 Commercial Core relies upon <i>Clause 5.3 Development near zone boundaries</i> of LCLEP 2009.
<b>IS THE PROPERTY A HERITAGE ITEM?</b>	No
<b>IS THE PROPERTY WITHIN A CONSERVATION AREA?</b>	No
<b>IS THE PROPERTY ADJACENT TO BUSHLAND?</b>	No
<b>BCA CLASSIFICATION</b>	Class 2, 5, 6, 7a, 7b, 9b, 10b
<b>NOTIFICATION PERIOD</b>	04/02/2020 – 04/03/2020
<b>NUMBER OF SUBMISSIONS</b>	Two (2)

## 2 EXECUTIVE SUMMARY

1. On 28/11/2018, the Sydney North Planning Panel approved DA 6/2018 for:
  - demolition of remaining structures and basements;
  - excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces;
  - construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket);
  - creation of a new laneway and public domain works at Christie Lane and Lithgow Street; and
  - associated works including tree removal, signage, and stratum subdivision.
2. On 31/01/2020, a Section 4.55(2) application was lodged with Council to modify DA6/2018. Key modifications include:
  - increased height of 3.65m to the commercial building (T3);
  - extended lift overrun and associated increase in height of 4.52m to Tower 1 (T1);
  - 300mm projection of an approved 8m wide services platform on the eastern elevation of Tower 2 (T2);
  - modifications to the apartment layouts and mix and reduction in the number of apartments from 654 to 637;
  - reduced car parking provision from 1,073 car parking spaces to 1,037;
  - relocation of the 316 public parking spaces and minor revisions to the loading dock and basement layout;
  - relocation of the public stairs/escalator, new public lift, and improved connection to Lithgow Street;
  - consolidation of two construction stages into one;

- replacement of Y-columns to V-columns;
  - relocation of the gas meter and fire booster to Christie Street;
  - deletion of planter boxes to the articulated western façade of T2; and
  - minor internal modifications to the floor plans of retail levels.
3. No variation is sought to the approved gross floor area (GFA) of 86,160.88m<sup>2</sup>.
  4. Council is satisfied that the proposed modifications would result in substantially the same development for which consent was originally granted.
  5. A variation of 16.35m to the 45m height control was approved for the commercial building (T3) on *Site B*. The s4.55 application seeks to increase the height of T3 by 3.65m to support a larger lobby and A-grade office entry. An increase in height is also sought to T1 by 4.52m for a lift overrun to accommodate a new lift model to allow direct residential access from the basement levels of the development. As Section 4.55 is a stand-alone test, the application of Clause 4.6 does not apply. A merit- based assessment has thus been applied.
  6. The proposal modifications would meet the objectives of the height of buildings development standard and relevant zone objectives.
  7. The increased height to T3 would provide better activation of the adjoining public domain and improved interface with the Pacific Highway. A by-product of this would be enhanced tenancy prospects and employment opportunities. This aligns with the commercial character of St Leonards and *B3 Commercial Core* zoning of *Site B*, strategic location in a transit-oriented development corridor, and State government objectives to deliver employment opportunities as per the *North District Plan (March 2018)*, *The Greater Sydney Region Plan: A Metropolis of Three Cities (March 2018)*, and *Draft St Leonards and Crows Nest 2036 Plan*.
  8. The wider public benefit of increased employment prospects outweighs the sectionalised amenity impacts in terms of view and visual impacts to residents of *the Forum East* residential tower to the north of the site, which are determined to be minor and acceptable.
  9. The increased height to T1 and T2 would not be discernible from the public domain. No additional overshadowing would occur to the civic plaza. The revised pedestrian wind assessment has determined that the additional building heights would not alter wind conditions at the pedestrian scale. For these reasons, the proposed building heights are supported.
  10. Revised s4.55 drawings have been submitted to address inconsistencies in the architectural plans and landscape package. The JQZ signage to T3 has been revised to be consistent with the approved development.
  11. The modification to the Y-columns to replace with V-columns due to structural load bearing requirements would not alter the visual impact of this significant design feature of the approved development.
  12. The relocation of the fire booster and gas meter to Christie Street and resultant loss of library visibility is due to constraints imposed by utility providers. Two skylights have been added to the eastern side of the library roof to offset the loss of sunlight. The principal library frontage and main pedestrian entry off New Christie Lane would be retained. The restaurant terrace above would continue to provide activation of the adjoining public domain.



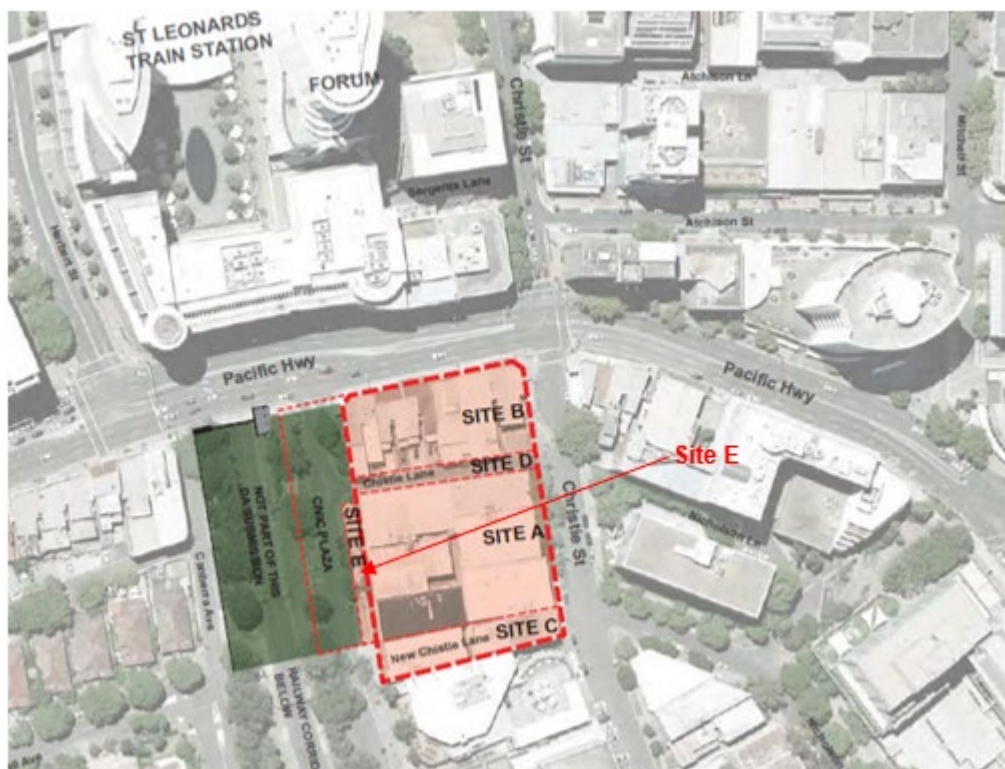
13. It is proposed to amend the treatment of street trees to the Pacific Highway to comprise 5 x planter boxes using a *Stratacell* system to accommodate existing subterranean utility services in lieu of deep soil planting. This is considered to satisfy the intent of Condition 18 – *Street trees / Pacific Highway* of the original consent.
14. The removal of planter boxes to the western elevation of T2 would not discredit the intent of the 4m articulation zone to reduce the approved building bulk when viewed from the civic plaza. Adequate planting on structures to the civic plaza as per the landscape softworks plans would ensure a high-quality landscape design and level of public amenity.
15. Solar access to the building as a whole would remain unchanged, however, reconfiguration of the apartments to include a greater provision of larger (i.e. 3-bedroom) apartments would result in a minor numerical non-compliance (2.3%) with the 70% solar access requirement (*ADG - Objective 4A-1*). This technical non-compliance is considered acceptable.
16. Except for the minor variation to the solar access requirement, the revised apartment mix and layouts would comply with *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* and the *Apartment Design Guide*. Overall, the amenity of the apartments would improve by consolidation of the apartments. The proposed modifications would deliver a high standard of architectural design and amenity consistent with the approved development.
17. The proposed parking provision for the revised scheme is generally consistent with the approved parking provision for the approved development. The reduced on-site car parking provision by 36 spaces is decreased in line with the revised development scheme, including:
  - reduced number of units by 17;
  - reduction in retail GFA of 657m<sup>2</sup>; and
  - increase in commercial GFA of 214m<sup>2</sup>.
18. The modified proposal provides compliant car parking spaces for the residential use and the retail use. The exception is the proposed car parking provision for the commercial use. A shortfall of 68 spaces was approved. A shortfall of 74 spaces is proposed. The proposed variation to the DCP requirement is supported by Council's Traffic Engineer due to the site's proximity to St Leonards train station and bus services as well as the future Crows Nest Metro Station.
19. The s4.55 application was referred externally to *Roads and Maritime Services*. No objections were raised.
20. No objections were raised by Council's engineer, building officer, strategic planner, environmental health officer, community officer (accessibility), and traffic engineer, subject to conditions. Council's landscaping officer has raised concerns regarding the proposed street tree treatment to the Pacific Highway. To address this, it is proposed to modify Condition 18 – *Street Trees / Pacific Highway* to increase the pot size at planting and to require certification from a level 5 AQF Arborist that the proposed above ground rootball and *Stratacell* system is capable of supporting mature growth to 10m high x 5m wide.
21. Following notification of the application, two (2) submissions were received. The main issues raised include the precedent set by approving an increase in height to T3 and T1, traffic impacts, and existing infrastructure issues in St Leonards.

22. The suitability of the site for the mixed-use development was established in the gazettal of the planning proposal and approval of the mixed-use development. The proposed modifications would not alter the suitability of the site as the modified proposal would be essentially the same as the approved development.
23. The proposed modifications would ensure a high-standard of architectural and landscape design and would improve public circulation spaces and interface with the Pacific Highway.
24. The proposed modifications would achieve a bulk and scale that is consistent with the approved development and is contextually appropriate. The proposed modifications have been designed to minimise any adverse impacts to the surrounding locality in terms of privacy, views, solar access, and wind impacts.
25. The proposal satisfies Section 4.55 of the *Environmental Planning and Assessment Act 1979* and is considered to be satisfactory with all relevant environmental planning instruments, and development control plans including LCLEP 2009 and LCDCP 2010.
26. The s4.55 application is recommended for approval, subject to the draft modified/new conditions at **Annexure 3**.
27. This report should be read in conjunction with the original assessment report attached at **Annexure 1**.

### 3 BACKGROUND

#### 3.1 Locality Plan

The subject site is divided into five (5) parts comprised of *Site A* (buildings with frontage to Christie Street and Lithgow Street on land zoned B4), *Site B* (amalgamated lots fronting the Pacific Highway), *Site C* (portion of T1 and T2 on land zoned B3 and *New Christie Lane*), *Site D* (Christie Lane), and *Site E* (4m articulation to T2 over Lithgow Street), as shown at **Figure 1** below:



**Figure 1.** Locality Plan showing the proposed site (Source: PTW).



A detailed description of the site and locality is contained in **Section 5** of the **Original Assessment Report (Annexure 1)**.

### 3.1.1 Existing Site

The current site is shown at **Figure 2**. Excavation works for the approved 10 basement levels is in progress (**Figure 3**).



**Figure 2.** Existing site showing excavation works (April 2020).



**Figure 3.** Existing site as viewed from the Pacific Highway.

## 3.2 Application History

APPLICATION HISTORY			
Application	Address	Description	Approved
DA6/2018	71-79 Lithgow Street, 82-90 Christie Street, 84A Christie Street, 546-564 Pacific Highway, Christie Lane, and Lithgow Street, St Leonards.	Demolition of remaining structures and basements, excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces, construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket), creation of a new laneway and public domain works at Christie Lane and Lithgow Street and associated works including tree removal, signage, and stratum subdivision.	28/11/2018 – Sydney North Planning Panel
Previous Modification Applications	Nil	n/a	n/a

## 3.3 Section 4.55(2) Application History

### 3.3.1 Amended Plans

AMENDED PLANS	
<b>21 February 2020</b>	
<ul style="list-style-type: none"> <li>Plant schedule updated to include plant quantities</li> <li>Plans updated to show modifications as coloured and clouded.</li> <li>Retention of curved form to Level 2 communal open space area. Climbing plants proposed to fence around mechanical vent for screening and to offset reduction landscaped area.</li> <li>Planter boxes as required by <b>Condition 19</b> included in drawings.</li> </ul>	
<b>27 March 2020</b>	
<ul style="list-style-type: none"> <li>Revised architectural plans and landscape plans to include raised planters along the Pacific Highway to satisfy <b>Condition 18</b></li> <li>Removal of planter boxes on the western façade of T2 (Levels 3, 5-10, 11, 12, 14-22 and 24).</li> <li>Amended SEE submitted</li> <li>Amended Access Report submitted to correct an error in the accessible car parking assessment to demonstrate a compliant provision of accessible parking spaces.</li> </ul>	
<b>19 May 2020</b>	
<ul style="list-style-type: none"> <li>Two (2) skylights added to the library to offset the loss of window to Christie Street due to the services on the ground floor.</li> <li>Removal of the mechanical plant to the Level 2 communal open space area.</li> <li>Plans updated to remove 'JQZ' business identification signage from the northern façade of T3 and reduced 'JQZ' signage to the eastern and western facades, as per approved development</li> <li>Planter boxes to non-trafficable roof area to T3 included in the amendments schedule</li> </ul>	
<b>27 May 2020</b>	
<ul style="list-style-type: none"> <li>Updated / consolidated architectural plans and landscape plans re-issued to address inconsistencies</li> </ul>	

## 3.4 Proposed Modifications (amended S4.55 application)

An overview of the key modifications sought to the approved development, as per the most recent set of revised s4.55 plans, is provided below:

ELEMENT	PROPOSED MODIFICATIONS
Building height	<ul style="list-style-type: none"> <li>Maximum height of T1 increased by 4.52m due to lift overrun</li> </ul>

	<ul style="list-style-type: none"> <li>Height of T3 increased by 3.65m to accommodate A-grade office entry and associated deletion of Level 01</li> </ul>
Residential apartments	<ul style="list-style-type: none"> <li>Reduced number of apartments (17)</li> <li>Revised unit mix (No studio or 5-bedroom units)</li> <li>Reconfigured unit layouts</li> </ul>
Traffic, parking and access	<ul style="list-style-type: none"> <li>Relocation of approved 316 public car parking spaces</li> <li>Provision of an additional car exit lane in Basement 2 (two lanes)</li> <li>Revised loading dock layout including new loading dock managers room at lower ground level</li> </ul>
Upgrade and relocation of lifts	<ul style="list-style-type: none"> <li>Reconfiguration of stairs/escalators between lower ground and ground levels to improve circulation.</li> <li>Public lift relocated to Site B. Ground floor ingress/egress to new lift location located in T3</li> <li>Indicative civic plaza lift location shown adjacent the rail corridor</li> <li>New lift to T1 resulting in additional overrun height</li> </ul>
Staging and construction	<ul style="list-style-type: none"> <li>Reduced construction staging into 1</li> </ul>
Awnings to T3	<ul style="list-style-type: none"> <li>Deletion of awning projections beyond property</li> </ul>
Retail floor plans	<ul style="list-style-type: none"> <li>Minor modification to internal floor plans</li> </ul>
Services platform	<ul style="list-style-type: none"> <li>Projection of approved services platform on eastern elevation of T2 by 300mm</li> </ul>
Planter boxes to T2	<ul style="list-style-type: none"> <li>Deletion of planter boxes to the western façade of T2</li> <li>Note: 4m articulation zone to T2 is maintained.</li> </ul>
Planter boxes to T3	<ul style="list-style-type: none"> <li>Planter boxes added to Level 03 and Level 07 of T3 as per Condition 19 of the original consent</li> </ul>
Street trees to Pacific Highway	<ul style="list-style-type: none"> <li>Satisfaction of Condition 18 through installation of planter boxes using Stratacell</li> </ul>
Retail / commercial floor area	<ul style="list-style-type: none"> <li>Increase in commercial GFA by 214m<sup>2</sup></li> <li>Increase in residential GFA by 366m<sup>2</sup></li> <li>Note: No change to overall approved GFA</li> </ul>
Y-columns	<ul style="list-style-type: none"> <li>Y-columns replaced with V-columns</li> </ul>
Library frontage to Christie Street	<ul style="list-style-type: none"> <li>Gas meter and fire booster relocated to Christie Street elevation (LG floor)</li> <li>2 x skylights added to offset loss of window to Christie Street due to services re-location (endorsed by Council)</li> </ul>
Waste	<ul style="list-style-type: none"> <li>Garbage room 1 &amp; 2 layout and garbage loading zone revised at basement 02 level</li> <li>Garbage room and ramp reconfigured at lower ground level</li> <li>Relocation of 240L paper cardboard bins from each level to a new T1 and T2 residential waste recycling room at basement 07 level</li> <li>Door widths amended</li> <li>Modifications to the travel plan (chute rooms to hoist).</li> </ul>
Lithgow street connection	<ul style="list-style-type: none"> <li>New lift/stair introduced to the south-western corner to provide connection from Lithgow Street to the civic plaza.</li> </ul>

A detailed schedule of amendments is provided in the legend detailed on the S4.55 plans.

### 3.5 Comparison of the Approved Development and Modification Application

BUILDING HEIGHT	APPROVED DEVELOPMENT	SECTION 4.55 APPLICATION	CHANGE
T1	RL227.4 (146.9m – 47-storeys)	RL231.920(Lift overrun)	+ 4.52m
T2	RL166.8 (86.3m – 26-storeys)	RL166.8	Nil
T3	RL141.9 (61.4m – 14-storeys)	RL145.55	+ 3.65m
<b>Gross Floor Area</b>			

BUILDING HEIGHT	APPROVED DEVELOPMENT	SECTION 4.55 APPLICATION	CHANGE
Library	1,000m² (1.16%)	1,077.19m²	+ 77.19m²
Retail	10,457.78m² (12.14%)	9,801.1m²	- 656.68m²
Commercial	19,321.55m² (22.42%)	19,535.31	+ 213.76m²
Residential	55,381.55m² (64.28%)	55,747.28	+ 365.73m²
Total	86,160.88m² (100%) GFA	86,160.88m² (100%) GFA	Nil
Apartment composition			
Studio	2 (0.3%)	Nil	- 2
1 bed	197 (30.1%)	181 (28.41%)	+ 4
2 bed	395 (60.4%)	381 (59.81%)	- 14
3 bed	56 (8.6%)	74 (11.62%)	+ 18
4 bed	3 (0.5%)	4 (0.63%)	+ 1
5 bed	1 (0.2%)	Nil	- 1
Total	654 apartments	637 apartments	- 17 apartments
Public domain area			
Pedestrian though-site-link (existing Christie Lane)	388m²	No change	Nil
New laneway (New Christie Lane)	498m²		
New ground level public plaza excluding large void area to access lower ground floor retail on the site	641m² (Note: Excludes extensive over rail corridor)		
New public plaza (existing Lithgow Street)	1,664m²		
Total	3,191m² public domain area		
Communal open space			
Communal open space for Towers 1 and 2 (Site Area: 3191m²	35.5% (1133m² proposed)	35.5% (1133m² proposed) Note: Mechanical plant proposed to Level 02 communal open space area deleted in revised S4.55 plans.	Nil
Car parking			
Public dedication	316 (includes residential visitors)	316	Nil
Retail	90	58	- 32
Commercial	125	121	- 4
Residential	542	542	Nil
Total	1,073 car parking spaces	1,037	- 36
Motorcycle spaces			
Total	76	70	- 6
Bicycle spaces	Approved Development	Section 4.55 Application	
Total	559 bicycle spaces	563	+ 4
Construction stages			
Number	2	1 (Note: Rental tenancies fronting the Pacific Highway no longer a barrier)	- 1

BUILDING HEIGHT	APPROVED DEVELOPMENT	SECTION 4.55 APPLICATION	CHANGE
<b>Signage</b>			
<ul style="list-style-type: none"> <li>Two (2) roof signs approved to T3 as per Drawing No. DA-40-0010, Rev C, dated 15.10.2018. <b>Condition 27</b> prohibits illumination of signage.</li> <li><b>Condition 27</b> requires library signage to be illuminated.</li> </ul>		Amended plans submitted deleting 'JQZ' signage to northern elevation of T3, reducing size of signage to eastern and western sides as per approval (4.5M wide x 2.3m high), and amending to state non-illuminated.	Compliance with <b>Condition 27</b> of original consent

#### 4 PRIMARY ISSUES

The table below summarises the main planning issues, key non-compliances with an environmental planning instrument/DCP, and provides an overview of the planning assessment.

