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**From:** <kathjosh@optusnet.com.au>  
**To:** <plan\_comment@planning.nsw.gov.au>  
**CC:** <amy.watson@planning.nsw.gov.au>  
**Date:** 30/09/2010 12:21 am  
**Subject:** Submission on MP09\_0187

Hi,

Name: Laura Teo

Address: 805/2-4 Atchison Street, St Leonards NSW 2065

Name of application: Exhibition of Environmental Assessment for a Mixed Use Building at 6-16 Atchison Street, St Leonards

Application number: MP09\_0187

Statement: I strongly OBJECT to the project

Why: This proposed building is right next door to my apartment and the only sunlight my apartment is currently getting comes from that same direction where the proposed building will be. With 34 storeys, it will block out my entire apartment's sunlight. A large part of St Leonards' demographic is young families with small children. My apartment has many young children (one of them being my 2 year old daughter) and having a hotel/retail next door could pose potential threats to these kids ie. unruly guests/customers, unwanted noises caused by patrons, late night disturbances, health issues - alcohol/cigarettes/drugs etc. and the list can go on and on....

I reiterate that I strongly OBJECT to this project for the above reasons. Please consider the well-being of children that are within the area.

Thank you,  
Laura

(2)

**Amy Watson - Online Submission from Ting Loong Chin (object)**

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**From:** Ting Loong Chin <sei\_loong@yahoo.com>  
**To:** Amy Watson <amy.watson@planning.nsw.gov.au>  
**Date:** 30/09/2010 8:28 PM  
**Subject:** Online Submission from Ting Loong Chin (object)  
**CC:** <assessments@planning.nsw.gov.au>

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i object the project based on the following reasons:

1. 34 story building is excessively high when all building between Atchison St, and Atchison Ln is not half storey of what proposed.
2. tall storey building will block sunlight, view, and therefore devalue neighboring real estate, discourage investment or family to move to the neighborhood, and an eye sore for existing housing and department resident.
3. it is not appropriate to have major project located right next to a few residential buildings, include established businesses with medical centres and food industry, due to pollution the construction can cause.
4. issues during tear down and construction period:
  - Atchison Lane or Atchison St will be a major road block for neighboring residents and road users, especially peak hours
  - noise, dust, and big debris pollution will be major health hindrance for neighboring residents that have small children and retiree who downsized to apartment building
  - concern of overtime or weekend work in residential area
  - Small debris is expected to puncture tires
  - residents are at risk of flying debris
  - it is known that construction site attract more crime and break in to neighboring resident

Name: Ting Loong Chin

Address:

902/2-4 Atchison St, St Leonards, NSW 2065

IP Address: 124-168-41-124.dyn.iinet.net.au - 124.168.41.124

Submission for Job: #3592 MP09\_0187 Mixed use Development

[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=3592](https://majorprojects.onhiive.com/index.pl?action=view_job&id=3592)

Site: #2141 6-16 Atchison Street, St Leonards

[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=2141](https://majorprojects.onhiive.com/index.pl?action=view_site&id=2141)

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**Amy Watson**

E: amy.watson@planning.nsw.gov.au  
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**Amy Watson - Proposed Development 6-16 Atchison Street (MP09\_0187)**

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**From:** David Carter <david@dkcarter.com>  
**To:** <amy.watson@planning.nsw.gov.au>  
**Date:** 4/10/2010 7:49 PM  
**Subject:** Proposed Development 6-16 Atchison Street (MP09\_0187)  
**Attachments:** 6-16 Atchison Street (MP09\_0187).pdf

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Dear AMy,

In response to your letter of 27 September 2010, I am pleased to attach our submission registering objections to the proposed development at 6-16 Atchison Street St Leonards NSW 2065 (MP09\_0187).

Regards,

David Carter  
Chairman, Linea Building Management Committee  
& Owners Corporation Executive Committee SP69052  
Telephone: 0419-225 232  
Email: [david@dkcarter.com](mailto:david@dkcarter.com)





Linea Apartments  
2-4 Atchison Street  
St Leonards NSW 2065

4 October 2010

Amy Watson  
Contact Officer  
Environmental Assessment MP09\_0187  
NSW Department of Planning  
GPO Box 39  
Sydney NSW 2001

Dear Amy,

We wish to make a submission in regard to the proposed development at 6-16 Atchison Street St Leonards NSW 2065 (MP09\_0187) on behalf of the owners and residents of "Linea" 2-4 Atchison Street St Leonards NSW 2065 that is directly adjacent to the proposed development.

