

A D D E N D U M



**ADDENDUM TO REPORT OF IAN PICKLES, EXECUTIVE PLANNER
DATED 12 OCTOBER 2010**

SUBJECT: PDS07 – 6-16 ATCHISON STREET, ST LEONARDS
PART 3A DEVELOPMENT

APPLICATION NO: NSW DEPARTMENT OF PLANNING REF: MP 09_0187

AUTHOR: IAN PICKLES, EXECUTIVE PLANNER

DATE: 18 OCTOBER 2010

Attachments: Minutes of Design Excellence Meeting 13/10/10

SUMMARY

As foreshadowed in the report to Council's meeting to be held on 18 October 2010 concerning the proposed Part 3A development at 6-16 Atchison Street, St Leonards, Council's Design Excellence Panel gave consideration to the formal proposal at its meeting held on 13 October 2010.

The Panel concluded:

"The Panel considers that more work is required on the floor plan of the tower and the floor plate of the tower needs to be reduced further to ensure compliance with the rule of thumb recommendations under the RFDC. The full development potential of adjoining sites must be maintained.

The Panel considers that the floor space ratio of the taller building should be similar to a compliant shorter building and that any increase would only be accepted on the basis of demonstrated additional public benefits and in the context of a full review of height controls for all other sites in the immediate area.

The Panel considers 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. The proposed 109m tower is not supported by the Panel."

The minutes of the Panel's meeting concerning this matter are attached for Council's consideration in formulating its response/submission concerning this proposal.

Further to the report of the Executive Planner and Senior Assessment Officer, Council's Strategic Planners have reassessed the calculations in the North Sydney Residential Development Strategy (RDS) for the St Leonards area based on the scope of the height non-compliance in respect of the 6-16 Atchison Street Part 3A proposal.

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The RDS currently calculates an additional 800 dwellings under the North Sydney LEP 2001 from July 2009. A re-calculation factoring in non-compliances similar to 6-16 Atchison Street would realise an additional 1800 dwellings, that is, an increase of 1000 dwellings on current projections. Such increases in population density would have unacceptable and unmanageable consequences on amenity and traffic.

RECOMMENDATION

THAT Council forward the minutes of the Design Excellence Panel to the Department of Planning for its consideration of the Part 3A development.

SIGNED:

IAN PICKLES
EXECUTIVE PLANNER

WARWICK WINN
DIRECTOR
PLANNING AND DEVELOPMENT SERVICES

DESIGN EXCELLENCE PANEL MEETING

PROPERTY: 6-16 Atchison Street, St Leonards

DATE: 13 October 2010 @ 4.00pm in the Supper Room

ATTENDANCE: Panel Members: David Chesterman; Russell Olsson; Peter Webber; Philip Graus for part of meeting.
Council staff: Geoff Mossemeneer (chair), Nicola Reeve.
Proponents: Richard Francis-Jones (architect); Simon Barr (architect); Sue Francis (planner)

Introduction

A similar proposal from a different applicant and architect was before the Panel on 12 March 2008 and 9 May 2008. A site inspection was carried out by the Panel and Council staff prior to the March 2008 meeting. A proposal with 109m height from the current applicant and architect was before the Panel at its meeting of 11 November 2009. Two options for height (83m and 109m) were presented, and a concept design for the ground (Atchison Street) level/public domain. The presentation focussed on the strategic context of the site and the shadow impacts of a tall tower on the site. The Panel concluded:

The Panel considers that more work is required on the floor plan of the tower and the floor plate of the tower needs to be reduced further. A thinner building will result in further shadow improvements and better separation distances.

The Panel notes that under the RFDC, the separation requirement is increased as the height increases. An average setback for a uniform tower may be acceptable provided it can be demonstrated that the average of the setbacks (vertical and horizontal) generally complies with the rule of thumb recommendations. Precedent setbacks of developments approved prior to SEPP 65 are not helpful and should be disregarded. Variations would only be considered if the amenity of the adjoining development is not compromised.

The Panel considers that the floor space ratio of the taller building should be similar to a compliant shorter building (around 11:1 which is similar to the FSR for the Forum) and that any increase would only be accepted on the basis of demonstrated additional public benefits such as public domain areas, improved solar access to surrounding areas etc. The Panel considers 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. Council does not propose a dome control. The proposed 109m tower with a FSR of 16.5:1 is not supported by the Panel.

The Proposal

The proposal involves the demolition of the existing buildings on the site and the construction of a 34 storey mixed use residential tower comprising 228 residential apartments and a 38 room hotel with a café; basement parking and podium. The building is composed of 2 tower forms separated by a recessed circulation spine. Of the residential apartments, 132 are located in the North Tower and 96 in the South Tower of the development. The elevated podium contains a gym and indoor pool which will be shared by the tenants and hotel guests. The public domain offers an open and protected ground plane featuring

- separate residential and hotel access
- 2 new cross site links between Atchison Street and Atchison Lane
- landscaping featuring a "green wall" on the eastern boundary adjacent the café.

The development statistics of the site are:

- Site Area -1740.6 m²
- Residential Apartments – 228
- Hotel Rooms – 38
- Parking - 168 Cars
- 17 Motor Bikes
- Tower - 33 levels
- Basement Levels - 5.5
- Gross Floor Area - 24962m²
- Building Height - 109m
- Building Maximum RL to AHD 196.25 AHD
- Floor Space Ratio - 14:1

The applicant has applied to the Department of Planning to have the proposal determined by the Minister under Part 3A of the EP&A Act. The application is currently being notified.

A presentation was given by the Architect on behalf of the applicant, with the aid of the distributed material and laptop presentation.

The presentation focussed on the setbacks of the tower and the overall height of the proposal when compared to surrounding sites in St Leonards.

Panel's comments

The Panel had no adverse comments about the architectural quality of the building itself, considered in isolation, nor the materials or finishes. The Panel commended the architect on the design of the building and the detailed presentation. The comments of the Panel relate to the height and scale of the building and its setbacks, and particularly the precedent which would be set should a building of this height be approved. Such approval would in effect make

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The applicant does not propose any communal facilities for residents other than the shared use of the pool and gym with the hotel. The Panel strongly recommends the inclusion of appropriate communal facilities that include meeting areas and possibly a roof top communal open space.

The Panel did not provide comments on the SEPP 65 Design Principles as the height and the setbacks were the major issues that need to be resolved.

CONCLUSION:

The Panel considers that more work is required on the floor plan of the tower and the floor plate of the tower needs to be reduced further to ensure compliance with the rule of thumb recommendations under the RFDC. The full development potential of adjoining sites must be maintained.

The Panel considers that the floor space ratio of the taller building should be similar to a compliant shorter building and that any increase would only be accepted on the basis of demonstrated additional public benefits and in the context of a full review of height controls for all other sites in the immediate area.

The Panel considers 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. The proposed 109m tower is not supported by the Panel.

Meeting concluded at 5.10pm