ISSUES	CONCLUSION	RESOLVED
Building height non-compliance	<ul style="list-style-type: none"> <li>The increase in height of T1 by 4.52m to accommodate an extended lift-over-run is supported.</li> <li>The increase in height of T3 by 3.65m to provide an A-grade office lobby entry is supported.</li> <li>A new condition is recommended to prohibit the reinstatement of level 01 of T3 and any additional GFA on the site (<b>Condition 2AA – GFA Cap</b>).</li> </ul>	✓
Views	<ul style="list-style-type: none"> <li>The proposed development provides acceptable view sharing with the Forum East residential tower.</li> <li>A detailed view assessment is contained in <b>Section 7.8</b> of this Report.</li> <li>The loss of iconic views of the Opera House and Harbour Bridge are generally obstructed by the approved development.</li> <li>Loss of city views in the view corridor between T1 and T2 due resulting from the increase in height to T3 is acceptable on merit.</li> <li>The only difference in view impacts between the proposed development and planning proposal scheme pertains to the additional height sought for the commercial building. This is reasonable and acceptable on merit.</li> </ul>	✓
Loss of planter boxes to western façade of T2.	<ul style="list-style-type: none"> <li>The removal of planter boxes to the western façade of T2 is supported.</li> <li>The 4m articulation zone is consistent with the approved development.</li> </ul>	✓
Trees along the Pacific Highway	<ul style="list-style-type: none"> <li>Planter boxes using a Stratacell system is proposed to accommodate existing subterranean services in lieu of deep soil planting.</li> <li>This is endorsed by the Council.</li> <li>It is recommended <b>Condition 18 – Street Trees / Pacific Highway</b> of the original consent is modified to require the following: <ul style="list-style-type: none"> <li>that the height of the trees at planting is increased to 4m;</li> <li>certification is obtained from a level 5 AQF Arborist that the that the proposed root ball and Stratacell system is capable of supporting the proposed tree species to a mature height of 10m high x 5m wide; and</li> <li>if certification cannot be obtained, an alternative species/design is to be submitted to Council for approval.</li> </ul> </li> </ul>	✓

ISSUES	CONCLUSION	RESOLVED
Level 2 communal open space area	<ul style="list-style-type: none"> <li>Revised plans have been submitted deleting the mechanical plant to the Level 02 communal open space area.</li> </ul>	✓
Gas meter and Fire Booster relocated to Christie Street – Loss of visibility of the library to Christie Street	<ul style="list-style-type: none"> <li>The relocation of utilities follows location requirements of Fire NSW and Jemena and relevant Australian Standards.</li> <li>Christie Lane was preferred but not supported by utility providers.</li> <li>To offset the loss of sunlight to the library, 2 x skylights are introduced.</li> <li>No loss in library GFA is proposed.</li> <li>The length of inactive wall space varies in height above ground level from 1.1m to 1.8m. The principal library frontage and main pedestrian entry off New Christie Lane would be retained. The restaurant terrace above would continue to provide activation of the adjoining public domain.</li> <li>The modification is endorsed by Council.</li> </ul>	✓
Compliance with SEPP 65 and ADG – Solar access	<ul style="list-style-type: none"> <li>Solar access to the building as a whole would remain unchanged, however, reconfiguration of the apartments to include a greater provision of larger (i.e. 3-bedroom apartments) would result in a minor numerical non-compliance (2.3%) with the solar access requirements (ADG - Objective 4A-1).</li> <li>Overall, the amenity of the apartments would improve by consolidation of the apartments.</li> <li>This technical non-compliance is considered acceptable.</li> </ul>	✓
Privacy - ADG compliance	<ul style="list-style-type: none"> <li><b>Condition 1AA – Back Painted Glass Panels to Level 14 of T3</b> is recommended to require 'back-lit glass panels' are installed to the southern elevation of the new level 14 to T3 to ensure privacy amenity is maintained to T1 and T2.</li> </ul>	✓
RMS dedicated road reserve	<ul style="list-style-type: none"> <li>The awning projection to T3 on the northern and eastern elevations has been revised to sit within the freehold property (unlimited in height and depth) as per RMS requirements (<b>Condition 47</b>).</li> <li><b>Condition 39 (Response to RMS requirements)</b> can be deleted as these requirements are addressed by <b>Condition 47</b>.</li> </ul>	✓
JQZ signage to T3	<ul style="list-style-type: none"> <li>Revised plans submitted restricting JQZ signage to roof of T3 to eastern and western sides only, 4.5m wide x 2.3m high, and non-illuminated as per original approval.</li> <li><b>Condition 27 (Roof top signage to commercial building)</b> is amended to ensure compliance.</li> </ul>	✓
Car parking	<ul style="list-style-type: none"> <li>The s4.55 application reduces the on-site car parking provision by 36 spaces (from 1073 to 1037).</li> <li>The on-site car parking provision generally complies with Council's DCP requirements with the exception of the proposed parking provision for the commercial use.</li> <li>The commercial car parking provision is considered appropriate and acceptable by Council's Traffic Engineer given the sites close proximity to public transportation being St Leonards train station and bus interchange.</li> </ul>	✓
Vehicular access	<ul style="list-style-type: none"> <li>The access will continue to have 3 x traffic lanes accessible from New Christie Lane as per the approval.</li> </ul>	✓
Waste	<ul style="list-style-type: none"> <li>No objections are raised to the S4.55 modifications by Council's Waste Officer, subject to the retention of <b>Condition 29 (Waste Collection Deed of Indemnity)</b>, and the inclusion of a new condition to require the following: <ul style="list-style-type: none"> <li>the dual chute system is to be used for general waste and mixed containers only;</li> <li>paper and cardboard is to be collected via a 240 L MBG located on each residential level or alternative solution to separate paper from the recycling waste stream;</li> </ul> </li> </ul>	✓

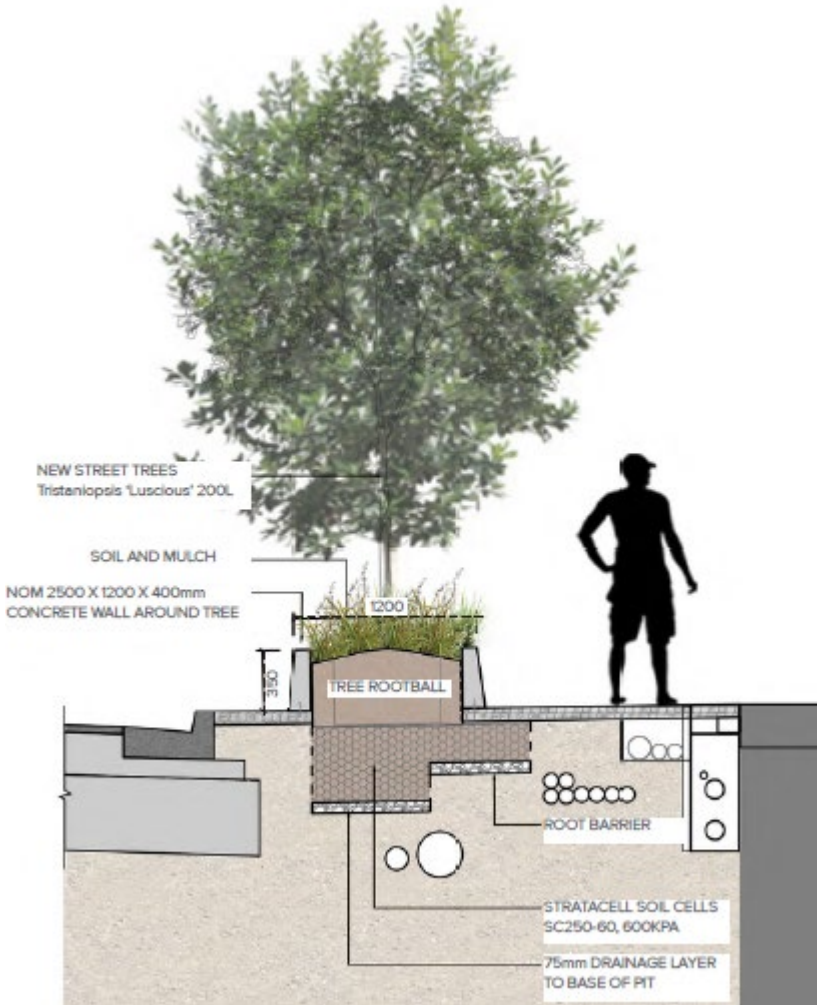


ISSUES	CONCLUSION	RESOLVED
	<ul style="list-style-type: none"> <li>- the presentation of all MGBs for all waste and recycling streams to the loading dock is the responsibility of the body corporate / owner's corporation (<b>Condition 29A – Waste Operations</b>).</li> </ul>	
Wind impacts	<ul style="list-style-type: none"> <li>• A supplementary wind assessment has been prepared.</li> <li>• This has determined that there will be no change in wind conditions at the trafficable ground level areas due to the height increase to T3.</li> </ul>	✓
Lithgow Street Connection	<ul style="list-style-type: none"> <li>• New lift/stair introduced to the south-western corner to provide connection from Lithgow Street to the civic plaza.</li> <li>• <b>Condition 25 – Civic Plaza Design</b> is amended to require final sign off/approval from Council for civic plaza design.</li> </ul>	✓

## 5 REFERRALS

### 5.1 Internal referrals

REFERRAL	COMMENTS	SATISFACTORY
<b>Strategic Planning</b>	<ul style="list-style-type: none"> <li>• No objections to the S4.55 application</li> <li>• No additional comments or conditions</li> </ul>	✓
<b>Engineering</b>	<ul style="list-style-type: none"> <li>• No objections to the S4.55 application</li> </ul>	✓
<b>Building</b>	<ul style="list-style-type: none"> <li>• No objections to the S4.55 application</li> <li>• No additional comments or conditions</li> </ul>	✓
<b>Waste</b>	<ul style="list-style-type: none"> <li>• No objections are raised to the S4.55 modifications, subject to the following: <ul style="list-style-type: none"> <li>• retention of <b>Condition 29 (Waste Collection Deed of Indemnity)</b>;</li> <li>• inclusion of a new condition to require the <i>Operational Waste Management Plan</i> to be updated to incorporate the following and submitted to Council for approval, prior to any occupation of the premises: <ul style="list-style-type: none"> <li>➢ the dual chute system is to be used for general waste and mixed containers only;</li> <li>➢ paper and cardboard is to be collected via a 240 L MBG located on each residential level or alternative solution to separate paper from the recycling waste stream; and</li> <li>➢ the presentation of all MGBs for all waste and recycling streams to the loading dock is the responsibility of the body corporate / owner's corporation (<b>Condition 29A – Waste Operations</b>).</li> </ul> </li> </ul> </li> </ul>	✓
<b>Traffic</b>	<ul style="list-style-type: none"> <li>• No objection to the S4.55 application</li> </ul> <p><b>Key comments:</b></p> <ul style="list-style-type: none"> <li>• No issues are raised to the reduced parking provision.</li> <li>• Details have been submitted with regard to the revised number of accessible parking spaces for each component. No further issues are raised.</li> <li>• No issues are raised with regard to the revised car parking layout.</li> <li>• The proposed provision of accessible spaces (64 residential, 10 commercial, 19 retail/public spaces) is acceptable.</li> </ul>	✓
<b>Access</b>	<ul style="list-style-type: none"> <li>• No objection to the S4.55 application</li> </ul> <p><b>Key comments:</b></p> <ul style="list-style-type: none"> <li>• The proposal has been amended to address issues with the original design with regard to circulation space within the bathrooms.</li> <li>• The submitted Access Report confirms compliance of the common corridor width with the accessibility requirements of the BCA.</li> </ul>	✓

REFERRAL	COMMENTS	SATISFACTORY
SEPP 65/ADG	<ul style="list-style-type: none"> <li>Assessment undertaken by Council staff.</li> <li>No objections raised.</li> </ul> <p><b>Key comments</b></p> <ul style="list-style-type: none"> <li>The variation sought to the</li> </ul>	✓
Landscaping	<p><b>Key Comments:</b></p> <ul style="list-style-type: none"> <li>Council's Landscape Officer does not support the proposed landscape treatment to the Pacific Highway. The primary reason for this is concerns that the above-ground planter-box structure would not support mature tree growth.</li> <li>Council's Landscape Officer has requested that <b>Condition 17 - Street Trees – Christie Street, Condition 18: Street trees / Pacific Highway &amp; Condition 19: Planter boxes</b> of the original consent are upheld.</li> </ul> <p><b>Assessing Officer's Comments:</b></p> <ul style="list-style-type: none"> <li><b>Condition 17</b> is to be upheld. No changes are proposed.</li> <li><b>Condition 18</b> encourages the use of a structural root cell system to work in conjunction with existing underground services, and includes as an advisory note that raised planter boxes would not provide trees with enough growing media to reach a size and shape that will benefit the streetscape.</li> <li>The revised landscape treatment involves a tree root ball placed on top of a stratacell system in a raised planter box of 350mm high x 1.2m wide to accommodate existing subterranean utility infrastructure as per the section drawing below:</li> </ul>  <ul style="list-style-type: none"> <li>Whilst this option is not preferred by Council's Landscape Officer, it is considered that the proposed landscape treatment would</li> </ul>	<p>✓</p> <p><b>Refer Assessing Officer's Comments</b></p>

REFERRAL	COMMENTS	SATISFACTORY
	<p>satisfy the intent of <b>Condition 18</b>, provided that maximum tree growth could be achieved (i.e. 10m high x 5m wide). As such, it is recommended that <b>Condition 18</b> is amended to require certification from a level 5AQF Arborist that the maximum height of the tree at maturity can be achieved, and that the height of trees at planting is increased to 4m.</p> <ul style="list-style-type: none"> <li><b>Condition 19</b> is to be upheld save for the deletion of the requirement of planter boxers to the western faced of T2.</li> </ul>	

## 5.2 External referrals

Referral	Comments	Satisfactory
RMS	<ul style="list-style-type: none"> <li>No objections raised by RMS (response received 16/04/2020).</li> <li><b>Condition 47 (RMS Conditions)</b> is upheld.</li> </ul>	✓

## 6 RELEVANT ACTS

### 6.1 Airports Act 1996

The proposed development constitutes a *controlled activity* under Section 182 of the *Airports Act 1996*, as the height of the proposed development encroaches prescribed airspace for Sydney Airport under the *Airports (Protection of Airspace) Regulations 1996*.

Section 183 of the *Airports Act 1996* specifies that controlled activities cannot be carried out in prescribed airspace unless approval is obtained in accordance with the regulations.

Approval has been obtained from the *Director Airspace Protection* (Aviation and Airports Division) as delegate to the Secretary to the *Department of Infrastructure, Regional Development and Cities*, for the *controlled activity* involving the intrusion of a building at 88 Christie Street into prescribed airspace for Sydney Airport to a maximum height of 234.3m AHD, subject to conditions (**Condition 44 – Civil Aviation Authority Conditions**).

The proposed increase in height to T1 (RL 231.92) to accommodate the lift overrun does not exceed RL 234.3. No re-referral is required.

### 6.2 Water Management Act 2000

*General Terms of Approval* have been provided by *WaterNSW* for the approved development (**Condition 45 – WaterNSW General Terms of Approval**).

No changes are proposed to the extent of excavation. As such, there are no further matters for consideration.

### 6.3 Environmental Planning and Assessment Act 1979

The S4.55 application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (the Act) contained within Section 1.3.

The proposed development is acceptable with regard to the *matters of consideration* in Section 4.15(1) of the Act, as detailed and assessed in **Section 7** of this Report.

The proposed development is acceptable with regard to S4.55(2) of the Act, as detailed and assessed in **Section 8**.

## 7 SECTION 4.15 EVALUATION

### Any environmental planning instruments: s4.15(1)(a)(i)

#### 7.1 State Environmental Planning Policy No. 55 – Remediation of Land

- No change is proposed to the approved depth of excavation or remediation methodology.
- The S4.55 application does not trigger any further assessment under SEPP 55.

#### 7.2 State Environmental Planning Policy (Vegetation in Non-rural Areas) 2017

- No changes are proposed to the 21 trees to be retained and protected on and adjoining the site (**Condition 16** of the original consent).
- No additional trees are proposed for removal.
- Replacement plantings are generally consistent with the approved development.
- The S4.55 application was accompanied by revised landscape plans detailing:
  - planter boxes to Level 03 and Level 07 (previously Level 06) of T3, and to the east facing balconies at Level 07 of T2 to satisfy **Condition 19 – Planter Boxes** of the original consent.
  - Street trees to the Pacific Highway to satisfy **Condition 18 – Street Trees / Pacific Highway** of the original consent.
- The S4.55 application is consistent with the intent of the SEPP to protect the biodiversity values of trees and other vegetation on the site.
- No further assessment is required.

#### 7.3 State Environmental Planning Policy (Infrastructure) 2007

- The S4.55 application was referred to RMS under s104 *Traffic-generating development* of SEPP (Infrastructure) 2007.
- No objections were raised by RMS. No additional conditions of consent were imposed. **Condition 47 – RMS Conditions** of the original consent is upheld.
- No modifications are proposed that would affect an electricity transmission or distribution network. As such, re-referral to Ausgrid is not required. **Condition 46 – Ausgrid Conditions** of the original consent is upheld.
- No additional excavation is proposed. As such, re-referral to Sydney Trains is not required. **Condition 48 – Sydney Trains Conditions** is upheld.
- Council's Traffic Engineer has raised no objections to the proposal, having regard to the matters of consideration under *Clause 101: Development with a frontage to a classified road* of the SEPP (Infrastructure) 2007. No changes are proposed to the access off New Christie Lane. The reduction in car parking spaces is commensurate with the reduced unit numbers and minor changes to the retail/commercial GFA. The revised *Traffic and Parking*

*Report* states that the traffic generated by the revised proposal will have a reduced impact on the surrounding road network.

- The modifications do not trigger any further consideration of the impact of rail or road noise or vibration on non-rail development (Clauses 87 and 102 of the SEPP). These were considered in the original assessment.
- There are no further matters for consideration.

#### **7.4 State Environmental Planning Policy (Building Sustainability Index) 2004**

- The S4.55 application was accompanied by a letter from Northrop confirming:
  - the proposed modifications would not alter compliance with the minimum BASIX requirements; and
  - that a revised BASIX package would be prepared with the CC documentation.
- The submission of a revised BASIX Certificate to be submitted with the CC documentation is conditioned (**Condition 107A**).

#### **7.5 State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)**

##### **7.5.1 Aims of SEPP 65**

- The proposed modifications to the unit mix and layout would meet the aims and objectives contained in Section 2 of *SEPP 65: Design Quality of Residential Flat Development* (SEPP 65).

##### **7.5.2 Part 4: Application of design principles**

- An assessment of the modifications against the *design quality principles* and *design guidance* under the *Apartment Design Guide*, is provided below:

**Design Principles:**

DESIGN PRINCIPLE	OBJECTIVE	COMMENTS	ACHIEVED
<b>Principle 1: Context and Neighbourhood Character</b>	<p><i>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i></p> <p><i>Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<ul style="list-style-type: none"> <li>The context and the neighbourhood character remain unchanged.</li> <li>Increase in the volume of the public lobby to T3 would provide for better activation of public spaces and better interface with the Pacific Highway.</li> <li>The amended proposal would be an improvement and continue to meet the objectives of the <i>Principle 1 – Context and neighbourhood character</i>.</li> </ul>	✓
<b>Principle 2: Built Form and Scale</b>	<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<ul style="list-style-type: none"> <li>The proposed development would increase the height of T3 by 3.5m.</li> <li>The additional height to T3 is contextually appropriate.</li> <li>View impacts to the Forum East residential tower resulting from the increase in height to T3 are acceptable.</li> <li>Planter boxes have been added to Level 03 and Level 07 of T3 to improve its contribution to the public domain.</li> <li>The increase in height to T1 is only due to the revised lift overrun. This would have no discernible impact on bulk and scale.</li> <li>No change in the overall FSR is proposed.</li> <li>The bulk and scale of the modified proposal is substantially the same as the originally approved development.</li> <li>The amended proposal would continue to meet the objective of <i>Principle 2 – Built form and scale</i>.</li> </ul>	✓
<b>Principle 3: Density</b>	<i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i>	<ul style="list-style-type: none"> <li>The proposed amendments include a revised unit mix and layouts and reduction in the overall number of apartments by 17.</li> <li>The revised number of apartments is generally consistent with the original approval, and would continue to meet the objective of <i>Principle 3 - Density</i>.</li> </ul>	✓
<b>Principle 4: Sustainability</b>	<i>Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross</i>	<ul style="list-style-type: none"> <li>The revised unit mix and layouts would continue to provide adequate natural cross ventilation and sunlight for the amenity</li> </ul>	✓

DESIGN PRINCIPLE	OBJECTIVE	COMMENTS	ACHIEVED
	<i>ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials, and deep soil zones for groundwater recharge and vegetation.</i>	<p>of residents.</p> <ul style="list-style-type: none"> <li>A revised <i>Operational Waste Management Plan</i> has been submitted with the S4.55 application. This is endorsed by Council's Waste Officer, subject to the addition of <b>Condition 29A – Waste Operations</b>.</li> <li>The S4.55 application was accompanied by certification from Northrop that the proposed modifications would have a neutral impact on compliance with minimum BASIX requirements, and that a revised BASIX package would be submitted with the CC documentation. This is conditioned (<b>Condition 107A</b>).</li> <li>The modification application would continue to meet the objective of <i>Principle 4 - Sustainability</i>.</li> </ul>	
<b>Principle 5: Landscape</b>	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity, provides for practical establishment and long-term management.</i></p>	<ul style="list-style-type: none"> <li>The proposed communal open space provision remains unchanged.</li> <li>The proposed landscaping is consistent with the originally approved development.</li> <li>The modification application would continue to meet the objective of <i>Principle 5 – Landscape</i>.</li> </ul>	✓
<b>Principle 6: Amenity</b>	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.</i></p>	<ul style="list-style-type: none"> <li>The revised apartment mix while marginally reducing compliance with the minimum solar access requirements (due to the increase in 3-bedroom units and reduction in 1-bedroom and 2-bedroom units), is consistent with the approved development.</li> <li>The provision of total apartments benefiting from cross ventilation remains unchanged.</li> <li>No changes are proposed to the percentage of units benefiting from cross-ventilation, and natural ventilation.</li> <li>Room sizes, ceiling heights, storage facilities, and private open space complies with ADG requirements.</li> </ul>	✓