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

**Name and Address:**

David Carter, Chairman, Linea Building Management Committee & Owners Corporation SP 69052

1506/2-4 Atchison Street 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:**

The members of the Linea Building Management Committee and SP 69052 Owners Corporation Executive Committee strenuously 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.

The Linea Building Management Committee and Owners Corporation 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,



David Carter  
Chairman Linea Building Management Committee & Owners Corporation Executive  
Committee SP 69052

1506/2-4 Atchison Street  
St Leonards NSW 2065  
Telephone: 0419-225 232  
Email: david@dkcarter.com

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**Amy Watson - Environmental Assessment for Mixed Use Building at 6-16 Atchison St, St Leonards (MP09\_0187)**

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**From:**  
**To:** <amy.watson@planning.nsw.gov.au>, <plan\_comment@planning.nsw.gov.au>  
**Date:** 7/10/2010 10:45 AM  
**Subject:** Environmental Assessment for Mixed Use Building at 6-16 Atchison St, St Leonards (MP09\_0187)

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Hi Amy,

strongly OBJECT to the project.

WE DO NOT WANT OUR NAME to be made available to the Proponent, these authorities, or on the Departments website.

We are the owners of an apartment in the Linea complex on Atchison St, St Leonards.

Our reasons for Objecting to the Proposed Mixed Use Building at 6-16 Atchison St, St Leonards are as follows:

Where will the household waste go? How will the waste be managed? How can Atchison St cope with this?

What about, sewerage waste how and where will this go. Will it be taken off site and managed externally from the proposed building?

The height of the development, 34 stories will "tower" over existing buildings in the area, causing loss of natural sunlight to surrounding buildings. This will also visually look like an eyesore, ruining the natural skyline of St Leonards area.

If the proposal also includes a hotel and retail? How will guests staying at proposed hotel access the hotel, where will their taxi / driver stop to let guests into the hotel, again our concern is parking! Atchison St is a very busy street already, how will everyday consumers access the retail stores, where will they park?

What types of retail stores are proposed to go into this proposed building? Are they in keeping with the St Leonards area?

Thankyou for taking into consideration our OBJECTIONS.

Regards

(5)

**Amy Watson - Re Part 3A Development Application for 6-16 Atchison St, St Leonards**

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**From:** Isabelle Moeller <manager@biometricsinstitute.org>  
**To:** "plan\_comment@planning.nsw.gov.au" <plan\_comment@planning.nsw.gov.au>  
**Date:** 14/10/2010 9:21 AM  
**Subject:** Re Part 3A Development Application for 6-16 Atchison St, St Leonards

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Dear Sirs,

I have been looking at the details of the above DA and would like to express my concerns about the proposal:

The building will be unusually high for the north shore area and the design does not look particularly appealing.

The number of units of this 34 storey building will have a huge impact on local infrastructure and in particular transport:

Already there are traffic jams every morning and every evening along Atchison, Oxley and Albany St. The addition of this high number of residents to the area will no doubt impact on the traffic. How has the department addressed this issue?

It does not seem that the development has allowed for the addition of public spaces which are already lacking in the area.

As a resident of Crows Nest and an employee at 33 Atchison St, I am greatly concerned about this proposal.

Yours sincerely,

Isabelle Moeller  
24/29 Holtermann St  
Crows Nest NSW 2065



(6)

**Amy Watson - Online Submission from JOHN CLARKE of JOHN CLARKE & SON (other)**

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**From:** JOHN CLARKE <garry\_j\_clarke@hotmail.com>  
**To:** Amy Watson <amy.watson@planning.nsw.gov.au>  
**Date:** 15/10/2010 11:03 AM  
**Subject:** Online Submission from JOHN CLARKE of JOHN CLARKE & SON (other)  
**CC:** <assessments@planning.nsw.gov.au>

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I own the property directly behind this proposal & directly opposite the entry/exits of the underground parking. Their TRANSPORT & ACCESSIBILITY REPORT states that there is 100 vehicular trips per peak hour from the existing 60 parking spaces in the existing buildings (166% turnover), which is incredulous. It then states that their new building would have only 75 vehicular trips per peak hour from 168 parking spaces (45% turnover). This comparison is fanciful in the extreme.

While they have statistics on relevant intersections they avoid any analysis of how traffic is going to get in & out of Chandos Lane as this is blocked at Christie St almost all day, let alone peak periods. As Atchinson St is a one way street, we also have their traffic to contend with. If the mooted development around St Leonards station comes to fruition, then this problem will be exacerbated enormously.

