

SUBMISSION:

From:
The Secretary
Holtermann Precinct Committee
124 Atchison Street
Crows Nest
29 October 2010

To:
Major Projects Assessment
Department of Planning
23-33 Bridge Street
Sydney

Attention: Director, Metropolitan Projects
Re: 6-16 Atchison Street, St. Leonards
Application No. MP09_1087

Dear Sir/Madam,

The Holtermann Precinct Committee has authorized me to submit a **strong objection** to the proposed project. North Sydney Council has a network of Precincts, neighbourhood groups that provide feedback to Council on matters like planning, traffic and open space. The Holtermann Precinct includes most of Crows Nest/St. Leonards.

REASONS.

1. Major departure from height control.

- (a) The proposed height of 109m is more than double the current control of 49m.
- (b) This is an unacceptable variation in height from the control.
- (c) The proposed scale and density are inappropriate and out of character with the existing and desired neighbourhood.
- (d) It is inappropriate that the proposed project should form a new focal point simply because it is on a rise.
- (e) The Forum is the appropriate focal point as the transport hub and its central focus should be maintained. (See Design Excellence Panel Minutes 13/10/10.)
- (f) The mixed use height objective, that development should step down to follow the natural gradient, needs to be read together with the St. Leonards/Crows Nest Area Character Statement requirement that buildings be scaled down significantly from the Forum as focal point towards the lower scale (2-3 storey) development on Willoughby Road.
- (g) This strategy underpins the height controls which protect amenity.
- (h) The proposed height non-compliance would adversely affect views/outlook and possibly increase shadowing in Abode .

- (i) The Precinct supports the Design Excellence Panel conclusion that any built form that does not step down from the Forum in keeping with Council's stated policy is unacceptable regardless of amenity and other concerns. (Minutes 13/10/10).
- (j) Residential and job targets for St. Leonards/Crows Nest can be achieved under current and proposed Draft LEP09 controls. At no point during progression of the Draft LEP09 towards public exhibition was review or revision of the height controls indicated. (NSC Report PDS07, Council Meeting 18/10/10, pp. 31-32)
- (k) The Precinct shares the Design Excellence Panel's concern that approval of the project would make height controls in the area irrelevant and justify similar very significant exceedence on possibly up to twenty other sites in the immediate area (Minutes 13/10/10).

2. Substantial departure from floor space ratio controls.

- (a) The floor space ratio is excessive (14:33:1 compared with the Forum 10:6:1).
- (b) The footprint/floor plate of the tower is too large for the site.
- (c) There is no podium on Atchison Lane.
- (d) Setbacks to the north and east are inadequate.
- (e) Solar access and visual privacy in Linea may be adversely affected and some solar access lost in Abode.
- (f) Building separation is inadequate.
- (g) The floor plate and FSR need to be reduced to maintain the development potential of adjacent sites (PDS Report to Council Meeting 18/10/10; Design Excellence Panel Minutes 13/10/10)
- (h) Existing commercial space is not maintained. The loss of office space and jobs on this large site so close to a transport hub is not consistent with strategic objectives and controls (Report PDS07 for Council Meeting 18/10/10 p. 19).
- (j) The applicant relies on the St. Leonards Strategy to assert rather than demonstrate a demand for "hotel" / serviced apartments in St. Leonards (Environmental Assessment pp.87, 42). Given that within the last 6 months another application for serviced apartments at 32-38 Atchison Street, St. Leonards was settled in the LEC by consent, it seems reasonable to ask on what evidence the applicant bases its claim that planned increases in commercial premises and TAFE or RNSH will generate demand. There are several existing providers along the Pacific Highway and on Willoughby Road. RNSH provides accommodation for day-patients and relatives. There are also bed-and-breakfast providers. It seems reasonable to ask whether, in the absence of a sustainable demand, these serviced apartments might be converted to residential with further loss of jobs.

3. Inadequate public benefit.

Both DEP (Minutes 13/10/10) and the Report PDS07 to Council 18/10/10 conclude that the proposed public benefits do not compensate for the extent of the non-compliance. The Report concludes that the main tangible public benefit proposed is a through-site link to Atchison Lane, and that no proposed public benefit is close to commensurate with a building more than double the height control (p. 13).