DESIGN PRINCIPLE	OBJECTIVE	COMMENTS	ACHIEVED
		<ul style="list-style-type: none"> <li>The amended proposal would continue to meet the objective of <i>Principle 6 – Amenity</i>.</li> </ul>	
<b>Principle 7: Safety</b>	<p><i>Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<ul style="list-style-type: none"> <li>The increased lobby height to T3 would provide for better activation and passive surveillance of the adjoining public domain.</li> <li>Relocation of the public lifts and stairs providing improved connectivity to Lithgow Street and New Christie Street would improve safety.</li> <li>The loss of interface between the library and Christie Street due to the relocated gas meter and fire booster is endorsed by Council.</li> <li>The amended proposal would continue to meet the objective of <i>Principle 7 – Safety</i>.</li> </ul>	✓
<b>Principle 8: Housing Diversity and Social Interaction</b>	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.</i></p>	<ul style="list-style-type: none"> <li>The revised apartment mix will increase diversity in the range of apartment sizes.</li> <li>No modifications are proposed to the provision of public and communal open space.</li> <li>The amended proposal would continue to meet the objective of <i>Principle 8 – Housing diversity and social interaction</i>.</li> </ul>	✓
<b>Principle 9: Aesthetics</b>	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<ul style="list-style-type: none"> <li>The built form would remain generally consistent with the originally approved development.</li> <li>The loss of planter boxes to the western façade of T2 would not detract from the aesthetics of the building when viewed from the civic plaza. The western façade is well articulated and modulated to create visual interest and remains unchanged from the originally approved development.</li> <li>No changes are proposed to the schedule of materials and finishes.</li> <li>The amended proposal would continue to meet the objective of <i>Principle 9 – Aesthetics</i></li> </ul>	✓



## Design Guidance:

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED
<b>3B - Orientation</b>	<b>Objective 3B-1</b>  Building types and layouts respond to the streetscape and site while optimising solar access within the development.	<ul style="list-style-type: none"> <li>Revised apartment mix to provide a greater number of 3-bedroom units and associated changes to the layout.</li> </ul>	<ul style="list-style-type: none"> <li>The reconfigured residential component has been informed by a balance between achieving adequate solar access and maintain distant views.</li> </ul>	✓
	<b>Objective 3B-2</b>  Overshadowing of neighbouring properties is minimised during mid-winter.	<ul style="list-style-type: none"> <li>Increase in height to T3 by 3.65m to accommodate an enlarged A-grade office entry.</li> <li>Increase in height of T1 by 4.52m to accommodate a revised lift overrun.</li> </ul>	<ul style="list-style-type: none"> <li>Additional shadow cast by the increase in height to T3 is negligible (refer DA-93-0101).</li> <li>There will be no additional overshadowing to the civic plaza.</li> <li>No overshadowing impacts will result from the increase in height to T1.</li> </ul>	✓
<b>3C – Public domain interface</b>	<b>Objective 3C-1</b>  Transition between private and public domain is achieved without compromising safety and security.	<ul style="list-style-type: none"> <li>Removal of Level 1 in the commercial tower to provide for a larger volume of lobby space.</li> <li>Relocation of the gas meter and fire booster to Christie Street.</li> <li>Replaced Y-columns with V-columns.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>The raised height of T3 to accommodate an enlarged lobby would improve the interface of the commercial building (T3) along the Pacific Highway.</li> <li>The relocation of the gas meter and fire booster is endorsed by Council.</li> <li>The loss of interface between the library and Christie Street is unavoidable due to constraints imposed by utility providers.</li> <li>The entry to the retail podium from New Christie Lane and library at lower ground level would continue to provide a high degree of activation along New Christie Lane.</li> <li>Two additional skylights have been added to the eastern side of the library to offset the loss of sunlight.</li> </ul>	✓
	<b>Objective 3C-2</b>  Amenity of the public domain is retained and enhanced.	<ul style="list-style-type: none"> <li>New public lift and stair added to south/western corner to connect Lithgow Street to the civic plaza.</li> <li>Centrally located public lift/stairs/escalator at lower ground/ground levels relocated/reconfigured to improve</li> </ul>	<ul style="list-style-type: none"> <li>The new lift and stair to the south-western corner would improve connectivity between Lithgow Street and the civic plaza.</li> <li>The reconfigured public stair/lift/escalator would improve circulation space in the public domain area.</li> </ul>	✓

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED						
		pedestrian connectivity.								
3D – Public domain interface	<p><b>Objective 3D-1</b></p> <p>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</p> <ul style="list-style-type: none"><li>Communal open space has a minimum area equal to 25% of the site</li><li>Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).</li></ul>	<ul style="list-style-type: none"><li>The s4.55 application sought to introduce mechanical plant to the level 02 communal open space area.</li><li>This amendment was not support due to the loss of communal open space and adverse impact on the amenity of the space.</li><li>Revised drawings have been submitted deleting the mechanical plant.</li></ul>	<ul style="list-style-type: none"><li>No changes to the approved development with regard to communal open space.</li></ul>	✓						
3F – Visual privacy	<p><b>Objective 3F-1</b></p> <p>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p> <p>Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table><tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr></table>	Building height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	<ul style="list-style-type: none"><li>Projection of the services platform on the eastern side of T2 300mm to the east.</li><li>New level 14 to commercial tower due to deletion of level 01.</li></ul>	<ul style="list-style-type: none"><li>The encroachment of the enlarged services platform by 300mm into the 24m separation buffer would not give rise to any privacy impacts and is supported.</li><li>A condition is recommended (<b>Condition 1AA – Back Painted Glass Panels to Level 14 of T3</b>) to require ‘backlit glass panels’ are installed to the southern elevation of the new level 14 (previously 13) as per the levels below in order to maintain privacy amenity to T1 and T2 (Note: ADG habitable room separation requirements apply. The approved separation of 15m, whilst short of the 24m required, relies on the incorporation of ‘backlit panel glass’ to preclude direct overlooking.</li></ul>	✓
Building height	Habitable rooms and balconies	Non-habitable rooms								
Up to 12m (4 storeys)	6m	3m								

TOPIC	OBJECTIVE			AMENDMENTS	COMMENTS	ACHIEVED
	Up to 25m (5-8 storeys)	9m	4.5m			
	Over 25m (9+ storeys)	12m	6m			
	<p>Note: For residential buildings next to commercial buildings, separation distances should be measured as follows:</p> <ul style="list-style-type: none"><li>for retail, office spaces and commercial balconies use the habitable room distance; and</li><li>for service and plant areas use the non-habitable room distances.</li></ul>					
3G – Pedestrian access and entries	<b>Objective 3G-1</b>  Building entries and pedestrian access connects to and addresses the public domain.			<ul style="list-style-type: none"><li>New public lift and stair added to south/western corner to connect Lithgow Street to the civic plaza.</li><li>Increase in height to T3 by 3.65m to accommodate an enlarged A-grade office entry.</li><li>Public lift relocated.</li></ul>	<ul style="list-style-type: none"><li>The new lift and stair to the south-western corner would improve connectivity between Lithgow Street and the civic plaza.</li><li>The raised height of T3 to accommodate an enlarged lobby would improve the interface of the commercial building (T3) along the Pacific Highway.</li></ul>	✓
	<b>Objective 3G-2</b>  Access, entries and pathways are accessible and easy to identify.			<ul style="list-style-type: none"><li>Centrally located public lift/stairs/escalator at lower ground/ground levels relocated/reconfigured to improve pedestrian connectivity.</li></ul>	<ul style="list-style-type: none"><li>Circulation between the lower ground floor and ground floor is improved.</li></ul>	✓
3J – Bicycle and car park	<b>Objective 3J-1</b>  Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.  Fore sites within 800m of a railway station or on land zoned B4, the car parking needs for a development must be provided.			<ul style="list-style-type: none"><li>Reduced on-site car parking provision from 1073 to 1037 (-36 spaces).</li><li>The <b>original</b> proposal had the following:<ul style="list-style-type: none"><li>Total of 1073 car spaces:<ul style="list-style-type: none"><li>➤ 542 residential car spaces</li></ul></li></ul></li></ul>	<ul style="list-style-type: none"><li>The on-site car parking provision generally complies with Council's DCP requirements with the exception of the proposed parking provision for the commercial use.</li><li>The commercial car parking provision is considered appropriate and acceptable by Council's Traffic Engineer given the sites close proximity to public transportation being St Leonards train station and bus interchange.</li></ul>	✓

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED
		<ul style="list-style-type: none"> <li>➤ 406 retail car spaces (including 316 spaces dedicated to Council)</li> <li>➤ 125 Commercial car spaces</li> </ul> <ul style="list-style-type: none"> <li>The <b>amended</b> proposal has the following:                             <ul style="list-style-type: none"> <li>- Total of 1037 car spaces:                                     <ul style="list-style-type: none"> <li>➤ 542 residential car spaces</li> <li>➤ 374 retail car spaces (including 316 spaces dedicated to Council)</li> <li>➤ 121 Commercial car spaces</li> </ul> </li> </ul> </li> </ul>		
	<b>Objective 3J-2</b>  Parking and facilities are provided for other modes of transport.	<ul style="list-style-type: none"> <li>Reduction in motorcycle spaces from 76 to 70.</li> <li>Increase in bicycle spaces from 559 to 563.</li> </ul>	<ul style="list-style-type: none"> <li>The revised provision of motorcycle spaces and bicycle spaces is supported by Council's Traffic Engineer.</li> <li>The reduced number of motorcycle spaces aligns with the revised apartment mix.</li> </ul>	✓
	<b>Objective 3J-3</b>  Car park design and access is safe and secure.	<ul style="list-style-type: none"> <li>Relocation of the 316 public parking spaces to improve accessibility.</li> </ul>	<ul style="list-style-type: none"> <li>No objections are raised by Council's Traffic Engineer to the relocated public car parking spaces.</li> </ul>	✓
<b>4A – Solar access and daylight</b>	<b>Objective 4A-1</b>  To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space. <ul style="list-style-type: none"> <li>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid - winter in the Sydney Metropolitan Area.</li> <li>A maximum of 15% of apartments in a building receive no direct</li> </ul>	<ul style="list-style-type: none"> <li>Reduced compliance with 70% ADG benchmark from 70% (Approved development) to 67.7% (s4.55 application).</li> </ul>	<ul style="list-style-type: none"> <li>The numerical non-compliance is due to the revised apartment mix and reduced number of total apartments.</li> <li>The variation is minor and generally consistent with the approved development.</li> <li>No issues are raised.</li> <li>12.1% of dwellings would receive no direct sunlight between 9 am and 3 pm at mid-winter (up from 11.8%), which meets the 15% threshold under the ADG.</li> </ul>	✓

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED										
	sunlight between 9 am and 3 pm at mid-winter													
4B – Natural ventilation	<b>Objective 4B-3</b>  At least 60% of apartments are naturally cross ventilated in the first nine storeys. Apartments at 10 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	<ul style="list-style-type: none"><li>60.3% of apartments would be naturally cross ventilated.</li></ul>	<ul style="list-style-type: none"><li>The percentage of naturally cross ventilated apartments remain unchanged.</li></ul>	✓										
4C – Ceiling height	<b>Objective 4C-1</b>  Measured from finished floor level to finished ceiling level, minimum ceiling heights are to be as follows: <table><tr><th colspan="2">For apartment and mixed-use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living floor; 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>If located in mixed-use zones</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table>	For apartment and mixed-use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living floor; 2.4m for second floor, where its area does not exceed 50% of the apartment area	If located in mixed-use zones	3.3m for ground and first floor to promote future flexibility of use	Revised apartments: <ul style="list-style-type: none"><li>Minimum 2.7m ceiling height for habitable rooms</li><li>Minimum 2.4m ceiling height for non-habitable rooms</li></ul>	<ul style="list-style-type: none"><li>Minimum ceiling heights under the ADG are achieved.</li></ul>	✓
For apartment and mixed-use buildings														
Habitable rooms	2.7m													
Non-habitable	2.4m													
For 2 storey apartments	2.7m for main living floor; 2.4m for second floor, where its area does not exceed 50% of the apartment area													
If located in mixed-use zones	3.3m for ground and first floor to promote future flexibility of use													
4D – Apartment size and layout	<b>Objective 4D-1</b>  The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.	<ul style="list-style-type: none"><li>Revised apartment sizes achieve the minimum apartment sizes.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ASG requirements</li></ul>	✓										

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED										
	<ul style="list-style-type: none"><li>Apartments are required to have the following minimum internal areas:<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m<sup>2</sup></td></tr><tr><td>1 bed</td><td>50m<sup>2</sup></td></tr><tr><td>2 bed</td><td>70m<sup>2</sup></td></tr><tr><td>3 bed</td><td>90m<sup>2</sup></td></tr></table></li></ul>	Apartment type	Minimum internal area	Studio	35m <sup>2</sup>	1 bed	50m <sup>2</sup>	2 bed	70m <sup>2</sup>	3 bed	90m <sup>2</sup>			
Apartment type	Minimum internal area													
Studio	35m <sup>2</sup>													
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3 bed	90m <sup>2</sup>													
	<p><b>Objective 4D-3</b></p> <p>Apartment layouts are designed to accommodate a variety of household activities and needs.</p> <ul style="list-style-type: none"><li>Master bedrooms have a minimum area of 10m<sup>2</sup> and other bedrooms 9m<sup>2</sup> (excluding wardrobe space)</li><li>Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</li><li>Living rooms or combined living/dining rooms have a minimum width of 3.6m for studio and 1-bedroom apartments; and 4m for 2 – and - 3 bedrooms apartments.</li><li>The width of cross-over and cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.</li></ul>	<ul style="list-style-type: none"><li>Generally, revised apartment types are designed well.</li><li>Habitable areas meet minimum width requirements and are adjacent to balconies.</li></ul>	<ul style="list-style-type: none"><li>All room dimensions are provided in accordance with ADG requirements</li><li>Revised apartment layouts are capable of accommodating a variety of household activities and needs.</li></ul>	✓										
<b>4E- Private open space and balconies</b>	<p><b>Objective 4E-1</b></p> <p>Apartments provide appropriately sized private open space and balconies to enhance residential amenity.</p> <ul style="list-style-type: none"><li>All apartments are required to have primary balconies as follows:</li></ul>	<ul style="list-style-type: none"><li>Blacony sizes to revised units meet minimum area and depth requirements under the ADG.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓										

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED															
	<table><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>Studio units</td><td>4m<sup>2</sup></td><td>-</td></tr><tr><td>1 bed units</td><td>8m<sup>2</sup></td><td>2m</td></tr><tr><td>2 bed units</td><td>10m<sup>2</sup></td><td>2m</td></tr><tr><td>3+ bed units</td><td>12m<sup>2</sup></td><td>2.4m</td></tr></table>	Dwelling type	Minimum area	Minimum depth	Studio units	4m <sup>2</sup>	-	1 bed units	8m <sup>2</sup>	2m	2 bed units	10m <sup>2</sup>	2m	3+ bed units	12m <sup>2</sup>	2.4m			
Dwelling type	Minimum area	Minimum depth																	
Studio units	4m <sup>2</sup>	-																	
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2 bed units	10m <sup>2</sup>	2m																	
3+ bed units	12m <sup>2</sup>	2.4m																	
	<b>Objective 4E-2</b>  Primary private open space and balconies are appropriately located to enhance liveability for residents.	<ul style="list-style-type: none"><li>Balconies are generally located adjacent to living rooms.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓															
	<b>Objective 4E-3</b>  Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.	<ul style="list-style-type: none"><li>Balcony design is consistent with the originally approved development and would contribute</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓															
	<b>Objective 4E-4</b>  Private open space and balcony design maximises safety.	<ul style="list-style-type: none"><li>Balconies designed to maximise safety.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓															
<b>4F – Common circulation and space</b>	<b>Objective 4F-1</b>  Common circulation spaces achieve good amenity and properly service the number of apartments.  <ul style="list-style-type: none"><li>The maximum number of apartments off a circulation core on a single level is 8. Where this is not achieved, no more than 12 apartments should be provided off a circulation core on a single level.</li><li>For buildings of 10 storeys and over, the maximum number of</li></ul>	<ul style="list-style-type: none"><li>Maximum of 11 apartments per lift core.</li></ul>	<ul style="list-style-type: none"><li>Consistent with original approval.</li></ul>	✓															

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED										
	apartments sharing a single lift is 40.													
	<b>Objective 4F-2</b>  Common circulation spaces promote safety and provide for social interaction between residents.	<ul style="list-style-type: none"><li>Internal residential corridor length and width is consistent with original approval.</li></ul>	<ul style="list-style-type: none"><li>As per original approval, large common circulation spaces in lift lobbies are provided to enhance opportunities for social interaction, and provide safety to residents.</li></ul>	✓										
<b>4G - Storage</b>	<b>Objective 4G-1</b>  Adequate, well-designed storage is provided in each apartment.  <ul style="list-style-type: none"><li>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</li></ul> <table border="1"><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio units</td><td>4m²</td></tr><tr><td>1 bed units</td><td>6m²</td></tr><tr><td>2 bed units</td><td>8m²</td></tr><tr><td>3+ bed units</td><td>10m²</td></tr></table> <ul style="list-style-type: none"><li>At least 50% of the required storage is to be located within the apartment.</li></ul>	Dwelling type	Storage size volume	Studio units	4m²	1 bed units	6m²	2 bed units	8m²	3+ bed units	10m²	<ul style="list-style-type: none"><li>Storage provision for reconfigured unit mix is compliant with ADG requirements.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓
Dwelling type	Storage size volume													
Studio units	4m²													
1 bed units	6m²													
2 bed units	8m²													
3+ bed units	10m²													
<b>4H – Acoustic privacy</b>	<b>Objective 4H-1</b>  Noise transfer is minimised through the siting of buildings and building layout.	<ul style="list-style-type: none"><li>The revised apartment layout has been designed to minimise noise transfer.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li><li>The revised apartment mix is not considered to trigger an updated acoustic impact assessment.</li></ul>	✓										
	<b>Objective 4H-2</b>  Noise impacts are mitigated within apartments through layout and acoustic treatments.	<ul style="list-style-type: none"><li>Acoustic treatments consistent with the approved development.</li></ul>	<ul style="list-style-type: none"><li>Consistent with ADG requirements.</li></ul>	✓										
<b>4K – Apartment mix</b>	<b>Objective 4K-1</b>  A range of apartment types and sizes is provided to cater for different	<ul style="list-style-type: none"><li>Revised apartment mix:<table border="1"><tr><th>Unit</th><th>Approved</th><th>Proposed</th></tr><tr><td>Studio</td><td>2</td><td>0</td></tr><tr><td>1-bed</td><td>197</td><td>181</td></tr></table></li></ul>	Unit	Approved	Proposed	Studio	2	0	1-bed	197	181	<ul style="list-style-type: none"><li>The revised apartment mix and greater provision of 3-bedroom apartments would satisfy Council’s DCP requirement to provide a minimum 10% of the total number of apartments as 1, 2 and 3+ bedroom apartments.</li></ul>	✓	
Unit	Approved	Proposed												
Studio	2	0												
1-bed	197	181												



TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED															
	household types now and into the future.	<table><tr><td>2-bed</td><td>395</td><td>381</td></tr><tr><td>3-bed</td><td>56</td><td>74</td></tr><tr><td>4-bed</td><td>3</td><td>4</td></tr><tr><td>5-bed</td><td>1</td><td>0</td></tr><tr><td>TOTAL</td><td>654</td><td>637</td></tr></table>	2-bed	395	381	3-bed	56	74	4-bed	3	4	5-bed	1	0	TOTAL	654	637	<ul style="list-style-type: none"><li>The revised apartment mix would cater for different household types.</li></ul>	
2-bed	395	381																	
3-bed	56	74																	
4-bed	3	4																	
5-bed	1	0																	
TOTAL	654	637																	
	<b>Objective 4K-2</b>  The apartment mix is distributed to suitable locations within the building.	<ul style="list-style-type: none"><li>Different apartment types are distributed evenly throughout the proposed building.</li></ul>	<ul style="list-style-type: none"><li>Different apartment types are distributed evenly to maximise equitable access to sunlight and amenity.</li></ul>	✓															
<b>4M - Facades</b>	<b>Objective 4M-1</b>  Building facades provide visual interest along the street while respecting the character of the local area.	<ul style="list-style-type: none"><li>Y-columns replaced with v-columns to ground floor plane.</li><li>Lobby area to T3 increased and level 01 deleted to provide A-grade office entry.</li><li>Deletion of planter boxes to the western façade of T2 (Levels 3, 5-12, 14-22 and 24).</li><li>Fire booster and gas meter relocated to Christie Street</li></ul>	<ul style="list-style-type: none"><li>No objections are raised to modified support columns.</li><li>The increased lobby space to T3 would improve its interface to the adjoining public domain.</li><li>The deletion of planter boxes to the western façade of T2 would not alter the heavily modulated façade to T2 when viewed from the civic plaza.</li><li>The relocation of the gas meter and fire booster to Christie Street is disappointing but unavoidable due to utility provider constraints. The modification is endorsed by Council.</li></ul>	✓															
	<b>Objective 4M-2</b>  Building functions are expressed by the façade.	<ul style="list-style-type: none"><li>Lobby area to T3 increased</li></ul>	<ul style="list-style-type: none"><li>Improved definition of building entry to T3 more clearly defined.</li></ul>	✓															
<b>4N – Roof design</b>	<b>Objective 4N-1</b>  Roof treatments are integrated into the building design and positively respond to the street.	<ul style="list-style-type: none"><li>Roof treatment to T3 as per original approval.</li><li>Revised lift overrun to T1.</li></ul>	<ul style="list-style-type: none"><li>Roof treatment to T3 consistent with the approved development.</li><li>The lift overrun will not be visible from the public domain.</li></ul>	✓															
<b>4O – Landscape design</b>	<b>Objective 4O-1</b> Landscape design is viable and sustainable.	<ul style="list-style-type: none"><li>Planter boxes removed to the western elevation of T2.</li><li>Planter boxes added to level 03 and level 07 of T3 as per <b>Condition 19 – Planter Boxes</b> of the original consent.</li></ul>	<ul style="list-style-type: none"><li>Landscaping is generally consistent with the approved development.</li><li>Details of plant species have been provided.</li></ul>	✓															

