

### OBJECTION to PROPOSAL MP09\_0187 MOD 3

This objection to “Section 75W Application to Mixed Use Development at 6-16 Atchison Street, St Leonards (MP09\_0187MOD3) is lodged on behalf of the Executive Committee of the Residential Owners Corporation of “Linea” 2-4 Atchison Street St Leonards, the adjoining property to 6-16 Atchison Street St Leonards. The Owners Corporation Executive Committee has the authority to represent the owners and occupants of 100 residential apartments in this 16 story complex.

The “Modification Request” from Holdmark clearly states that the requested modified height is a return to the same as the PPR (original proposal). In essence, the developer Holdmark, now well into construction at 6-16 Atchison Street, seeks to obtain approval for its original proposal that had been rejected by the PAC. The reasons put forward for the modification have little to justify them and seek to maximise financial gain from the development.

A key point in the Executive Summary claims that ***“Since the time of the original Project Approval, a series of development approvals have been granted in the immediate vicinity of this site and the built form of the area is continuing to transform. Therefore the proposed increase to building height is now even more appropriate”.***

1. This attempt at justification is a cynical exercise on the part of the developer seeking to overturn the currently approved development. Contrary to what the developer states, other apartment developments under construction in Atchison and Chandos Streets are well within defined height limits (LEP) and are appropriate and acceptable additions to the local environment.
2. The current state of construction of the development of 6-16 Atchison St has reached street level with completion of construction of the carpark. Contrary to the building approval it is apparent that the developer has increased the number of parking spaces and is now seeking retrospective approval.
3. In the “Project Approval” document dated 1 May 2012 section B3 states that ***“the building is to be lowered so that it has a maximum height of RL 167.3 AHD and amended plans shall be submitted to the Director General for approval prior to the issue of any Construction Certificate”.*** On 11 March 2014 modification of the original Project was approved reducing the number of serviced apartments from 76 to 64 and increasing the number of residential apartments from 173-190. In that approval it was stated that a maximum number of 168 parking spaces be provided.

Once again in “Part B- Prior to Issue of a Construction Certificate” section B3 “Building Height and Design” states ***(a) The building is to be lowered so that it has a maximum height of RL 167.3 AHD. Amended plans shall be submitted to the Director General for approval prior to the issue of any Construction Certificate for the above-ground non-residential and residential components of the development”***

4. In the context of these approvals for 6-16 Atchison Street, the developer’s claims are implausible and provide a specious attempt at justification by claiming a recent series of development proposals continue to transform the immediate vicinity. We

would argue that this claim is baseless and a bogus attempt to justify car-park expansion that has already been completed contrary to development approval in addition to increasing the height and capacity of the building to maximise the developer's profit at the expense of the environment and local residents.

5. In Summary, the development is not appropriate even at its current approved height. It was not appropriate before and it is not appropriate now. Linea residents have previously documented their objections to this development and presented these to the PAC. There is nothing in the new Modification proposal to justify approval to return to the original inappropriate and environmentally harmful development. Approval of this Modification request would demonstrate that developers can ignore the law and get away with whatever will increase their profit margins. We strongly object to this new proposal and ask that it not be approved.

Submitted by Creswell J Eastman AM, Chairman Executive Committee, Linea Residential Owners Corporation, 2-4 Atchison St., St Leonards 2065.

21 July 2014