The applicant makes the unsupported assumption that it expects many pedestrians working nearby to use the through- site links as a local shortcut from Atchison Street to

Atchison Lane (Environmental Assessment p. 73). The through-site links may benefit hotel guests and residents wanting to access or leave the garage but it is difficult to envisage that other pedestrians might. Atchison Lane is virtually deserted. It is a narrow, grim, windy thoroughfare between the backs of multi-storeyed buildings. It is lined with loading docks, garbage bins and mainly illegally parked vehicles. Businesses contract with private waste disposal firms who can collect at any time. Many of the bins smell. There is constant noise from exhaust fans and air conditioners. The concrete surface is cracked, patched and uneven from damage caused by heavy vehicles. At night it is desolate. It is difficult to imagine why anyone going east-west would use it in preference to wide, better lit, more active, more attractive streets like Atchison or Chandos Streets. Even if the through-site link from Atchison Lane to Chandos Street were available, it is difficult to see why many if any people would use it in preference to Mitchell or Christie Streets.

In relation to the proposed outdoor café/restaurant the applicant concedes that open space adjacent to high-rise buildings requires wind mitigation (Environmental Assessment p.77).

If this project is approved, the cumulative effect of such a precedent will increase the burden on very scarce green space in St. Leonards/Crows Nest.

4. Access to public transport.

The DOP has set increased density and job targets for St. Leonards as a hub for rail and bus services. We submit that if approved, the cumulative effect of this project as a precedent would put unreasonable strain on these services. Density is being increased along the North Shore and Chatswood to Epping Lines at several points. Any train that arrives at St. Leonards in peak hour is likely to be crowded. The timetable does not indicate how many trains fail to stop in order to make up time, nor how many passengers are left waiting for the next train because they are unable to board. Various government reports have signalled that in order to run more trains to meet increased density, there needs to be a second City to Chatswood Line but that appears to be unlikely to proceed.

Our residents are also aware that peak hour bus services are also frequently unable to pick up passengers or only allow a few people to get on. The cumulative effect of this project as a precedent would put peak-hour bus services under even greater strain.

5. Traffic impact.

If approved, the cumulative effect of this precedent for large mixed use development well in excess of planning controls would have a significant impact on local roads. (PDS07 at p. 13). This area is already heavily burdened by through traffic in residential streets. Drivers choose local roads rather than the Pacific Highway which has traffic lights at almost every intersection. There is heavy traffic on Christie, Albany and Chandos Streets throughout the day and Oxley Street in peak. There is a flow-on effect to Willoughby Road and Alexander Street. Ernest and Falcon Streets are at near capacity in peak. Both are frequently at a standstill back to the Warringah Freeway and beyond, increasing the burden on residential streets like Burlington and Holtermann Streets.

6. Street parking.

Similarly, increased density and jobs increases the burden on street parking which is in short supply in St. Leonards. It is likely that residents in the Naremburn conservation area are increasingly affected, detrimentally.

7. Conclusion

If approved, this project would create a precedent that, in its cumulative effect, would completely undermine Council's strategic plan, developed in consultation with the DOP, to meet increased density and job targets without adverse impact on quality built form or amenity. Key is the policy that buildings be stepped down from the Forum, focal point and transport hub, to the lower-scale restaurant district on Willoughby Road with its heritage above-awning parapets, and to the conservation area further east. In an area undergoing significant redevelopment, this approach enables high-rise and heritage to be integrated sympathetically to create a quality urban environment.

Is it really Parliament's intention that an applicant can bring itself within Part 3A by more than doubling the permissible height, substantially increasing the FSR/floor plate size, failing to maintain commercial space, minimizing setbacks and offering negligible public benefit by way of compensation?

The Holtermann Precinct Committee requests that the application in its present form be refused.



27

[Redacted]

28 October 2010

Amy Watson
Contact Officer
Environmental Assessment MP09_0187
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

Department of Planning
Received
29 OCT 2010
Scanning Room

Dear Amy,

I wish to make a submission in regard to the proposed development at 6-16 Atchison Street St Leonards NSW 2065 (MP09_0187).

My submission is in line with the requested format as outlined below.

Name and Address:

[Redacted Name and Address]

I do not wish for my name to be made available to the Proponent, interested public authorities or on the Department's website.

Name of the application and the application number:

6-16 Atchison Street St Leonards NSW 2065 (MP09_0187)

Statement on whether I support or object to the project:

I strongly object to the proposal on the grounds outlined below.

Reasons why I object to the proposal:

1. The proposed development substantially exceeds the North Sydney building code which specifies a maximum building height of 49 metres. The proposal is nearly twice this height and would not fit in with neighbouring buildings.
2. The roads surrounding the proposed development are narrow and are already at or close to capacity during peak times. The Transport and Accessibility Report, which suggests that the new development would result in fewer vehicular movements than the current situation, is not realistic as it fails to identify that the mixed residential and commercial use at the present time in the area means that traffic congestion is lessened, as the traffic is not using the roads at the same time. Commercial traffic will generally operate between 9am to 5pm while residential traffic would generally be outside of those hours. By replacing a

commercial building by a largely residential building, there would be significant traffic created as residents leave and return to the proposed site at similar times to existing neighbouring residential tenants. Significant traffic congestion already exists in Atchison Lane during peak hours and a development of the magnitude proposed will only worsen the situation.