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED
	<b>Objective 4O-2</b>  Landscape design contributes to the streetscape and amenity.	<ul style="list-style-type: none"> <li>Refer comments below with regard to street trees to the Pacific Highway.</li> </ul>	<ul style="list-style-type: none"> <li>The treatment of the trees to the Pacific Highway satisfies the intent of the original condition of consent (<b>Condition 18 – Street trees / Pacific Highway</b>).</li> <li>The proposal would continue to provide a high - quality landscape design and streetscape contribution.</li> </ul>	✓
4P – Planting on structures	<b>Objective 4P-1</b>  Appropriate soil profiles are provided.	<ul style="list-style-type: none"> <li>Amendment to <b>Condition 18 – Street trees / Pacific Highway</b> to provide 5 x <i>Tristanopsis laurina</i> 'Luscious' trees (200ml at planting) using Stratacell soil cells and comprising an above ground planter box 350mm high x 1200mm wide.</li> <li>Pacific Highway street trees to have a mature height of 10m high x 5m wide.</li> </ul>	<ul style="list-style-type: none"> <li>Modifications are required to accommodate subterranean utilities.</li> <li>The amendments would achieve the intent of the condition to soften the bulk of T3 and enhance the streetscape contribution.</li> <li>It is recommended <b>Condition 18</b> is amended to address the concerns of Councils Landscaping Officer to ensure that the proposed treatment is capable of supporting mature tree growth.</li> <li>Details of soil profiles are provided in the revised landscape package.</li> </ul>	✓
	<b>Objective 4P-2</b>  Plant growth is optimised with appropriate selection and maintenance amenity.	<ul style="list-style-type: none"> <li>The proposed plant schedule is supported by Architectus.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed plant schedule is supported.</li> </ul>	✓
	<b>Objective 4P-3</b>  Planting on structures contributes to the quality and amenity of communal and public open spaces.	<ul style="list-style-type: none"> <li>Planting on structures is supported as it would soften the interface of the proposed development with its surroundings.</li> </ul>	<ul style="list-style-type: none"> <li>Deep soil planting provision is not viable.</li> <li>Planting on structures would ensure a positive contribution to the streetscape and amenity.</li> </ul>	✓
4Q – Universal design	<b>Objective 4Q-1</b>  Universal design features are included in apartment design to promote flexible housing for all community members. <ul style="list-style-type: none"> <li>Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guidelines silver level universal design feature.</li> </ul>	<ul style="list-style-type: none"> <li>Provision of liveable units increased to 20% to comply with <b>Condition 34 – Livable Units</b>.</li> </ul>	<ul style="list-style-type: none"> <li>Consistent with ADG requirements.</li> </ul>	✓

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED
	<b>Objective 4Q-2</b>  A variety of apartments with adaptable designs are provided.	<ul style="list-style-type: none"> <li>10% of units are provided as adaptable apartments, which achieve the minimum requirements of Part D– 5.7 of Councils DCP.</li> </ul>	<ul style="list-style-type: none"> <li>Consistent with Council's requirements.</li> </ul>	✓
	<b>Objective 4Q-3</b>  Apartment layouts are flexible and accommodate a range of lifestyle needs.	<ul style="list-style-type: none"> <li>Revised apartment mix to support flexible lifestyles.</li> </ul>	<ul style="list-style-type: none"> <li>Rooms incorporate flexible design to support multiple functions.</li> </ul>	✓
<b>4T – Awning and signage</b>	<b>Objective 4T-1</b>  Awnings are well located and complement and integrate with the building design.	<ul style="list-style-type: none"> <li>Awnings to T3 reduced in depth to sit within the freehold property (unlimited in height and depth) as per RMS requirements (<b>Condition 47</b> of the original consent).</li> </ul>	<ul style="list-style-type: none"> <li>The design of awnings is well integrated into the overall design and building form and is consistent with the original approval.</li> </ul>	✓
	<b>Objective 4T-2</b>  Signage responds to the context and desired streetscape character.	<ul style="list-style-type: none"> <li>Revised plans submitted to the s4.55 modification to achieve compliance of JQZ signage to T3 building with original approval.</li> </ul>	<ul style="list-style-type: none"> <li>Consistent with approved development.</li> </ul>	✓
<b>4U – Energy efficiency</b>	<b>Objective 4U-1</b>  Development incorporates passive environmental design.	<ul style="list-style-type: none"> <li>Solar access and natural cross ventilation discussed previously.</li> </ul>	<ul style="list-style-type: none"> <li>Solar access, natural daylight and ventilation is maximised in the revised apartment layout design.</li> </ul>	✓
<b>4W – Waste management</b>	<b>Objective 4W-1</b>  Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	<ul style="list-style-type: none"> <li>Garbage room and ramp reconfigured.</li> <li>Revised <i>Waste Management Plan</i> prepared by Elephants Foot submitted.</li> </ul>	<ul style="list-style-type: none"> <li>Modifications acceptable, subject to: <ul style="list-style-type: none"> <li>the retention of <b>Condition 29</b> (<i>Waste Collection Deed of Indemnity</i>);</li> <li>inclusion of a new condition to require the <i>Operational Waste Management Plan</i> to be updated to incorporate the following and submitted to Council for approval, prior to any occupation of the premises: <ul style="list-style-type: none"> <li>the dual chute system is to be used for general waste and mixed containers only;</li> <li>paper and cardboard is to be collected via a 240 L MBG located on each residential level or alternative solution to separate paper from the recycling waste stream; and</li> </ul> </li> </ul> </li> </ul>	✓

TOPIC	OBJECTIVE	AMENDMENTS	COMMENTS	ACHIEVED
			➤ the presentation of all MGBs for all waste and recycling streams to the loading dock is the responsibility of the body corporate / owner's corporation ( <b>Condition 29A – Waste Operations</b> ).	

## 7.6 State Environmental Planning Policy No. 64 (Advertising and Signage)

- In the assessment of the original application concerns were raised regarding the size, number and illumination of the proposed 'JQZ' business identification signage to the northern, eastern, and western sides of the roof plant screen to T3.

The following outcomes were resolved:

- that the signage be limited to the eastern and western sides only;
  - the signage be reduced in size to 4.5m wide x 2.3m high (from 9m x 4.5m); and
  - the signage be non-illuminated.
- The s4.55 application sought to re-instate the JQZ business identification signage as per the original proposal.

Revised s4.55 plans have been submitted to comply with the approved JQZ business identification signage as per the approved plans and conditioned under **Condition 27 – Roof Top Signage to Commercial Building**.

- It is recommended that **Condition 27** is amended to ensure that the signage does not project above the maximum building height of RL145.55.
- No modifications are proposed to the approved signage. As such, there are no further matters for consideration.

## 7.7 Lane Cove Local Environmental Plan 2009

### 7.7.1 Zoning and permissibility

- The permissibility of the approved development is unaltered by the proposed modifications. This is detailed in Section 9.7.2 of the *Original Assessment Report (Annexure 1)*.
- The site is partly zoned B3- Commercial Core and B4 – Mixed Use. Site B fronting the Pacific Highway and Site D being New Christie Lane is zoned B3 Commercial Core. The commercial building (T3) on Site B and retail uses at Basement 01 Level and Lower Ground on Site D are permitted with consent.

Site A is zoned B4 Mixed Use and Site C is zoned B3 Commercial Core. The mixed-use towers (T1 and T2) traverse Sites A and C and are permitted within the B4 Mixed Use zone with consent. The residential use in T1 and T2 on the portion of land designated Site D is permissible by virtue of *Clause 5.3 Development near zone boundaries* of LCLEP 2009.

- A locality plan showing the breakdown of the total site into Sites A, B, C, D and E is provided at **Figure 4**.

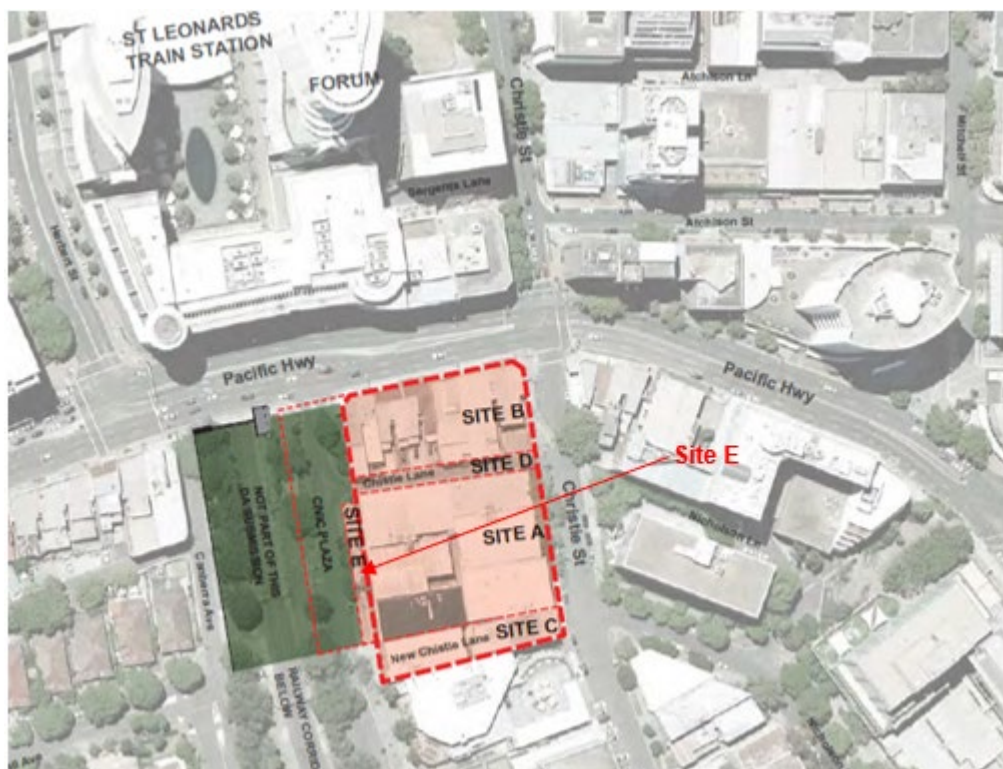


Figure 4. Locality plan showing the breakdown of the site (Source: PTW Architects).

- A breakdown of the zonings across the site is provided in the table below:

Site	Zoning	Building	Permissible
Site A	B4 Mixed Use	<ul style="list-style-type: none"> <li>T1</li> </ul>	Yes
Site B	B3 Commercial Core	<ul style="list-style-type: none"> <li>T3</li> </ul>	Yes
Site C	B3 Commercial Core	<ul style="list-style-type: none"> <li>T1 and T2 retail, community facilities (Basement 01 – level 01).</li> <li>T1 and T2</li> </ul>	Yes – By virtue of Clause 5.3 of LCLEP 2009).
Site D	B3 Commercial Core	<ul style="list-style-type: none"> <li>Basement 01 and Lower Ground Level of T3</li> </ul>	Yes
Site E	B4 Mixed Use	<ul style="list-style-type: none"> <li>T2 residential portion - 4m articulation zone to Tower 2)</li> </ul>	Yes

- The modifications would not alter compliance of the approved development with the objectives of the B3 - Commercial Core and B4 – Mixed Use zones, as follows:

ZONE B3 – COMMERCIAL CORE		
Objectives	Comments	Complies
To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.	<ul style="list-style-type: none"> <li>The mix of uses under the modified proposal is substantially the same as the approved development.</li> </ul>	✓
To encourage appropriate employment opportunities in accessible locations.	<ul style="list-style-type: none"> <li>The increased height to T3 to accommodate an A-Grade office entry would improve tenant potential and calibre and therefore encourage employment opportunities in an accessible location.</li> </ul>	✓

<b>ZONE B3 – COMMERCIAL CORE</b>		
<b>Objectives</b>	<b>Comments</b>	<b>Complies</b>
<i>To maximise public transport patronage and encourage walking and cycling.</i>	<ul style="list-style-type: none"> <li>The provision of bicycle spaces is increased by 4 spaces.</li> <li>The reduced on-site parking provision would encourage greater use of public transport in close proximity to the site.</li> </ul>	✓
<i>To integrate business, retail, and other development in accessible locations.</i>	<ul style="list-style-type: none"> <li>Consistent with the approved development.</li> </ul>	✓
<i>To maximise sunlight for surrounding properties and the public domain.</i>	<ul style="list-style-type: none"> <li>The increase in height to T3 would not cause any additional overshadowing to the civic plaza.</li> <li>Additional overshadowing impacts are negligible.</li> </ul>	✓
<i>To encourage urban design maximising attractive public domain and adequate circulation space throughout the St Leonards commercial centre for current and future users.</i>	<ul style="list-style-type: none"> <li>Replacement of the Y-columns with V-columns would not alter the aesthetic quality of the development and interface with the public domain.</li> </ul>	✓
<b>ZONE B4 – MIXED USE</b>		
<b>Objectives</b>	<b>Comments</b>	<b>Complies</b>
<i>To provide a mixture of compatible uses.</i>	<ul style="list-style-type: none"> <li>Consistent with the approved development.</li> </ul>	✓
<i>To integrate suitable business, office, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>	<ul style="list-style-type: none"> <li>Consistent with the approved development.</li> </ul>	✓
<i>To encourage urban design maximising attractive public domain and adequate circulation space for current and future users.</i>	<ul style="list-style-type: none"> <li>The relocated gas meter and fire booster to Christie Street is acceptable due to the constraints imposed by utility providers.</li> <li>The length of inactive wall space varies in height above ground level from 1.1m to 1.8m. The principal library frontage and main pedestrian entry off New Christie Lane would be retained. The restaurant terrace above will continue to provide activation of the adjoining public domain.</li> <li>The relocated lifts/stairs/escalators at lower ground/ground levels would improve circulation.</li> </ul>	✓
<i>To maximise sunlight for surrounding properties and the public domain.</i>	<ul style="list-style-type: none"> <li>The lift overrun to T1 would not cause any overshadowing impacts.</li> </ul>	✓

### 7.7.2 Clause 4.3: Height of buildings

<b>Building</b>	<b>Control</b>	<b>Approved</b>	<b>S4.55 Modifications</b>	<b>Change</b>
Commercial building (T3)	45m	RL141.9m (61.4m – 14-storeys)	RL145.55	<b>+ 3.65m</b>
Tower 1 (T1)	RL 277.4	RL 227.4 (146.9m – 47-storeys)  RL 234.255 (lightning rod)	RL 231.20 (Lift overrun)	<b>+ 4.52m</b>  Lightening rod exempt from building height

Building	Control	Approved	S4.55 Modifications	Change
				definition. Height of rod unchanged.
Tower 2 (T2)	RL 166.8	RL 166.8 (86.3m – 26-storeys)  RL 173.815 (lightning rod)	No change	No change

- The proposal does not comply with Clause 4.3 of the LCLEP 2009. As section 4.55 is a stand-alone test, application of Clause 4.6 does not apply. A merit-based assessment is thus applied.
- An assessment of the proposal against the objectives of the standard contained in Clause 4.3(1) is provided below:

**a) To ensure development allows for reasonable solar access to existing buildings and public areas.**

- The increase in height to T3 would not result cause any additional overshadowing of the civic plaza.
- Additional overshadowing resulting from the increase in height to T3 is negligible (refer *Drawing DA-93-0101*).

The proposal is therefore acceptable with regard to objective (a).

**b) To ensure that privacy and visual impacts of development on neighbouring properties, particularly where zones meet, are reasonable.**

**Visual impacts**

- The increase in height to T3 and T1 would not be discernible from the public domain.
- The visual impact of the 3.65m height increase to residents of the Forum East residential tower would be minor and acceptable.
- The rooftop plant to T3 services all retail areas across the site. The rooftop plant has been integrated into the design of the development and is appropriately screened to preclude any adverse visual impacts.
- The overrun structure to T1 would not give rise to any unacceptable visual impacts in the surrounding area.
- The proposal would maintain acceptable view sharing with residents of the *Forum East* residential tower. View impacts are assessed separately having regard to *Part B.4 – View Sharing* of the LCDCP 2009.
- It is noted that prior to the gazettal of the Planning Proposal for the site, an 18-storey commercial development could be constructed up to a height of RL 149.05m at 86-90 Christie Street. The proposed commercial building is proposed to be constructed to RL 145.5, which provides a better planning outcome in terms of visual impacts.

**Privacy**



- The proposed building separation of the new level 14 (due to deletion of level 01) to the Forum East residential tower and to T1 and T2 is acceptable with regard to ADG separation requirements.
- **Condition 1AA – Back Painted Glass Panels to Level 14 of T3** is recommended to ensure 'back painted glass panels' are included to the southern elevation of the revised level 14 (previously level 13) of T3 as per the levels below due to maintain privacy amenity.

The proposal is therefore acceptable with regard to objective (b).

**c) To seek alternative design solutions in order to maximise the potential sunlight for the public domain.**

- No additional overshadowing would occur to the public plaza as a result of the proposed modifications.

The proposal is therefore acceptable with regard to objective (c).

**d) To relate development to topography.**

- No changes are proposed to the building siting and levels relative to the site topography.

The proposal is therefore acceptable with regard to objective (d).

- The approved development as modified by the s4.55 proposal would continue to satisfy the objectives of the *B3 – Commercial Core* and *B4 – Mixed Use* zones, as detailed previously in **Section 7.7.1**.
- Alignment with the vision for St Leonards under the *Greater Sydney Regional Plan*, *North District Plan*, and *Draft St Leonards and Crows Nest 2036 Plan* constitutes sufficient environment planning grounds to justify the departure.
- The proposed modifications and associated departure to the height of buildings development standard is acceptable on merit as the proposal satisfies the objectives for the standard and objectives for development in the relevant zone.

### 7.7.3 Clause 4.4: Floor Space Ratio (FSR)

Site	Area	APPROVED	PROPOSED
A	3202.8m <sup>2</sup> (including 11.8m <sup>2</sup> Ausgrid substation)	56,647.08m <sup>2</sup> (including 4m articulation zone on Site E)	<b>56,647.08m<sup>2</sup></b>
C	768m <sup>2</sup>	10,828.80m <sup>2</sup>	<b>10,828.80m<sup>2</sup></b>
B	1850m <sup>2</sup>	18,685.00m <sup>2</sup>	<b>18,685.00m<sup>2</sup></b>
<b>Total</b>	<b>2,237.5m<sup>2</sup></b>	<b>86,160.88m<sup>2</sup></b>	<b>86,160.88m<sup>2</sup></b>

Note:

- No FSR control on Site D. Retail at level B01 and lower ground is exempt.
  - Residential area in articulation n zone to T2 on site E is included in Site A calculation as per original assessment.
- The proposal would not result in any additional GFA across the total site. A GFA cap of 86,160.88m<sup>2</sup> is recommended (**Condition 2AA – GFA Cap**) to ensure that level 01 of T3 is not reinstated.

- An assessment of the proposal against the objective of the standard contained in Clause 4.4(1) is provided below:

**a) To ensure that the bulk and scale of development is compatible with the character of the locality.**

- Whilst there is no increase in GFA, the increased lobby volume to T3 would trigger an increase in height of T3 by 3.65m.
- The increase in height to T3 and lift overrun structure to T1 would result in a bulk and scale that is generally consistent with the approved development and is contextually appropriate.
- It is noted that St Leonards is one of Sydney's main office precincts. The additional height to T3 would facilitate delivery of an A-grade office entry to attract first-class tenants to deliver employment opportunities in line with State government objectives for St Leonards and the *B3 Commercial Core* zoning of the site.

#### **7.7.4 Clause 6.1 – Acid Sulfate Soils**

- The modifications would not trigger any additional assessment under Clause 6.1 of LCLEP 2009.

#### **7.7.5 Clause 6.1A – Earthworks**

- No additional earthworks are proposed.

#### **7.7.6 Clause 6.7 – Airspace operations**

- No issues are raised with regard to the additional height to T1 to accommodate the lift overrun structure.
- The proposed height of RL 231.920 sits below the maximum height of RL 234.3 imposed by the *Civil Aviation Safety Authority* pursuant to the *Airports Act 1996* (**Condition 44 – Civil Aviation Authority Conditions** of the original consent).

#### **7.7.7 Clause 6.8 – Development between Christie Street and Lithgow Street, St Leonards**

- Clause 6.8 outlines the maximum FSR permitted on *Site A*.
- The proposed modifications would not alter the GFA on *Site A*. As such, no further assessment is needed.

### **Any development control plan: s4.15(1)(a)(iii)**

## **7.8 Lane Cove DCP 2010**

### **7.8.1 Part B General Controls**

#### **Part B.1 General objectives for the DCP**

- The modified proposal would continue to meet the *general objectives* for LCDCP 2010, in the following manner:

- the proposal would continue to support the locality's sustainability in environmental, social and economic terms;
- the proposed modifications would not give rise to any unacceptable visual or amenity impacts; and
- the increased lobby volume to T3 would enhance the visual quality and functionality of the public and private domain interrelationship.

## Part B.2 Public domain

- The increased height to T3 would provide better activation of the adjoining public domain and improved interface with the Pacific Highway. A by-product of this would be enhanced tenancy prospects and employment opportunities.
- The relocation of the fire booster and gas meter to Christie Street and resultant loss of library visibility is due to constraints imposed by utility providers. Two skylights have been added to the eastern side of the library roof to offset the loss of sunlight. The principal library frontage and main pedestrian entry off New Christie Lane would be retained. The restaurant terrace above would continue to provide activation of the adjoining public domain (**Figure 5**).



**Figure 5.** Principal library frontage to New Christie Lane (Source: PTW Architects).

- The proposed modifications would not alter compliance of the approved development with the objectives for the *public domain* under Clause 2.1 of LCDCP 2010.

## Clause 2.2 Public domain projects in St Leonards

- No changes are proposed to the public domain upgrades for St Leonards captured under the VPA.
- The library layout has been revised but has not been reduced in size.
- **Condition 4 – Section 7.11 Contribution Payment** has been amended to reflect the revised scheme.

### Part B.3 Site amalgamation and development on isolated sites

- The proposed consolidation of two construction stages into one, would ensure the coordinated site redevelopment.

### Part B.4 View sharing

- The increase in the overall height to T3 (63.15m to 65.05m at RL 45.55) would have an impact on views from the *Forum East* residential tower to the north of the site.
- A view analysis has been carried out by PTW Architects for ten floors (level 16 to level 25) of the *Forum East* residential tower (**Annexure 9**). The view analysis addresses the height increase to T3, 4.52m increase to T1 to accommodate the lift overrun, and 300mm projection to the eastern side of T2 to accommodate an enlarged services platform.
- In assessing the reasonableness or otherwise of the degree of view loss, the case law established by *Tenacity Consulting v Warringah (2004) NSWLEC 140* is considered. This establishes a four-step assessment of view sharing, as follows:

#### 1. *The assessment of the views affected*

*The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

- The subject views are to the south-west of the Lane Cove River, Huntleys Point and Drummoyne district; and to the south-east and east towards North Sydney, the city of Sydney and the Harbour (**Figure 6**).



**Figure 6.** Affected views from The Forum East residential tower.

## **2. Consideration from what part of the property the views are obtained**

*The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

- The subject views are obtained from the south-facing living areas of residential apartments on the southern side of The Forum East residential tower to the north of the subject site.
- The location of the *Forum East* residential tower relative to the site is shown at **Figure 7**.



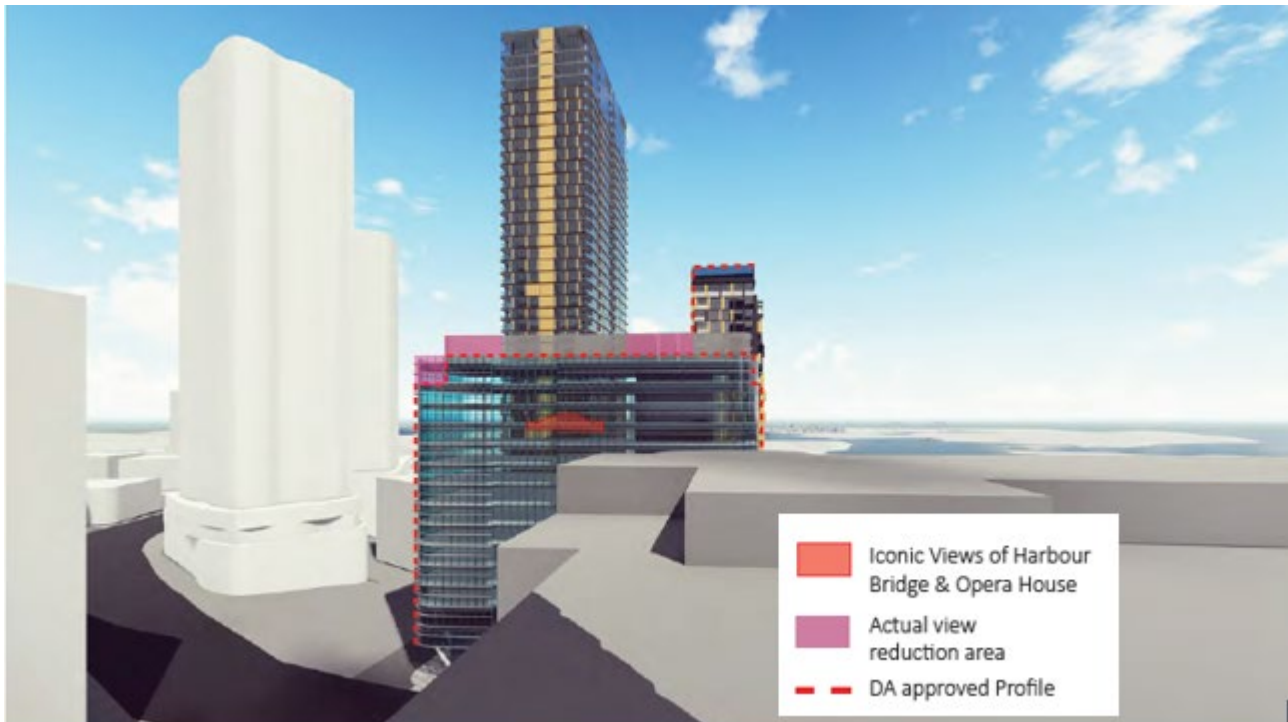


**Figure 7.** Location of the Forum East residential tower relative to the subject site (Source: PTW Architects).

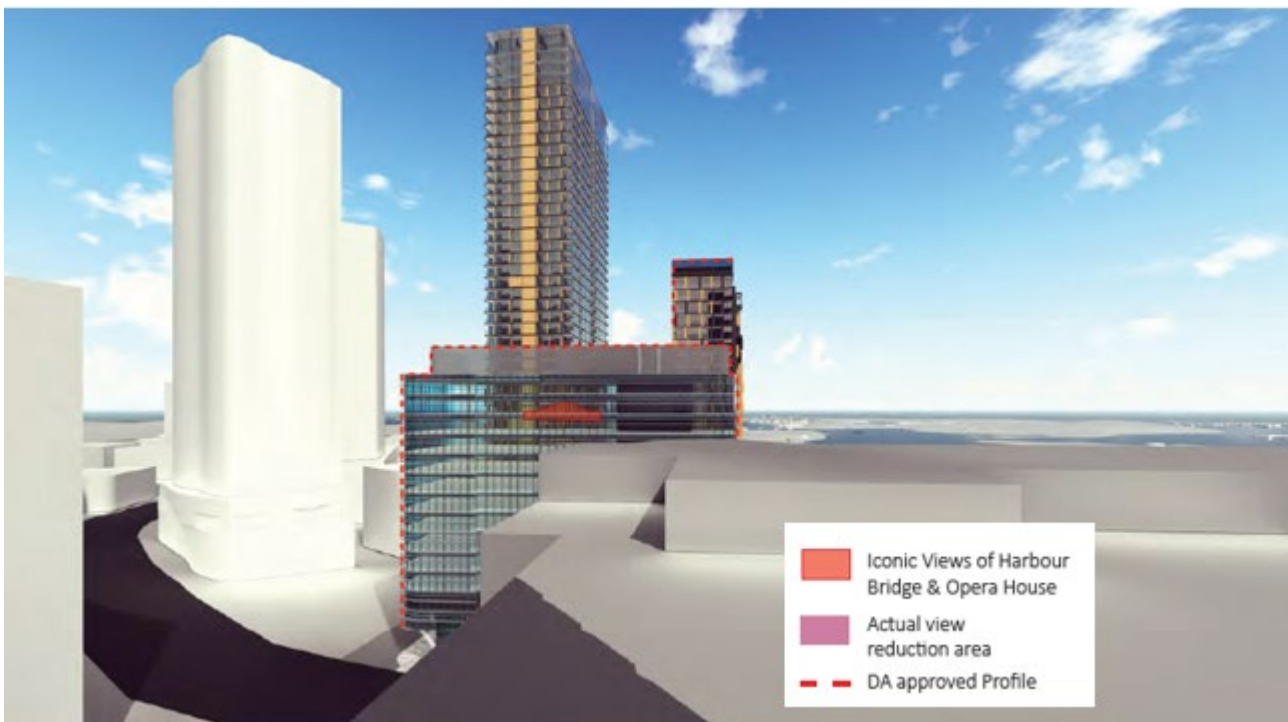
### 3. The extent of the impact

*The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

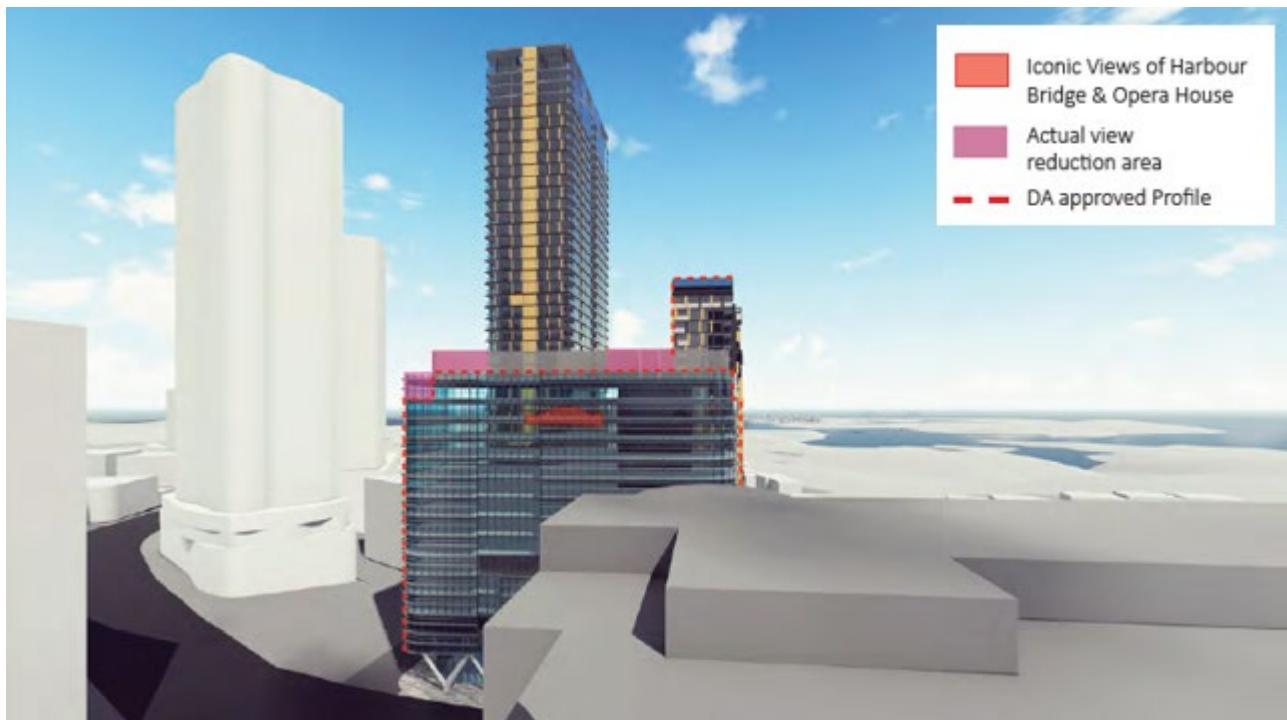
- The extent of view impacts to levels 16 to 25 of the *Forum East* residential tower is shown below:
  - o The increase in the overall height to T3 would have negligible impact on views between levels 16 (**Figures 8 & 9**) and 17 (**Figures 10 & 11**).



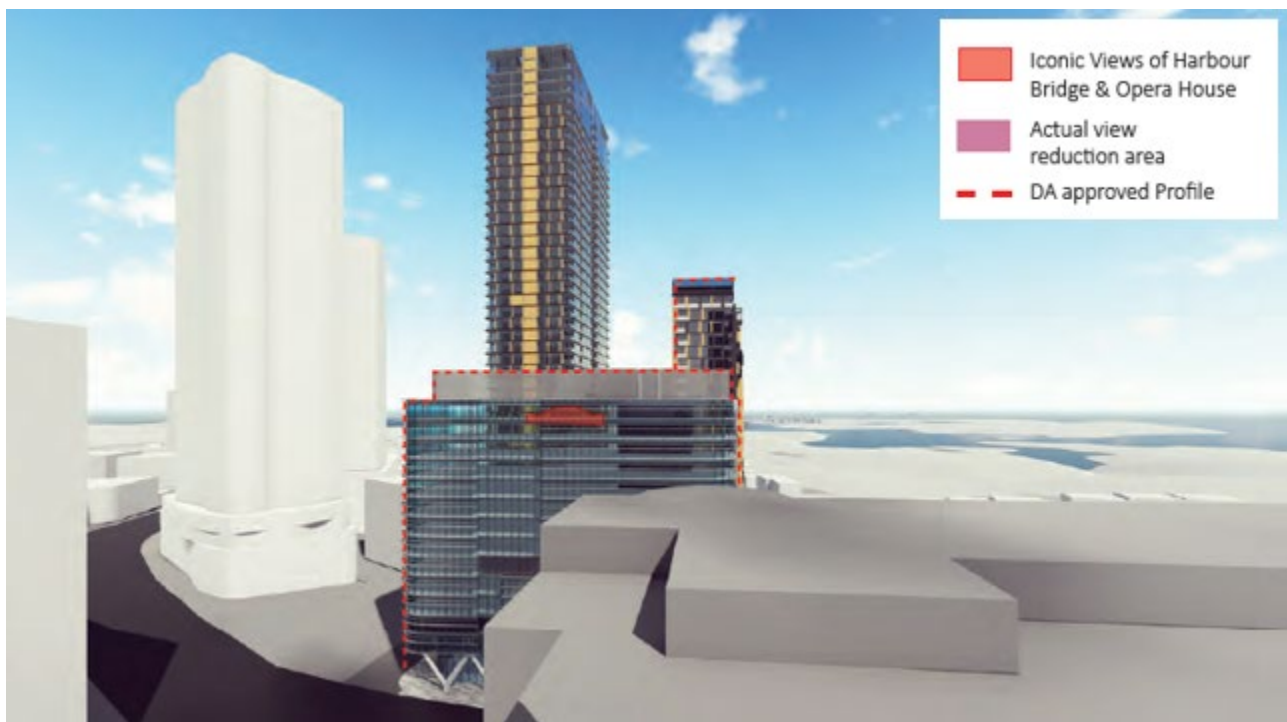
**Figure 8.** View from level 16 – **S4.55 Application** (Source: PTW Architects).



**Figure 9.** View from level 16 – **Approved DA** (Source: PTW Architects).



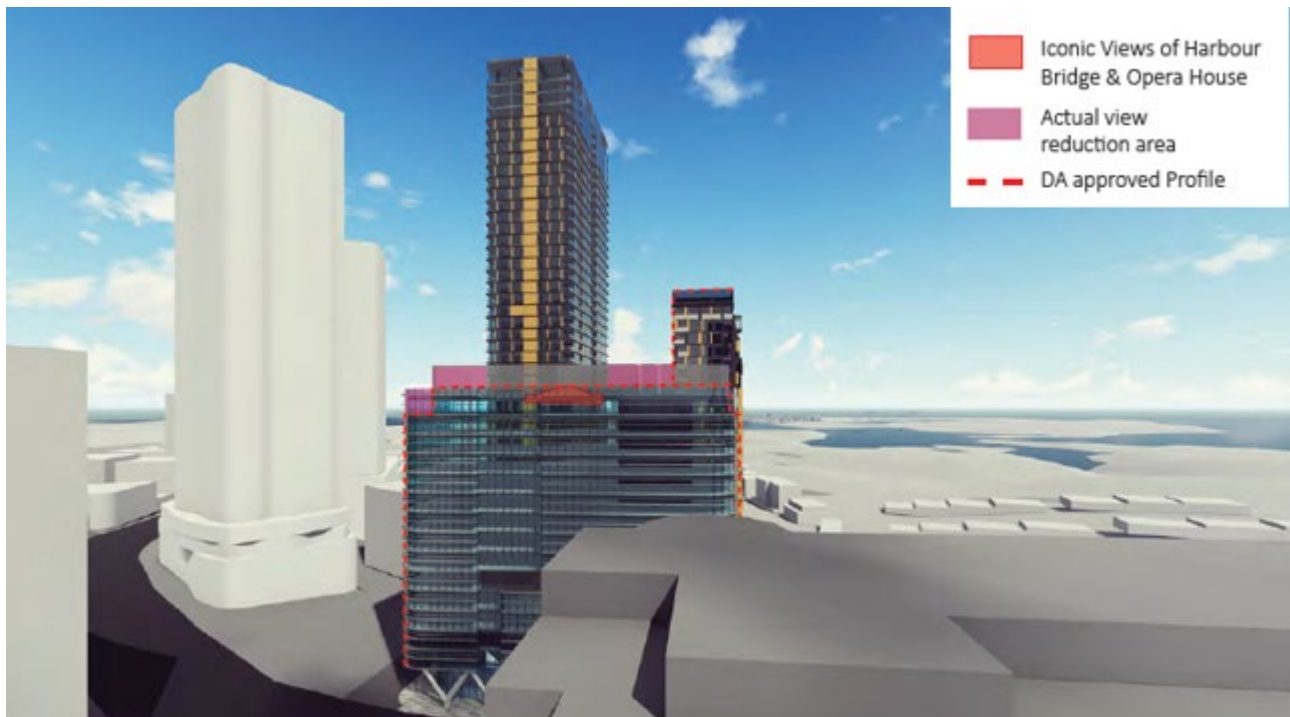
**Figure 10.** View from level 17 – **S4.55 Application** (Source: PTW Architects).



**Figure 11.** View from level 17 – **Approved DA** (Source: PTW Architects).

- At level 18, the increased height to T3 would obstruct views of the top of the centrepont tower (**Figure 12**). This is the only portion of the city CBD visible from level 18 (**Figure 13**). View impacts from level 18 are considered to be minor.





**Figure 12.** View from level 18 – **S4.55 Application** (Source: PTW Architects).



**Figure 13.** View from level 18 – **Approved DA** (Source: PTW Architects).

- At level 19, there would be some loss of views of the city CBD including centre-point tower (**Figure 14**). Views of the top of the Harbour Bridge above the approved building envelope are obstructed by the approved footprint of T1 (**Figures 14 & 15**). View impacts to level 19 are considered to be moderate.

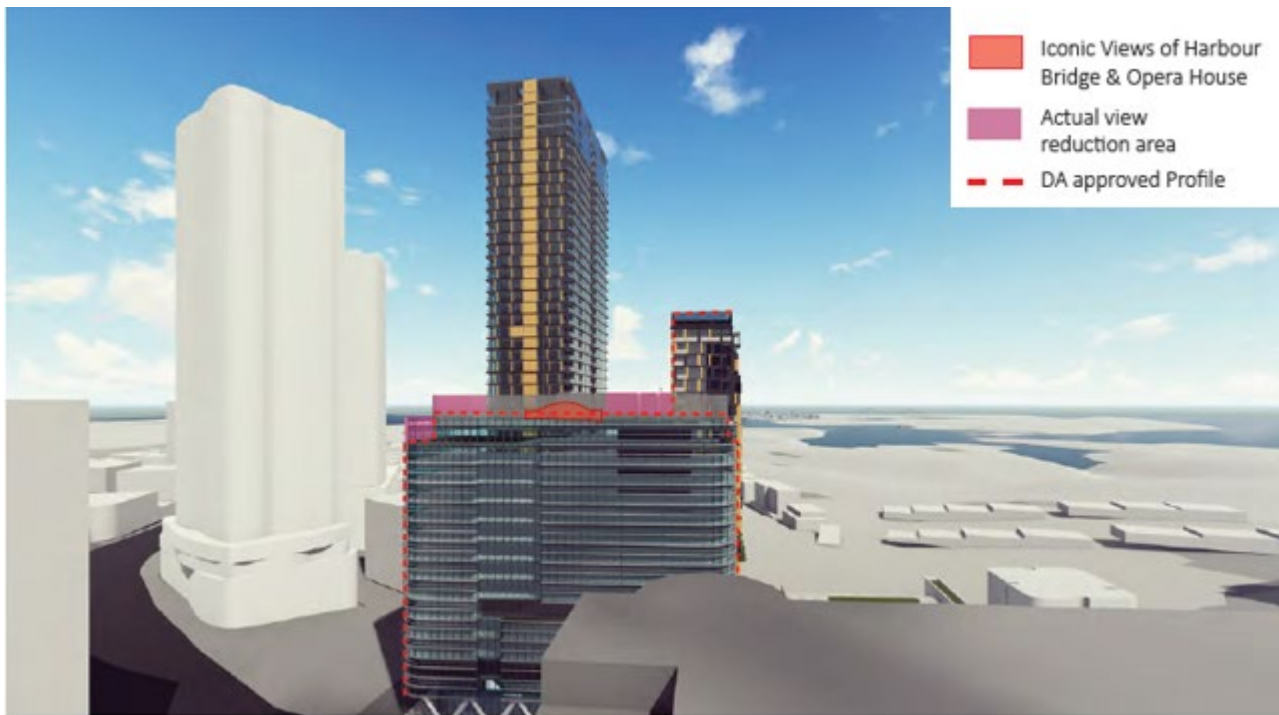


**Figure 14.** View from level 19 – **S4.55 Application** (Source: PTW Architects).



**Figure 15.** View from level 19 – **Approved DA** (Source: PTW Architects).

- At level 20, the top of centrepont tower would be visible (**Figure 16**), however the city skyline and harbour interface (**Figure 17**) would not be visible. There is no view loss of the Harbour Bridge beyond the approved development. There would be some minor loss of water view to the east of T1. View impacts to Level 20 are considered to be moderate.