3. The Transport and Accessibility Report does not adequately address the insufficient on-street parking available in Atchison Street and vicinity. As identified in the traffic report, there is time-limited parking around the proposed development which helps to resolve parking constraints. However, the traffic report fails to identify that the time-limited parking does not apply on Saturday afternoons and all day Sunday. At the present time, the availability of parking during non time-limited periods is very limited. With the addition of 228 new residential apartments, parking on weekends would be chaotic and most likely lead to vehicles being parked illegally, causing danger to pedestrians and other road users, as well as inconveniencing local residents, including residents of the proposed development.
4. The Wind Impact Assessment report suggests that the development will cause a significant wind tunnel effect due to its size and nature. Neighbouring buildings, especially the building at 2-4 Atchison Street were not designed with such significant wind forces in mind as it was never intended to be neighbouring such a large development. These wind forces could potentially render the outdoor recreation areas, such as balconies, useless for the residents of neighbouring buildings. Any development should not result in a significant reduction in enjoyment of existing facilities of neighbouring residents.
5. The Wind Impact Assessment report has also found that there is potential for wind gusts to exceed a comfortable level for pedestrians at ground level. Local residents and pedestrians should not have to be subjected to this discomfort.
6. Infrastructure and resources in the area may be stretched, resulting in an overall reduction in the quality of services to all nearby residents. As the North Sydney building code stipulates the type of development permissible in the area, infrastructure has been designed to accommodate medium-rise development only and not the high-rise development being proposed.

Thank you for the opportunity to register my strong objection to this proposal. I hope you will take into consideration the issues I have raised in this letter. I hope you will look carefully at the significant detrimental impacts on the people in the area as you review this development proposal.

Yours Sincerely,

[Redacted signature block]

27 October 2010

Amy Watson , Contact Officer

Environment Assessment MP09_0187

NSW Department of Planning

GPO Box 39 , Sydney NSW 2001

Dear Amy,

I wish to make a submission in regard to the proposed development at 6-16 Atchison St, St Leonards NSW 2065 (MP09_0187). I am the owner of "Linea" Unit 1304/2-4 Atchison St, St Leonards NSW 2065, which is directly adjacent to the proposed development.

Name and Address :

Dr Deborah Kwan, owner of Unit 1304, 2-4 Atchison St, St Leonards NSW 2065

Name of the application and the application number :

6 Atchison St, St Leonards NSW 2065 (MP09_0187)

Statement on the project :

I strenuously object to the proposal on the grounds outlined below.

Reasons why I object to the proposal :

1. In 2001, I purchased Unit 1003 in Linea at an "off-the-plan" purchase. Part of the attraction is the north-facing aspect with ample sunlight. I moved into the unit in 2003. Little did I know that in 2004, the building "Habitat" at 11 Chandos St was built. Being so close to Linea, it has directly blocked out the direct sun light to my living room. The original north-facing aspect with sunlight which I enjoyed in the first year of moving in was totally destroyed, resulting in a dark living room the whole day long.

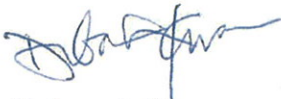
I was so indignant with the change that I sold the unit 1003 in 2007. Then I moved up three levels to buy in unit 1304. It is just above the top of "Habitat" and now there is direct sun light to my living room again (see photo one). Similarly, at the moment my study is east-facing with ambient sunlight into the room. Once the proposed building at 6-16

Atchison St is built it will effectively blocked out the sunlight (see photo two). I love that unit and would not want to have the need to move ever again.

2. The rear lane , Atchison Lane, is already quite busy with vehicles going in both directions into "Linea", "Habitat" and other buildings. Such a narrow lane cannot possibly carry more traffic. With the new building at 6-16 Atchison St erected, it would undoubtedly create such unbearable congestion at the rear lane. That will result in great annoyance and inconvenience for all parties concerned.
3. All traffic at Atchison Lane will empty out to Christie St at one end. To be honest, Christie St (being the link between Chandos St and Pacific Highway) is already busy 24 / 7. It cannot possibly have more congestion with more vehicles pouring in and out of Atchison Lane.
4. All buildings in the surrounding area of Atchison St (Linea at no 2, Nexus at no 15, Arden at no 48) and Chandos St (Habitat at no 11) are around 15-16 storey high. The proposed development at 6-16 Atchison St is nearly twice this height! I wonder why the Council of North Sydney would allow such a severe breach of its building code in the first place!

Thank you for your time in reading my strong objection to the proposed development.