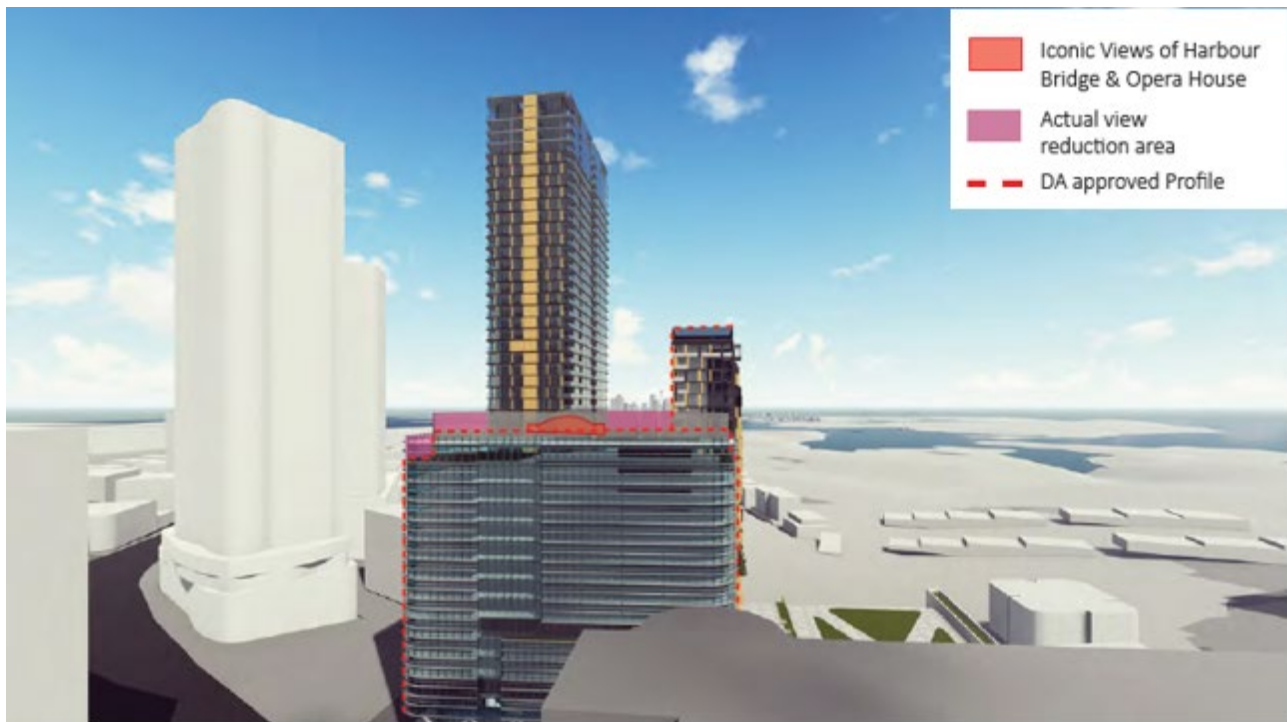
**Figure 16.** View from level 20 – **S4.55 Application** (Source: PTW Architects).



**Figure 17.** View from level 20 – **Approved DA** (Source: PTW Architects).

- At level 21, the CBD's interface with the skyline is clearly visible (**Figure 19**). The additional height to T3 would result in some view loss of the CBD (**Figure 18**). This view impact is considered to be minor. Views of the Harbour Bridge are obstructed by the approved development. The loss of water view to the east of T1 is minor.





**Figure 18.** View from level 21 – **S4.55 Application** (Source: PTW Architects).



**Figure 19.** View from level 21 – **Approved DA** (Source: PTW Architects).

- The view impacts to level 22 are similar to that of 21. At level 22, views of the land/water interface (**Figure 21**) would be obstructed by the increased height to T3 (**Figure 20**). Views of the land/water interface to the east of T1 are retained in full. The view impacts to level 22 are considered to be minor.



**Figure 20.** View from *level 22 – S4.55 Application* (Source: PTW Architects).



**Figure 21.** View from *level 22 – Approved DA* (Source: PTW Architects).

- At level 23, view impacts (**Figures 22 & 23**) are generally comparable with that of level 22 above.



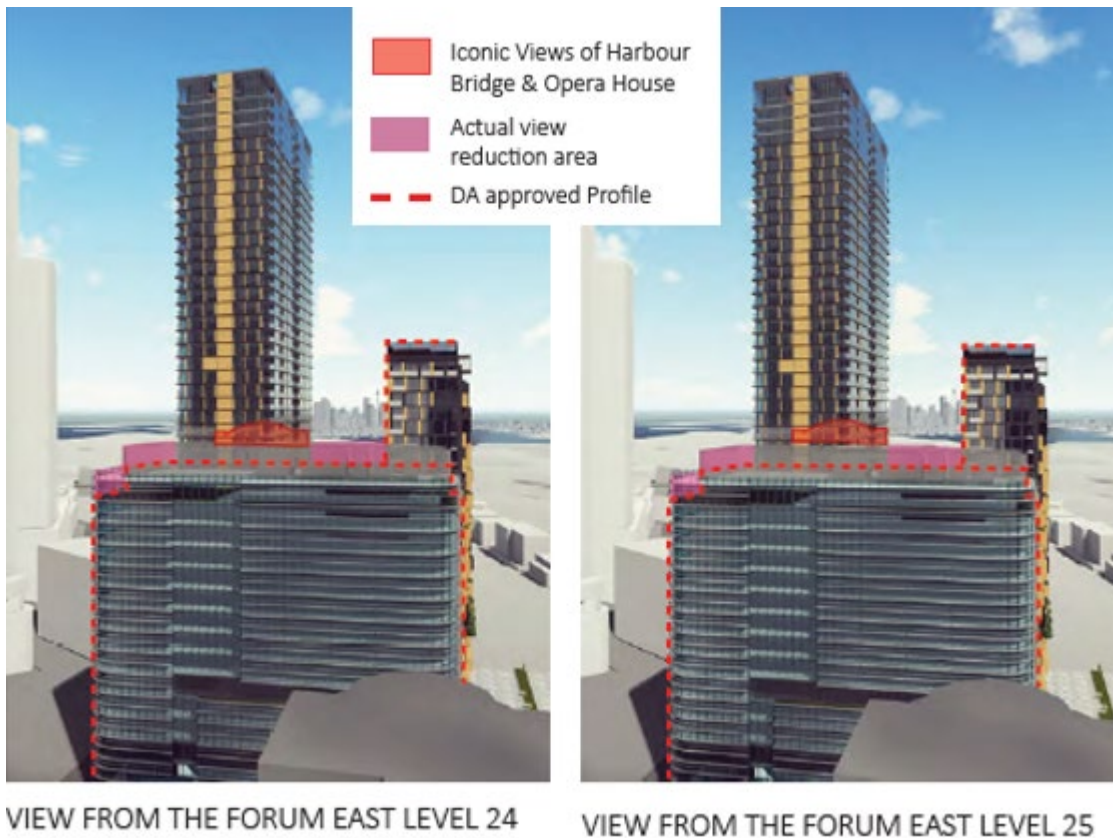
**Figure 22.** View from level 23 – **S4.55 Application** (Source: PTW Architects).



**Figure 23.** View from level 23 – **Approved DA** (Source: PTW Architects).

- At levels 24 and 25 and above, the increase in the overall height to T3 would have a negligible impact on city and iconic views. Water views to the east of T1 and views of the city skyline and Harbour interface are retained in full (**Figure 24**).





**Figure 24.** View impact from levels 24 & 25 of the Forum East residential tower (Source: PTW Architects).

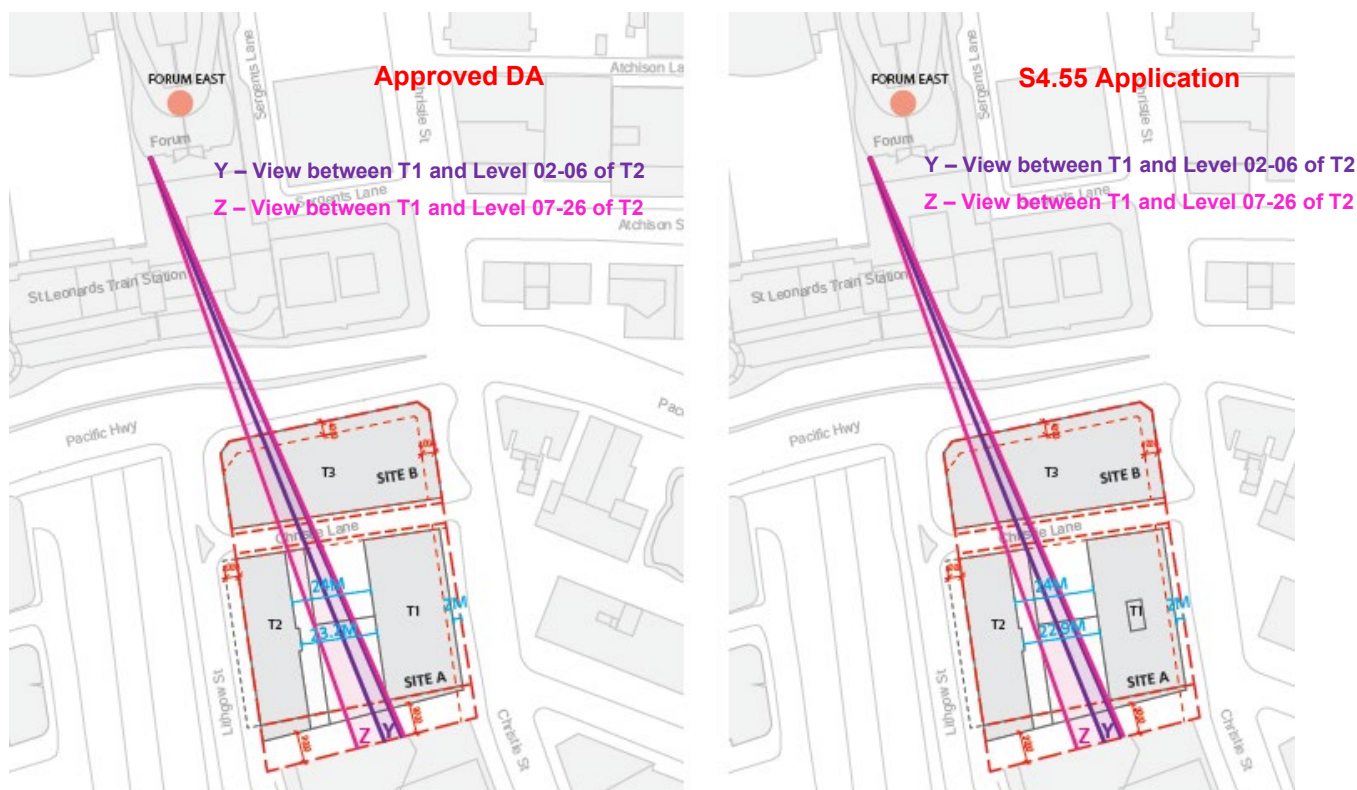
- The view impact of the 300mm projection to the east of T2 to accommodate an enlarged services platform would result in a minor loss of views through the view corridor between T1 and T2 from the south-eastern apartment balconies of the *Forum East* residential tower (**Figure 25**).



**Figure 25.** Impact on view corridor between T1 and T2 from the south-east apartment balconies at the Forum East residential tower.

- There would be no change in views between T1 and T2 from the south-western apartment balconies of the Forum East residential tower (**Figure 26**).





**Figure 26.** Impact on view corridor between T1 and T2 from the south-west apartment balconies at the Forum East residential tower.

- The raised height (4.52m) of the lift overrun to T1 would not impact views from the Forum East residential tower.

#### 4. The reasonableness of the proposal that is causing the impact

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

- The Court poses two questions in Tenacity Consulting vs Warringah (2004) NSWLEC 140. The first question relates to whether a non-compliance with one or more planning controls results in view loss.
- The second question posed by the Court relates to whether a more skilful design could provide the same development potential whilst reducing the impact on views.
- The view loss associated with the proposed development is reasonable and acceptable for the following reasons:
  - o On 09/08/2012, the former JRPP approved an 18-storey commercial building on the majority of Site A (86-90 Christie Street and 75-79 Lithgow Street) to RL149.05m (DA224/2011).
  - o The raised height of T3 to RL145.55 would sit 3.5m below the permitted RL of the approved commercial building. Of note, is that the commercial building would not provide a view corridor between T1 and T2.

- The extent of view impacts to residents of the *Forum East* residential tower is greatest at levels 19 and 20.
  - The increased height to T3 would provide better activation of the adjoining public domain and improved interface with the Pacific Highway. A by-product of this would be enhanced tenancy prospects and employment opportunities. This aligns with the commercial character of St Leonards and B3 *Commercial Core* zoning of *Site B*, strategic location in a transit-oriented development corridor, and State government objectives to deliver employment opportunities as per the *North District Plan (March 2018)*, *The Greater Sydney Region Plan: A Metropolis of Three Cities (March 2018)*, and *Draft St Leonards and Crows Nest 2036 Plan*.
  - The benefit of increased employment prospects outweighs the view impacts to residents of the *Forum East* residential tower, which are determined to be acceptable on balance.
  - The enlarged services platform on the eastern side of T2 would have a minor impact on views from the south-eastern balconies of the *Forum East* residential tower. This impact is considered to be minor and acceptable. Views from the south-western balconies through the view corridor between T1 and T2 would be retained in full.
  - The proposed modifications would maintain unimpeded views to the south-west overlooking Parramatta River, as well as unimpeded Harbour views to the south-east of North Sydney CBD.
- Therefore, the approved development as modified by the s4.55 application would maintain acceptable view sharing with the *Forum East* residential tower and is thus acceptable with regard to *Part B.4 View Sharing* of the LCDCP 2010.

## Part B.6 Environmental Management

### Clause 6.1: Sunlight to public spaces

- The increased height to T3 would not cause any additional overshadowing of the civic plaza.

### Clause 6.2: Wind standards for St Leonards

- A supplementary wind report has been prepared by Windtech for the proposed modifications. Key findings are summarised below:
  - Due to the relatively minor building height change resulting from the additional level, the wind conditions observed at the trafficable ground level areas are expected to be similar to those presented within the previous wind report.
  - The removal of the awning along the northern aspect of T3 is not expected to affect the wind conditions. The design retains the deep eastern and western awnings and incorporates the recommended treatment in the original report
- **Condition 10 – Compliance with Recommendations of Pedestrian Wind Environmental Study** of the original consent, is upheld.

### Clause 6.3: Energy and Water Efficiency for buildings

- A BSIX statement of compliance has been provided from Northrop confirming that the proposed modifications would have a neutral impact on compliance with BASIX requirements.

- The addition of **Condition 107A - Revised BASIX (Section 4.55 Application)** is recommended to require the submission of a revised BASIX Certificate in line with the approved s4.55 application.

### **Part B.7 Development near busy roads and rail corridors**

- The modifications would not trigger the need for any additional assessment regarding noise impacts.

### **Part B.8 Safety and security**

- The proposed modifications would be acceptable with regard to the objectives for *safety and security* under Part B.8 of Lane Cove DCP 2010.
- **Condition 9 – Crime Prevention Through Environmental Design (CPTED) Requirements** of the original consent, which requires compliance with the recommendations of the *Safer by Design Report* remains relevant and is to be upheld.
- The key safety and security aspects of the proposal including car parking, entry and exit points, external layout, and internal layout are generally consistent with the approved development.
- The revised public lift location and stairs/escalators location would improve sight lines between public and communal circulation spaces.

## **7.8.2 Part C: RESIDENTIAL DEVELOPMENT**

### **Part C.3 Residential Flat Buildings**

#### **Clause 3.1 General objectives**

- The revised unit mix and layouts would not alter compliance of the approved development with the general objectives for *residential flat buildings*.
- The increased provision of 3-bedroom units would improve the mixture of housing types to meet different household needs (*Objective 4*)

#### **Clause 3.2 Density**

- No changes are proposed to the site area. The approved development complies with the minimum lot size for residential flat building developments.

#### **Clause 3.3 Building depth**

- No changes are proposed to the approved building depths.

#### **Clause 3.4 Building width**

- No changes are proposed to the approved building widths.

#### **Clause 3.5 Setbacks**

- No changes are proposed to the approved building setbacks.

#### **Clause 3.6 Building separation**

- Building separation requirements under the *Apartment Design Guide* (ADG) prevail.
- The 300mm encroachment of the enlarged services platform into the 24m separation buffer zone between T1 and T2 would not give rise to any privacy impacts.

### Clause 3.8 Excavation

- No additional excavation is proposed.

### Clause 3.9 Design of roof top areas

- No changes are proposed to the Level 26 roof top terrace to T2.

### Clause 3.10 Size and mix of dwellings

- The reconfigured units in T2 would meet the minimum area requirements under the ADG, thereby satisfying provision (a).
- The increased number of 3-bedroom units would achieve compliance with the 10% of each unit type requirement (1, 2, and 3+ bedroom units) under provision (b). The approved development fell marginally short of this threshold.

### Clause 3.11 Private open space (balconies and terraces)

- Revised apartments are provided with private open space in accordance with ADG requirements.

### Clause 3.12 Ceiling heights

- Ceiling heights to the reconfigured units meet ADG requirements.

### Clause 3.13 Storage

- Storage provision is in accordance with ADG requirements.

### Clause 3.14 Solar access

- The variation (2.3%) sought to the solar access requirement under the ADG is acceptable, as discussed previously in this report.

### Clause 3.15 Natural ventilation

- The provision of apartments that are naturally cross ventilated is unchanged by the reconfigured unit mix and layout (60.3%).

### Clause 3.16 Visual privacy

- The modifications would not give rise to any privacy impacts, subject to the addition of back painted glass panels to the southern elevation of the revised Level 14 of T3 as per the levels below (**Condition 1AA - Back Painted Glass Panels to Level 14 of T3**).
- The proposal is consistent with ADG requirements with regards to privacy.

### Clause 3.17 Communal open space

- No changes are proposed to the provision of communal open space.

### **Clause 3.18 Landscaped area**

- Planting on structures was approved in lieu of deep soil planting on the site. This is unchanged.

### **Clause 3.19 Planting on structures**

- Planting structures are consistent with the approved development.

## **7.8.3 Part D: Commercial and Mixed-Use Development**

### **Part D.1 General provisions**

#### **Clause 1.1 Building form**

- The proposed modifications would not alter the approved building setbacks.

##### ***Clause 1.1.2 Street frontage heights***

- The additional height to T3 would not be discernible from the public domain and would be consistent with the approved development.
- No changes are proposed to the non-residential podiums of the towers in order to maintain a pedestrian scale at street level.

##### ***1.1.3 Street frontage activities***

- The proposed modifications would maintain ground floor retail activation of the adjoining public domain.
- The principal library frontage to New Christie Lane would be maintained.
- The approved ground floor restaurant terrace overlooking Christie Street would enable sufficient activation of Christie Street despite the loss of visibility of the library due to the relocated fire booster and gas meter.
- No changes are proposed to the entry location and configuration off New Christie Lane.
- No changes are proposed to the multiple entrances from each street frontage.

##### ***1.1.4 Building depth and bulk***

- No change is proposed to the approved total GFA across the site.
- The minor adjustment to the GFA configuration of T3 would maintain compliance with the maximum floor plate area requirement of 2,000m<sup>2</sup>.
- A new condition (**Condition 2AA - GFA Cap**) is recommended to ensure that the deletion of level 01 to create additional void space to the commercial building is not filled in with additional GFA.
- No changes are proposed to the approved building depths.

##### ***1.1.5 Building separation***



- The separation between T1 and T2 to B4 zoned land to the west of the site at 1-13 Marshall Avenue, St Leonards is unchanged.

### 1.1.6 Setbacks

- No changes are proposed to the approved building setbacks.

### 1.1.3 Building design and exteriors

- The modified proposal is consistent with the approved building design and exteriors.
- The proposed modifications including the additional height to T3, replacement of Y-columns with V-columns (**Figure 27**), and deletion of planter boxes to the western elevation to T2 would result in a built-form outcome that is essentially the same as the approved development.



**Figure 27.** Y-columns (bottom) are replaced with V-columns (top) (Source: PTW Architects).

### Clause 1.2 Excavation

- No additional excavation is proposed.

### Clause 1.3 Design and location of on-site parking

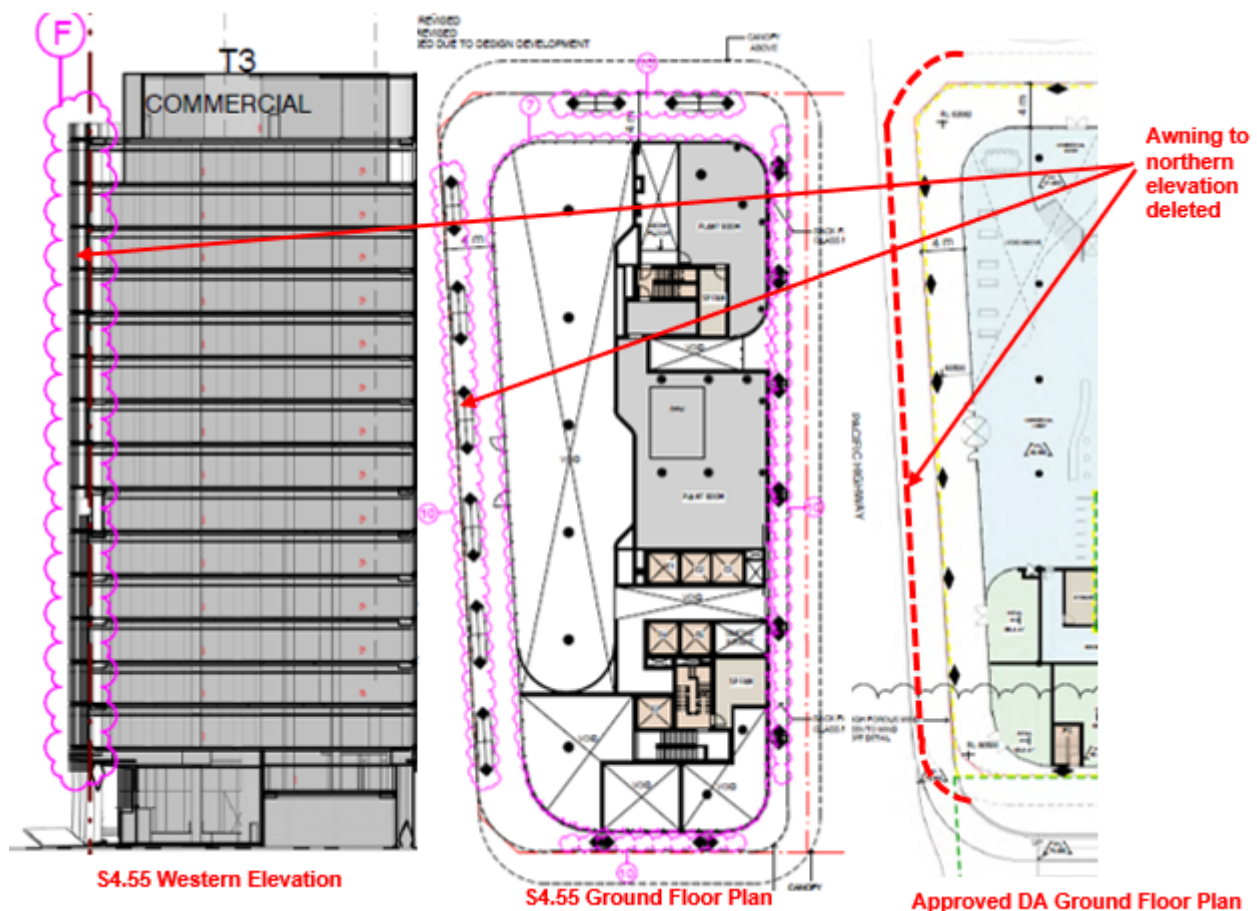
- Relocation of the approved 316 public parking spaces to a more accessible location is endorsed by Council's Traffic Engineer.
- No changes are proposed to the approved vehicle/pedestrian entry points.
- No objections are raised to the revised loading dock.

#### Clause 1.4 Car parking

- The reduced number of on-site car parking spaces would satisfy the objectives of Clause 1.4 to reduce on-site car parking in proximity to public transport.
- The proposal increases the provision of on-site bicycle spaces by 4.
- The new lift and stair to the south-western corner of T2 would improve connectivity between Lithgow Street and the civic plaza and access to the underground connection to St Leonards train station.

#### Clause 1.5 Awnings

- The originally proposed awnings which encroached the freehold airspace have been deleted as per RMS requirements (**Figure 28**).
- Retention of the 4m setback and colonnade design would provide weather protection and pedestrian amenity.



**Figure 28.** Deletion of the northern awnings to T3 as per RMS requirements.

## Clause 1.6 Reflectivity

- The proposed modifications would not trigger changes to **Condition 8: Compliance with recommendations of Solar Light Reflectivity Analysis Report** of the original consent regarding glazing requirements.

## Clause 1.7 External lighting of buildings

- **Condition 36: Outdoor Lighting** of the original consent requires compliance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting*, to mitigate any adverse amenity and glare impacts to nearby residents. This condition is to be upheld.
- No further assessment is required.

## Clause 1.8 Landscaping

- The proposed modifications would maintain consistency with the objective of Clause 1.8 to assist with on-site stormwater and groundwater management, and to improve the amenity of developments through the retention and/or planting of large and medium sized trees.
- Planting on structures on lieu of deep soil planting was approved as part of the original development. No changes are proposed to the planting on structures in the ground floor place, level 01 outdoor area, level 02 communal open space area, and level 26 rooftop terrace.
- Revised landscape plans showing the inclusion of planter boxes to the level 03 and level 07 non-trafficable roof areas to T3 satisfies **Condition 19 – Planter Boxes** of the original consent.
- No additional trees are proposed for removal.

## Clause 1.9 Planting on structures

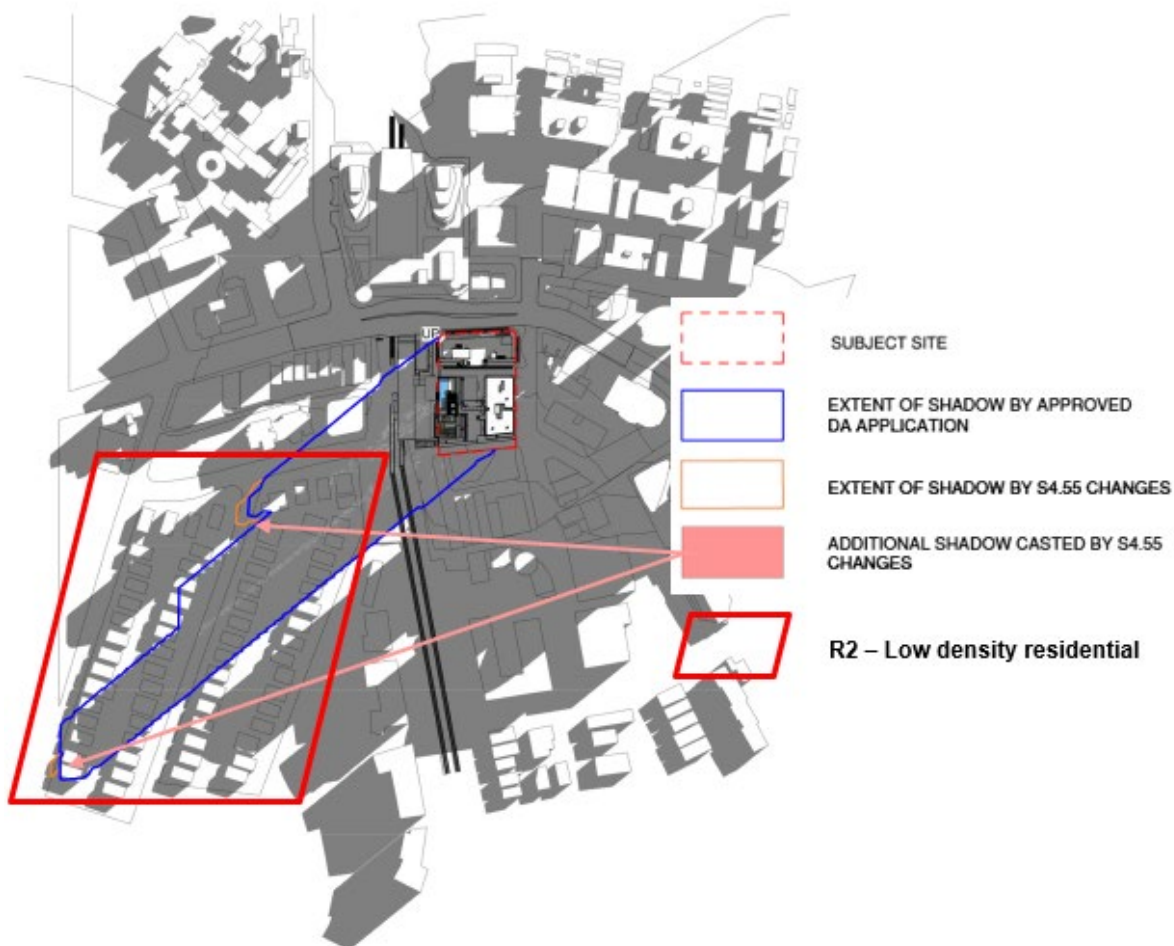
- Comments as above.
- Planting on structures are consistent with the approved development.
- The addition of 5 x 350mm x 1200mm wide planter boxes with aboveground tree root ball and stratacell soil cells below is proposed to the Pacific Highway frontage.
- It is recommended the pot size of the 5 proposed *Tristania laurina* 'Luscious' trees to the Pacific Highway is increase to 4m at the time of planting to be consistent with street trees to Christie Street. **Condition 18 – Street Trees / Pacific Highway** is modified accordingly. Additional requirements imposed under the amended Condition 19 are:
  - that the height of the trees at planting is increased to 4m;
  - certification is obtained from a level 5 AQF Arborist that the that the proposed root ball and stratacell system is capable of supporting the proposed tree species to a mature height of 10m high x 5m wide; and
  - if certification cannot be obtained, an alternative species/design is submitted to Council for approval.



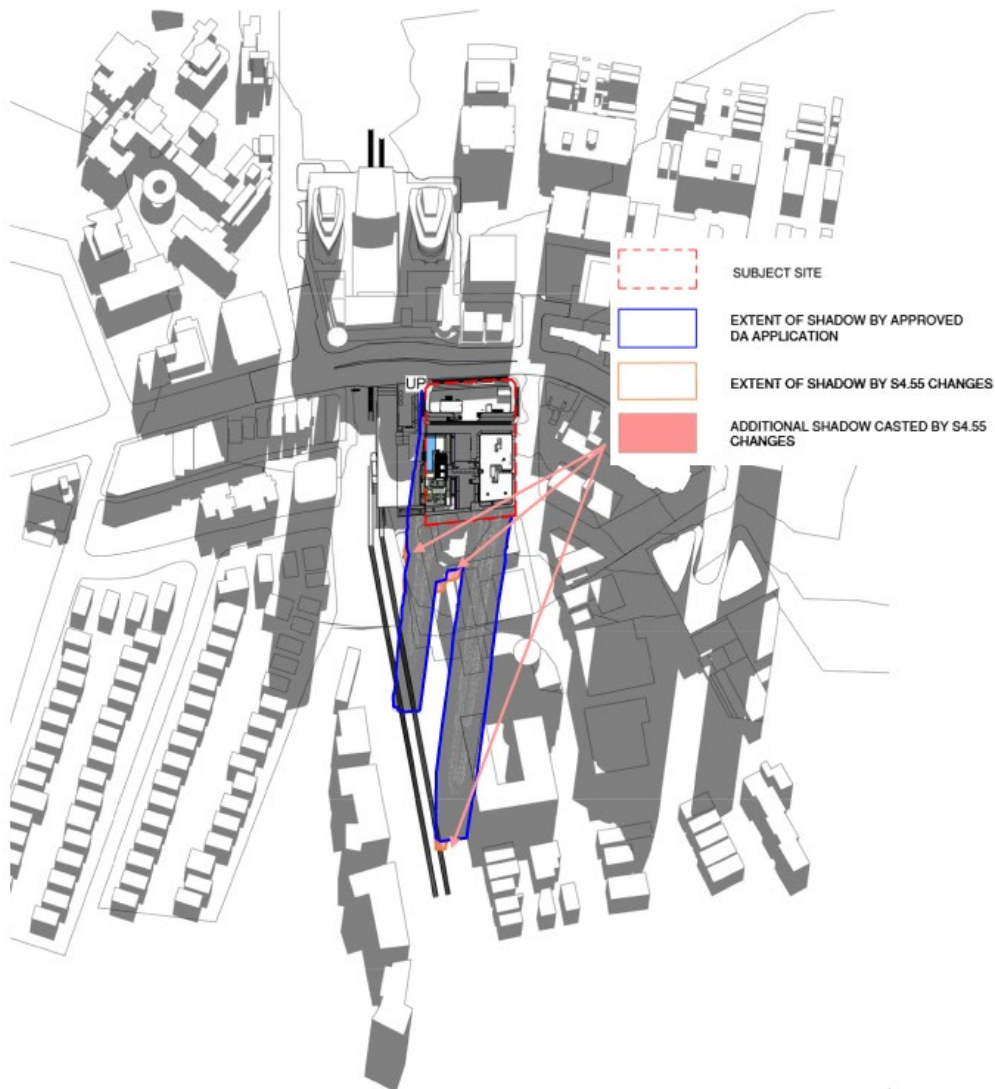
- Detailed softworks plans to show soil depths have been provided.

### Clause 1.10 Solar access

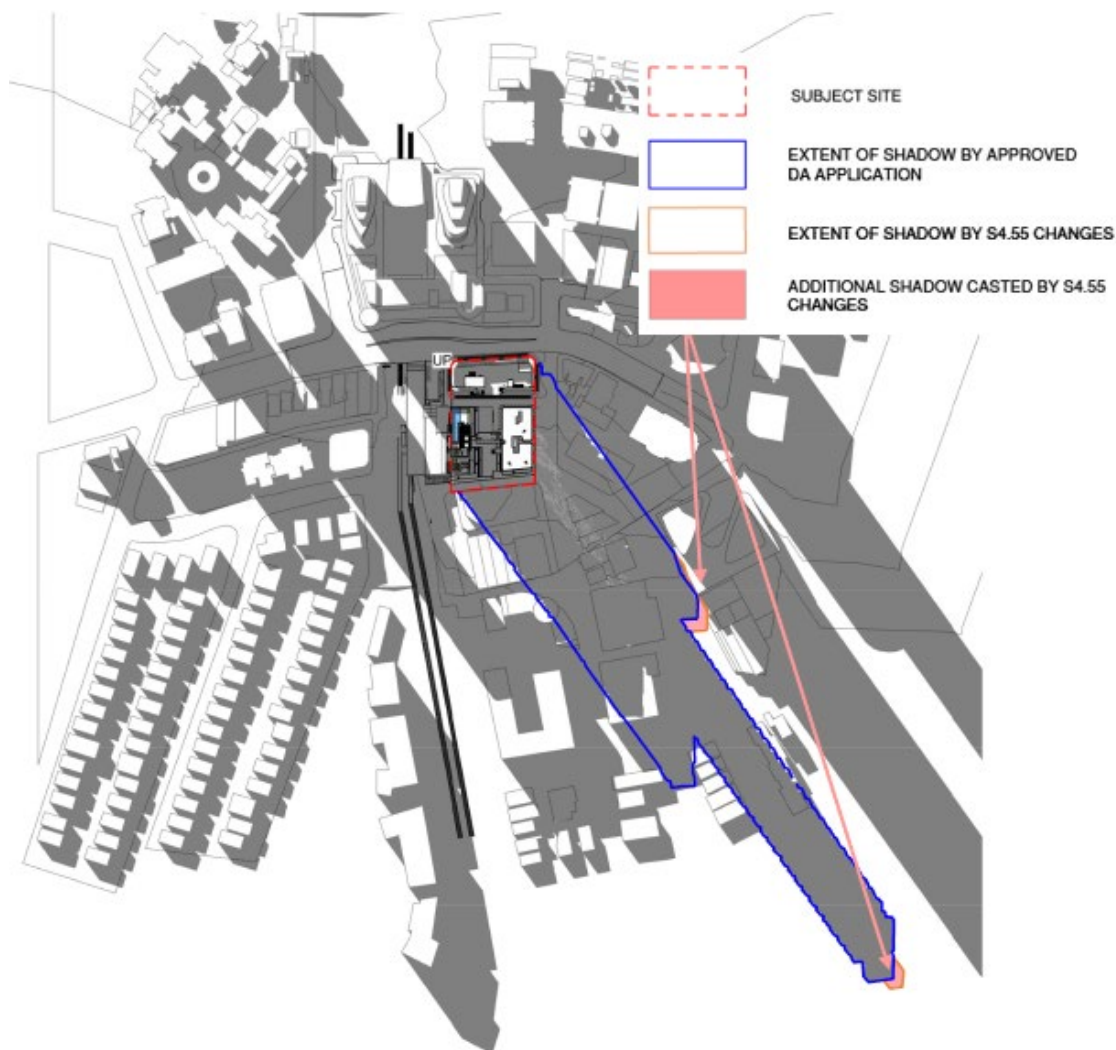
- Additional overshadowing impacts from the increase in height to T3 is negligible, as follows:
  - at 9am on 21 June, some minor additional overshadowing will occur to a portion of the front setback of two R2 Low Density residential zoned allotments on Berry Road to the south-west of the site (**Figure 29**);
  - at 12 midday, minor additional overshadowing will occur to a small section of road reserve on Lithgow Street and small portion of land zoned B3 Commercial Core to the south of the site, and a small section of the railway corridor (**Figure 30**); and
  - at 3pm, some minor additional overshadowing will occur to a small portion of land zoned b3 commercial core and R4 high density residential to the south-east of the site (**Figure 31**).
- No additional overshadowing will occur to the civic plaza.



**Figure 29.** Additional overshadowing cast by the increased height to T3 at 9am on 21 June on land zoned R2 Low Density Residential (Source: Drawing No. DA-93-0101, Rev C dated 17/01/20/20, prepared by PTW Architects).



**Figure 30.** Additional overshadowing cast by the increased height to T3 at 12 midday on 21 June  
(Source: Drawing No. DA-93-0101, Rev C dated 17/01/20/20, prepared by PTW Architects).



**Figure 31.** Additional overshadowing cast by the increased height to T3 at 3pm on 21 June (Source: Drawing No. DA-93-0101, Rev C dated 17/01/20/20, prepared by PTW Architects).

### Clause 1.11 Access and mobility

- Provision (a) requires any new development to comply with Australian Standards AS 1428 *Design for Access and Mobility*, AS 4299 *Adaptable Housing*, AS 2890 *Parking Facilities*, AS 1735 *Lifts, Escalators and Moving Walks*, and with the Part F of this DCP – Access and Mobility.
- A revised *Accessibility Assessment Report* has been prepared by BCA Logic for the s4.55 application.
- The report confirms that compliance with provision (a) can be achieved, subject to compliance with the recommendations. **Condition 37 – Accessibility** has been modified to align with the updated recommendations in response to the proposed modifications.

### Clause 1.12 Toilet facilities

- Provision (a) requires compliance with AS 1428 *Design for Access and Mobility*. This is addressed above.

### Clause 1.13 Signage

- As per previous comments in this report.

- No changes are proposed to the approved signage.

## **Part D.4 St Leonards (B3) Commercial Core Zone and Mixed Use**

### **Clause 4.2 Desired future character of St Leonards**

- The proposed modifications would maintain consistency with the objectives for the desired future character of St Leonards (*Clause 4.2 of Part D LCDCP 2010*).
- The increased lobby space to T3 and deletion of level 01 would enhance activation of the commercial building to the Pacific Highway.
- The increased height to T3 to facilitate the delivery of an A-Grade office entry would improve tenancy prospects and employment opportunities. This is suitable to the B3 Commercial Core zoning of the site and aligns with State strategic planning documents.

### **Clause 4.3 Built form**

- No changes are proposed to the siting and setbacks of the commercial building. As such, no changes are sought to provision (a) under Clause 4.3, which stipulates the setbacks for development along the Pacific Highway opposite St Leonards station.
- Provision (b) of Clause 4.3 requires development for major blocks to be a tower or podium form to mitigate against wind impacts and achieve a human scale at the street. The proposed modifications would not alter wind impacts at the pedestrian scale and maintains a podium form consistent with the proposed development.
- No changes are proposed to the orientation of the tower forms.

The commercial building includes a podium form and includes wind amelioration measures. The submitted *Pedestrian Wind Assessment Report* has been independently reviewed by ARUP. The report is endorsed, subject to compliance with the recommendations. A condition to this effect is included within the recommendation.

### **Clause 4.4 Separation**

- ADG separation requirements prevail. This is discussed previously in this report.

### **Clause 4.5 Public open space**

- No material changes are proposed to the civic plaza.

### **Clause 4.6 Colonnades**

- In accordance with provision (a), a 4m setback is retained to the commercial building.
- The originally proposed awnings which encroached the freehold airspace have been deleted as per RMS requirements.

## **Part D.5 Development within (B4) mixed-use zone**

- The proposed modifications would maintain consistency with the objectives for development in mixed-use zones as originally assessed.

### **Clause 5.1 Floor to ceiling heights**

- The revised apartments comply with the minimum ceiling height requirements under the ADG.

### **Clause 5.2 Building separation**

- The proposal is acceptable with regard to the building separation requirements under *Part 3F: Visual Privacy* under the ADG, as discussed in this Report.

### **Clause 5.3 Hours of operation for lighting**

- No modifications are sought to lighting operation hours.
- **Condition 36 – Outdoor Lighting**, requiring compliance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* is retained.

### **Clause 5.4 Noise**

- The proposed modifications do not trigger any further noise assessment.

### **Clause 5.5 Non-residential facilities**

- No changes are proposed to the provision of non-residential facilities as per the approved development.

#### **Clause 5.5.1 Communal and private open space**

- No changes are proposed to the communal open space provision.

### **Clause 5.6 Access, entries and servicing**

- The revised loading dock layout and new loading managers room is endorsed by Council's Traffic engineer.
- No changes are proposed to the vehicular/delivery truck access off New Christie Lane.
- Pedestrian through-site linkages are retained as per the approved development.

### **Clause 5.7 Residential component within mixed use developments**

- The revised apartment mix and layout would meet the requirements of *Part C: Residential flat buildings* of Lane Cove DCP 2010, and the *Apartment Design Guide*.

## **7.8.4 Part D: Commercial Development and Mixed-Use Localities**

### **Locality 1 – St Leonards Key Precincts: B2 Christie Precinct**

- The proposed modifications would not alter compliance of the approved development with the general objectives for development within *Block 2: Christie Precinct*, as follows:
  - the increased height to T3 resulting from the deletion of level 01 and enlarged lobby space would improve its interface with the Pacific Highway;
  - the new public lift/stair connection at the south-western corner to T2 would improve connectivity between the civic plaza and Lithgow Street;

- the modified proposal would continue to provide high quality tower forms consistent with the approved development;
  - the reconfigured public stairs/escalators and new public lift location would improve safety and security and circulation; and
  - the additional height to T3 would not result in any additional overshadowing of the civic plaza.
- The proposed modifications would not alter compliance with the built form requirements, as follows:
    - the building setbacks remain unchanged;
    - the 4m articulation zone to T2 would be maintained;
    - the 300mm encroachment into the 24m building separation between T1 and T2 would not give rise to any privacy or visual impacts;
    - the floor to floor ceiling heights for the revised units would comply with ADG requirements;
    - no changes are proposed to the size of the civic plaza and through-site pedestrian linkages;
    - the reconfigured supermarket at basement 01 level would achieve the minimum 3,000 GFA requirement;
    - the revised street trees to the Pacific Highway would satisfy the intent of **Condition 18** of the original consent;
    - the proposed modifications would not alter wind impacts at the pedestrian scale as verified in the supplementary wind assessment report;
    - the awnings to T3 have been amended to be contained in the freehold property (unlimited in height and depth) as per RMS conditions of concurrence;
    - the additional height to T1 due to the revised lift overrun would sit below the maximum RL prescribed by the *Civil Aviation Safety Authority* (**Condition 44 – Civil Aviation Authority Conditions** of the original consent);
    - no reduction in the provision of public parking (316 spaces) is proposed. Their relocation is endorsed by Council's Traffic Engineer; and
    - the consolidation of two construction stages into one, would ensure the coordinated site redevelopment.