Regards,



Deborah Kwan

Unit 1304/2-4 Atchison St, St Leonards

Email : deborahkwan@unwired.com.au



30 October 2010



PCU016178

Amy Watson
Contact Officer
Environmental Assessment MP09_0187
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

Department of Planning
Received
1 NOV 2010
Scanning Room

Dear Amy,

We wish to make a submission in regard to the proposed development at 6-16 Atchison Street St Leonards. Our submission is in line with the requested format as outlined below.

Name and Address:

Ben and Jacqueline Buchanan
602/2 Atchison St St Leonards NSW 2065

Name of the application and the application number:

6-16 Atchison Street St Leonards NSW 2065 (MP09_0187)

Statement on whether we support or object to the project:

We object to the proposal on the grounds outlined below.

Reasons why we object to the proposal:

1. Notwithstanding the provisions of Part 3A of the NSW Planning Act, the North Sydney Council building code stipulates a maximum building height of 49 metres. The proposed development would be nearly twice this height and would completely dominate the surrounding area.
2. Assurances from the developer that computer simulated shadow patterns demonstrating that the proposed building will not affect ambient sunlight are simply not credible given the fact that it would be in the order of twice the height of the Linea building and only metres apart.
3. The Forum East and Forum West towers exceed the North Sydney Council Willoughby Council building code heights, but were approved as part of a special precinct using the airspace directly above St Leonards Station. Furthermore, the Forum Buildings have their ground floors on a much lower point above sea level than the proposed development at 6-16 Atchison Street that is much further uphill.
4. Several years ago the North Sydney Council narrowed the width of Atchison Street and made it one-way traffic in an Easterly direction between Christie and Mitchell Streets. In effect the very narrow Atchison Lane is now the only means of vehicular traffic entering and exiting from the residential and commercial buildings with garage entrances between Christie and Mitchell Streets. During peak hours there is significant vehicular congestion caused by the difficulty of traffic to enter or exit Atchison Lane from Christie Street, Mitchell Street and Oxley Street. The additional vehicular traffic created by the proposed development would exacerbate an already difficult situation into untenable traffic chaos.
5. Council and contractor waste collection trucks must use the very narrow Atchison Lane that makes it impossible for two cars to pass next to a waste collection vehicle. The proposed development of 38 hotel rooms and 228 units will increase the waste disposal requirements of the area by an order of magnitude. This in turn

will increase the frequency of waste collection vehicles. It is understood that the proposed development will have off street loading bays high enough to accommodate waste removal vehicles, but they will still have to enter and exit via Atchison Lane, thus further clogging an already overloaded thoroughfare.

6. The proposed development includes a hotel complex that by its nature will increase the rate of vehicles dropping off and picking up passengers on Atchison Street and/or Atchison Lane. Regardless of the provision of an off-street drop off and pickup area, these vehicles must still re-enter Atchison Street or Atchison Lane, both of which are narrow and one-way in the case of Atchison Street.
7. The water and sewerage services to buildings in Atchison Street are already stretched with significant reduction in water pressure at peak usage times. The mains piping infrastructure will be strained by the consumption of the proposed development. Similar concerns apply to other services including electricity, gas and telecommunications.

We are not against developments per se, but object to developments that are way beyond the existing Council codes in terms of size and overall impact on people and local infrastructure.

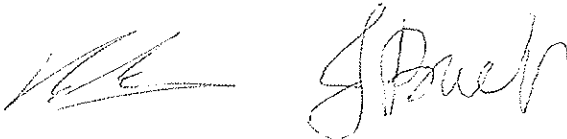
We respectfully request that the NSW Department of Planning subjects this development proposal to detailed scrutiny in terms of its significant negative impact on people and infrastructure.

The most significant infrastructure impact will be on traffic congestion and services, the solution to which is outside the direct control of the developers. A sound traffic management plan is required by the Roads and Traffic Authority that would need to find credible solutions to allow the thousands of daily traffic movements in and out of Atchison Lane and Atchison Street, merging with the main through traffic in Chandos and Christie Streets as feeders to the Pacific Highway and Warringah Freeway.

Furthermore, the capacity of infrastructure service providers must be confirmed to be capable of meeting the additional requirements of a building that is virtually double the magnitude envisaged by the existing building code requirements. Service providers include North Sydney Council waste collection services, water, sewage, electricity, Australia Post and telecommunications suppliers.

Thank you for the opportunity of registering our objection to the proposed development and we trust that you will give it due consideration.

Yours sincerely,



Ben and Jacqueline Buchanan
602/2 Atchison Street St Leonards NSW 2065
Telephone: 0402 828 289
Email: benandjacqueline@gmail.com