#### **St Leonards Public Domain Master Plan 2014**

- The proposed modifications would not substantially alter the approved public domain upgrades and additions including the provision of a public library, public plaza, and through-site pedestrian links.
- The design of the civic plaza and pedestrian links is consistent with the approved development. Minor modifications to the civic plaza and ground floor circulation space include the following:

- indicative location of civic plaza lift shown adjacent the rail corridor;
  - Y-columns replaced with V-columns to withstand future loadings in accordance with Australian Standards and BCA requirements (s4.55 application accompanied by Structural advice prepared by *ABC Consultants Structural and Civil Engineers*);
  - public lift and stair added to south-western corner of T2 to improve connectivity to Lithgow Street; and
  - public lift relocated to Site B. Ground floor ingress/egress to new lift location located in T3;
  - planter boxes to the western façade of T2 deleted; and
  - public stairs/escalator between lower ground and ground levels reconfigured.
- No reduction in the library GFA is proposed. The relocation of the gas meter and fire booster to Christie Street and resultant loss of interface with the public domain is discussed previously in this Report and is endorsed by the Council. To offset the loss of sunlight, two new skylights have been introduced to the eastern side of the library. The principal frontage of the library to New Christie Lane would be maintained.
  - The proposed modifications would not alter compliance with the objectives of the *St Leonards Public Domain Master Plan 2014*, in that:
    - the new public lift location, reconfigured public stairs/escalators and improved connection to Lithgow Street would provide greater opportunities for interaction by the whole community, including local residents, workers and visitors, and improve safety and security;
    - the relocation of the public lift with ingress/egress point at the ground floor level of T3 would improve connection between the commercial building and the mixed-use towers and enhance the “*sense of place*” for St Leonards;
    - the deletion of planter boxes to the western façade of T2 would maintain the 4m articulation zone to provide adequate modulation of the façade when viewed from the public domain;
    - the replacement of Y-columns with V-columns would maintain the essence of this key design feature of the project; and
    - the reconfigured retail areas would continue to provide ground floor retail activation to promote economic sustainability of St Leonards.

#### **7.8.5 Part F: Access and Mobility**

- A revised *Access Assessment Report*, prepared by *BCA Logic* (dated 5 March 2020) has been provided.
- The *Access Report* has been updated to correct an error in the accessible car parking assessment. A compliant number of accessible car parking spaces is provided.
- The number of adaptable units has been reduced from 66 to 64. This satisfies Councils 10% (64 units) requirement under Clause 5.7(b) of *Part D: Commercial and Mixed-Use Development* of LCDCP 2010.

- Clause 3.5 *Adaptable and Visitable Housing* of Part D of LCDCP 2010 requires adaptable hosing to comply with AS4299 for Class C housing (essential items only). A comprehensive assessment is provided in the *Revised Access Assessment Report*. The proposal generally complies. Non-compliances can be readily achieved as per the recommendations in the *Access Assessment Report* (**Condition 37A added – Waste Operations**).
- Clause 5.7(c) of *Part D* of LCDCP 2010 requires a common corridor width of 2m. No changes are proposed to the approved corridor widths. Note: While the corridors are less than 2m, they are capable of full compliance with the passing and turning space requirements of the BCA - Part D3.
- The *Access Assessment Report* determines that compliance with the relevant policies, standards, Acts and codes can be readily achieved subject to the recommendations in the report (**Condition 37A added**).

#### 7.8.6 Part G: Acid Sulfate Soils

- No additional excavation is proposed.
- As such, there are no further matters for consideration.

#### 7.8.7 Part J: Landscaping

- Revised landscape plans have been submitted with the following amendments:
  - Deletion of planter boxes to the western façade of T2. Note: 4m articulation zone to T2 is maintained.
  - Planter boxes added to Level 03 and Level 07 (previously 06) of T3 as per Condition 19.
  - Planter boxes using a Stratacell system is proposed along the Pacific Highway frontage to accommodate existing subterranean services in lieu of deep soil planting. This is endorsed by the Council.
- No additional trees are proposed for removal.
- The proposed communal open space provision remains unchanged. The mechanical plant introduced to the communal open space area at level 02 has been deleted.
- The proposed landscaping is consistent with the originally approved development and would continue to meet the requirements of *Part J – Landscaping* of LCDCP 2010.

#### 7.8.8 Part L: Public Art

- The applicant has requested that **Condition 38 – Public Art** of the original consent is amended to provide greater flexibility in the location of the public art to be provided in accordance with *Part L: Public Art* of LCDCP 2010.
- No objections are raised to the amendment sought to **Condition 38**.

#### 7.8.9 Part N: Signage and Advertising

- No changes are proposed to the approved signage in the revised s4.55 plans.
- It is recommended that **Condition 27 – Roof Top Signage to Commercial Building** of the original consent is modified to specify the dimensions approved for the signage as detailed in the approved architectural plans and s4.55 plans.



### 7.8.10 Part O: Stormwater Management

- Council's Engineer is satisfied that the proposed modifications would not alter the approved management of stormwater on the site. No additional conditions or comments are raised.

### 7.8.11 Part Q: Waste Management and Minimisation

- The proposed changes to the operational management of waste generated by the mixed-use development is summarised below:
  - garbage room 1 & 2 layout and garbage loading zone revised at basement 02 level;
  - garbage room and ramp reconfigured at lower ground level;
  - relocation of 240L paper cardboard bins from each level to a new T1 and T2 residential waste recycling room at basement 07 level;
  - door widths amended; and
  - modifications to the travel plan (chute rooms to hoist).
- A revised *Operational Waste Management Plan (WMP)* (Reg G, dated 26/2019) has been prepared by Elephants Foot recycling solutions.
- No objections are raised by Council's *Waste Officer*, subject to the following:
  - the dual chute system is to be used for general waste and mixed containers only;
  - paper and cardboard is to be collected via a 240 L MBG located on each residential level or alternative solution to separate paper from the recycling waste stream;
  - the presentation of all MBGs for all waste and recycling streams to the loading dock is the responsibility of the body corporate / owner's corporation; and
  - **Condition 29 – Waste Collection / Deed of Indemnity** of the original consent is to be retained.
- The addition of draft **Condition 29A – Waste Operations** is recommended to address the requirements above.
- Subject to draft **Condition 29A – Waste Operations**, and **Condition 29 – Waste Collection / Deed of Indemnity**, the proposal would satisfy the waste requirements for the residential component of the mixed-use development under *Clause 4.2 of Part Q – Waste Management and Minimisation* of LCDCP 2010.

### 7.8.12 Part R: Traffic, Transport and Parking

- The proposal reduces the on-site car parking provision by 17 Spaces.
- A comparison of the breakdown of the approved and proposed on-site car parking provision is provided below:

USE	APPROVED	PROPOSED	CHANGE
Residential	542	542	Nil
Retail	406 (including 316 public dedicated parking spaces)	374 (including 316 public dedicated parking spaces)	- 32 spaces
Commercial	125	121	- 4 spaces
<b>TOTAL</b>	<b>1073</b>	<b>1037</b>	<b>36 spaces</b>

- A revised *Traffic and Parking Statement*, provided by *MLA transport Planning* (dated 24/01/2020) has been submitted with the s4.55 application.

- The proposed car parking provision is decreased in line with the revised proposed development, including:
  - reduced number of units by 17 with increase in residential GFA by 366m<sup>2</sup>;
  - reduction in retail GFA of 657m<sup>2</sup>; and
  - increase in commercial GFA of 214m<sup>2</sup>.
- The proposed car parking provision is proposed to decrease in line with the revised proposed development.
- A comparison of the required parking provision for the approved development and revised scheme is provided below:

USE	REQUIRED PARKING – APPROVED DEVELOPMENT	APPROVED	REQUIRED PARKING – S4.55 APPLICATION	PROPOSED
Residential (excluding visitor spaces)	542	<b>542</b>	541	<b>542</b>
Visitor spaces	131	Included in 316 dedicated spaces	127	Included in 316 dedicated spaces
Retail	281	406 (including 316 public dedicated spaces)	259	374 (including 316 public dedicated spaces)
Commercial	193	125	195	121
<b>Total</b>	<b>1147</b>	<b>1073 (74 space variation)</b>	<b>1122</b>	<b>1037 (85 space variation)</b>

- The proposed car parking provision provides compliant car parking spaces for the residential use and the retail use.
- The exception is the proposed car parking provision for the commercial use. A shortfall of 68 spaces was approved. A shortfall of 74 spaces is proposed.
- The proposed variation to the DCP commercial car parking requirement and overall increase in the variation by 11 spaces is supported by Council's Traffic Engineer due to the site's proximity to St Leonards train station and bus services as well as the future Crows Nest Metro Station.
- The proposed parking provision for the revised scheme is generally consistent with the approved parking provision for the approved development.
- For these reasons above, the overall parking provision of 1,037 car parking spaces is considered to be satisfactory.
- The revised traffic report estimates the traffic volume of the proposed modifications to be less than that of the approved development.
- In addition, minor design modifications to the basement car parking and loading areas is proposed. Albeit, the overall layout of the car parking and loading dock would remain generally consistent with the approved plans.
- Overall, the on-site parking provision and minor changes to the basement car park layout and loading areas is acceptable with regard to *Part R* of the LCDCP 2010.

**Any planning agreement or draft planning agreement: s4.15 (1)(a)(iia)**

- No modifications are sought to the executed VPA between *Lane Cove Council* and *JQZ Fifteen Pty Ltd ATF JQZ Fifteen Unit Trust and Christie Street Development Pty Ltd*.

**The regulations: s4.15 (1)(a)(iv)**

**7.9 Environmental Planning and Assessment Regulation 2000**

- The proposed modifications do not trigger any further assessment under the *Environmental Planning and Assessment (EP&A) Regulation 2000*.
- The following relevant condition of the original consent is upheld:
  - **Condition 124 – Compliance with the BCA** (prescribed condition under clause 98(1)(a) of the *EP&A Regulation 2000*).

**The likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality: s4.15(1)(b)**

- All likely impacts have been addressed elsewhere in the report, or are satisfactory and not warrant further consideration.

**The suitability of the site for the development: s4.15(1)(c)**

- The suitability of the site for the mixed-use development was established in the approval of the mixed-use development.
- The proposed modifications would not alter the suitability of the site.
- The increase in height to T3 to facilitate delivery of an A-grade office entry would be suitable to the *B3 Commercial Core* zoning of the site and would align with State strategic planning objectives for St Leonards to enhance employment opportunities in a transit-oriented development corridor.
- The proposed modifications would result in substantially the same development for which consent was originally granted.

**Any submissions made in accordance with this Act or the regulations: s4.15(1)(d)**

- The s4.55 application was notified from **04/02/2020 – 10/03/2020** in accordance with Council's Notification Policy. **Two (2) submissions** were received.
- Revised plans have been uploaded to Council's website. The revised plans did not need to be re-notified to surrounding residents and objectors because the modifications are minor and would give rise to any additional impacts.
- Submissions were received from:
  - 1) Karen Asawa, Christie Street resident; and
  - 2) Helen Pearson, 3401/1 Sergeants Lane.

- The following issues were raised:

ISSUE	CONCERNS	ASSESSING OFFICER'S COMMENTS
<b>Building height</b>	<ul style="list-style-type: none"> <li>Object to increase in building height to T1 and T3.</li> <li>Justification for increase in height due to internal reconfigurations to improve amenity of apartments and office space does not provide any demonstrable benefit to the community.</li> <li>Approval of the proposed increase will establish an undesirable precedent.</li> <li>Provision for the height of the lift over-runs should have made at the original DA stage.</li> </ul>	<ul style="list-style-type: none"> <li>The increase in height to T1 and T3 would result in a development that is substantially the same as the approved development.</li> <li>The benefit to the community from the increased height to T3 to facilitate a greater lobby volume would enhance tenant prospects and therefore employment opportunities, and improved interface with the Pacific Highway.</li> <li>No additional overshadowing would occur to the civic plaza.</li> <li>The original lift did not service the basement levels of the development, resulting in residents having to change lifts at the ground level. The original lift model has been replaced to improve speed and direct residential access, resulting in the modified lift overrun.</li> </ul>
<b>Unit size and hallway width</b>	<ul style="list-style-type: none"> <li>Any reduction in size of units should not be supported.</li> <li>Reduced hallway size to accessible units is unacceptable.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed modifications to the unit mix and layouts would provide greater flexibility to meet different household types.</li> <li>Minimum unit size requirements under the ADG are met.</li> <li>The proposed hallway width to accessible units is unchanged from the approved development.</li> <li>A revised access report has been prepared confirming that the approved corridor width would satisfy access requirements under the BCA.</li> </ul>
<b>Building signage</b>	<ul style="list-style-type: none"> <li>Size of JQZ signage to Pacific Highway unacceptably large and not in keeping with existing signage in the area.</li> <li>Any signage should not be illuminated.</li> </ul>	<ul style="list-style-type: none"> <li>Revised s4.55 plans have been submitted reinstating the approved JQZ signage to the roof of T3.</li> <li>The proposed JQZ signage to the northern (Pacific Highway) elevation has been deleted.</li> <li>The plans have been amended to state that the JQZ signage to the eastern and western elevations is to be non-illuminated. <b>Condition 27 – Roof Top Signage to Commercial Building</b> has also been amended accordingly.</li> </ul>
<b>Public interest</b>	<ul style="list-style-type: none"> <li>Amendments sought are not in the public interest.</li> <li>Money obtained via the VPA or any State Infrastructure levies should be spent by Lane Cove Council in the immediate St Leonard's area.</li> </ul>	<ul style="list-style-type: none"> <li>No changes are proposed to the VPA.</li> <li>The approved development is not dependent upon future expansion of the public plaza.</li> </ul>

	<ul style="list-style-type: none"> <li>Concerns about timing for delivery of public plaza adjoining JQZ site. Has approval been obtained from State Rail for plaza to be built over the rail line?</li> </ul>	
<b>Infrastructure</b>	<ul style="list-style-type: none"> <li>St Leonards in dire need of proper infrastructure to deal with influx of people and access to rail and bus interchanges.</li> <li>Overpass/underpass upgraded to improve connections to public transport.</li> <li>Separate access should be provided to health services to reduce conflict between users.</li> <li>Improved traffic and pedestrian flow needed around St Leonards.</li> </ul>	<ul style="list-style-type: none"> <li>Construction and embellishment of the first stage of the St Leonards Plaza including integration with the rail tunnel forms part of the VPA.</li> <li>The new stair/lift at the south-western corner to T2 would improve connection between Lithgow Street and the civic plaza to access the underpass.</li> <li>A traffic and transport contribution to upgrade the intersection of Pacific Highway and Oxley Street is imposed under <b>Condition 42</b> of the original consent.</li> <li>The ability of existing/proposed infrastructure to service the needs of the development was considered in the original planning proposal for the site and in the assessment of the original application.</li> <li>The revised traffic report estimates that the traffic generated by the modified proposal would be less than that of the approved development.</li> </ul>

### The public interest: s4.15(1)(e)

- The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council.
- In determining whether or not the proposal is in the public interest, both the wider public interest and the sectionalised public interest (protecting residential amenity of surrounding residential properties) must be taken into consideration.
- With regard to the wider public interest, the increased height to T3 would enhance tenancy prospects and employment opportunities by facilitating the delivery of an A-grade office entry. The strategic location of the site in close proximity to St Leonards train station and bus services and State government objectives to deliver employment opportunities in St Leonards reinforces the need to enhance employment prospects for the wider community.
- The wider public interest is considered to outweigh the sectionalised public interest in terms of view and visual impacts to affected residents in the Forum East residential tower, which are considered to be minor and acceptable.
- Therefore, the proposed modifications are considered to be in the public interest.

## 8 SECTION 4.55 – Modifications of Consents

- Section 4.55(2) relates to the modification of a development consent for all other modifications. The application generally involves changes to the lift location, replacement of the existing roof with a mansard style roof and new dormer windows to the rear, and two (2) new roof top gardens.
- The considerations in Section 4.55(2) require Council to consider the following:
  - a) *It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)*
  - b) *It has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent*
  - c) *It has notified the application in accordance with:*
    - i. *The regulations, if the regulations so require, or*
    - ii. *A development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent*
  - d) *It has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be*
- The proposal satisfies the requirements under section 4.55(2) of the EP&A Act, 1979, in the following manner:
  - the originally approved development as modified by the proposed modifications would result in substantially the same development for which consent was originally granted; and
  - the application has been notified in accordance with the LCDCP 2010 with all submissions considered.
- Section 4.55(3) of the EP&A Act, 1979 requires the consent authority to take into consideration the relevant matters in section 4.15(1), as well as the reasons given by the consent authority for the grant of the consent that is to be modified.
- The proposed modifications do not alter the assessment and conclusions reached in the consideration of the original development application unless specifically addressed below.

## 9 SUMMARY OF CONDITION AMENDMENTS

NO	CONDITION	AMENDED / NEW	DETAILS
4	Section 7.11 Contribution Payment	Amended	<ul style="list-style-type: none"> <li>• Updated to reflect changes to the development scheme (revised unit mix, changes to commercial/retail GFA).</li> </ul>
7	Maximum building height	Amended	<ul style="list-style-type: none"> <li>• Amended to reflect increased height to T1 and T3.</li> </ul>



8	Planter boxes	Amended	<ul style="list-style-type: none"> <li>Amended to align with revised levels of T3 following deletion of level 01.</li> </ul>
9	Crime Prevention Through Environmental Design	Amended	<ul style="list-style-type: none"> <li>Ceilings and walls in all public areas of the basement parking area to be painted a light colour, as per agreement with Council.</li> </ul>
18	Street trees / Pacific Highway	Amended	<ul style="list-style-type: none"> <li>Amended to required certification from level 5 AQF that the proposed Stratacell system is capable of supporting mature tree growth.</li> </ul>
25	Civic plaza design	Amended	<ul style="list-style-type: none"> <li>Amended to require sign-off from Council (not landscape division) for civic plaza works.</li> </ul>
27	Roof top signage to commercial building	Amended	<ul style="list-style-type: none"> <li>Amended to align with s4.55 plans and the approved development.</li> </ul>
29A	Waste operations	New	<ul style="list-style-type: none"> <li>Added to address Council's Waste Officer's requirements.</li> </ul>
37	Accessibility	Amended	<ul style="list-style-type: none"> <li>Amended to align with revised access report.</li> </ul>
38	Public Art	Amended	<ul style="list-style-type: none"> <li>Amended to provide greater flexibility in the location of the public art to be provided in accordance with <i>Part L: Public Art</i> of LCDCP 2010.</li> </ul>
49A	Approved plans and supplementary docs – S4.55 application	New	<ul style="list-style-type: none"> <li>Added to reference approved s4.55 plans and supporting documents.</li> </ul>
<b>AA – Special Conditions – S4.55 Application – DA6/2018/2</b>			
1AA	Back painted glass panels to level 14 of T3	New	<ul style="list-style-type: none"> <li>Added to maintain privacy amenity to T1 and T2.</li> </ul>
2AA	GFA cap	New	<ul style="list-style-type: none"> <li>Cap placed on approved GFA to ensure level 01 to T3 is not reinstated.</li> </ul>
3AA	Extent of approved s4.55 works	New	<ul style="list-style-type: none"> <li>Approved s4.55 works limited to those shown as clouded and identified in the accompanying legend on the approved plans.</li> </ul>
107A	Revised BASIX	Amended	<ul style="list-style-type: none"> <li>Revised BASIX to be submitted with CC package to reflect s4.55 amendments</li> </ul>
155	Fulfillment of BASIX Commitments	Amended	<ul style="list-style-type: none"> <li>BASIX Certificate updated to reflect Condition 107A.</li> </ul>

## 10 SECTION 7.11 CONTRIBUTIONS

- Condition 4** has been amended to reflect the change in unit mix, increase in commercial GFA, and reduction in retail GFA. The total contribution payable has decreased from \$13,835,256.00 to \$13,595,187.00.
- As per **Condition 4**, the contribution payable is indexed at the time of payment.

## 11 CONCLUSION

The s4.55 application is recommended for approval because:

- the modified development would result in substantially the same development for which consent was originally granted;
- the proposal satisfies Section 4.55 of the *Environmental Planning and Assessment Act 1979*;

- the proposal is considered to be satisfactory with all relevant environmental planning instruments, and development control plans including LCLEP 2009 and LCDCP 2010;
- the proposed modifications would not have any adverse effects on the local built and natural environment nor any social and economic impacts in the locality;
- all likely impacts to adjoining properties including any submissions made have been addressed in the report, or are considered to be satisfactory;
- the proposed modifications are suitable to the site; and
- the proposal is in the public interest.

## **12 RECOMMENDATION**

Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, the Sydney North Planning Panel as Consent Authority, modify development consent to Development Application No. 6/2018, subject to the proposed amendments detailed in this report and draft amended/additional conditions of consent at **Annexure 3**.

## 13 ANNEXURES

ANNEXURE	DOCUMENT	PREPARED BY
1	Original Assessment Report	Philippa Frecklington
2	Original Notice of Determination	Sydney North Planning Panel
3	Draft Conditions of Consent	Philippa Frecklington
4	S4.55 Architectural Plans (revised)	PTW Architects
5	S4.55 Landscape Plans (revised)	Arcadia
6	Section 4.55(2) Report / SEE	Urbis
7	S4.55 Access Report	BCA Logic
8	S4.55 SEPP 65 Verification Statement	PTW Architects
9	S4.55 View Impact Analysis	PTW Architects
10	S4.55 Structural Advice	ABC consultants
11	S4.55 Traffic and Parking Statement	MLA Transport Planning
12	S4.55 Lift Advice	Schindler
13	S4.55 Wind Report	Windtech
14	S4.55 Operational Waste Management Plan	Elephants Foot Recycling Solutions
15	S4.55 BCA Report	BCA Logic
16	S4.55 BASIX Statement of Compliance	Northrop
17	Executed VPA	Lane Cove Council & JQZ