Name: JOHN CLARKE  
Organisation: JOHN CLARKE & SON

Address:  
19 CHANDOS ST ST LEONARDS

IP Address: 110.20.22.193.optusnet.com.au - 110.20.22.193

Submission for Job: #3592 MP09\_0187 Mixed use Development  
[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=3592](https://majorprojects.onhiive.com/index.pl?action=view_job&id=3592)

Site: #2141 6-16 Atchison Street, St Leonards  
[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=2141](https://majorprojects.onhiive.com/index.pl?action=view_site&id=2141)

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**Amy Watson**

E: amy.watson@planning.nsw.gov.au  
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## Amy Watson - Online Submission from CRESWELL and ANNETTE EASTMAN of Resident of Atchison Street St Leonards (object)

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**From:** CRESWELL and ANNETTE EASTMAN <eastcje@ozemail.com.au>  
**To:** Amy Watson <amy.watson@planning.nsw.gov.au>  
**Date:** 15/10/2010 5:54 PM  
**Subject:** Online Submission from CRESWELL and ANNETTE EASTMAN of Resident of Atchison Street St Leonards (object)  
**CC:** <assessments@planning.nsw.gov.au>

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The proposed development at 6-16 Atchison Street is quite extraordinary as it breaks all of the rules for development within North Sydney LEP and by reason of its height and size represents an ugly monument that is totally out of place in this area. The proposed building of 34 stories rising to 109 m is more than twice the permitted height for this area and will dominate the environment as it towers over all other buildings in the area with the exception of the Forum building. The latter is an ugly eyesore but at least it provides open space in its surrounds. The proposed building at 6-16 Atchison Street does not do this and has no redeeming features. It is totally unrealistic to construct a building containing commercial, residential and hotel space and not consider the potentially devastating effects on traffic and movement in the area. Atchison Street is a single lane one-way street emptying into Christie Street which provides a major thoroughfare from the Harbour Bridge via Chandos Street to the Pacific Highway. It is not unusual for traffic to be at a standstill in morning and evening peak hours. While local residents, by and large, have no objection to appropriate development at 6-16 Atchison Street, the current proposal from this developer is totally unacceptable and if approved will stand as a monument to greed by the developer and to abrogation of responsibility by those who approved it.

Name: CRESWELL and ANNETTE EASTMAN  
Organisation: Resident of Atchison Street St Leonards

Address:  
1503/2 Atchison Street St Leonards

IP Address: 210-84-9-11.dyn.iinet.net.au - 210.84.9.11

Submission for Job: #3592 MP09\_0187 Mixed use Development  
[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=3592](https://majorprojects.onhiive.com/index.pl?action=view_job&id=3592)

Site: #2141 6-16 Atchison Street, St Leonards  
[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=2141](https://majorprojects.onhiive.com/index.pl?action=view_site&id=2141)

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**Amy Watson**

E: amy.watson@planning.nsw.gov.au  
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8

**Amy Watson - Development at 6-16 Atchison Street, St Leonards**

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**From:** "Bob Usher" <perlite@zip.com.au>  
**To:** <information@planning.nsw.gov.au>  
**Date:** 21/10/2010 4:07 PM  
**Subject:** Development at 6-16 Atchison Street, St Leonards  
**Attachments:** img207.pdf

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Dear Sir/Madam

I attach a detailed objection against the proposed development at 6-16 Atchison Street, St Leonards

Yours Faithfully

R F Usher

Unit W 1302

599 Pacific Highway,

ST LEONARDS NSW 2065

Telephone Home 9906 7800

Telephone Office 9410 1122

Mobile 0412 230 256



**Objection to proposed (NSW Department of Planning Part 3a Development MP09\_0187) at 6-16 Atchison Street, St Leonards**

**Total unsuitability of the proposed development at 6-16 Atchison Street**

The proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and harmful in many aspects to the current and future owners and residents of the precinct.

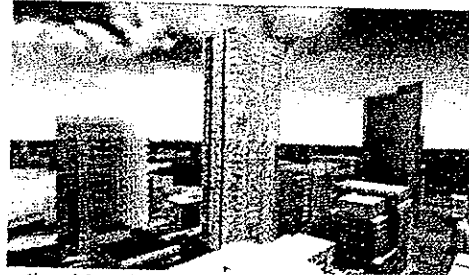
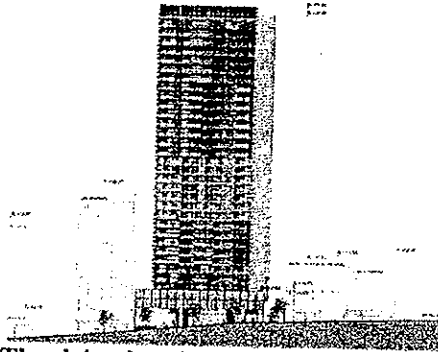
**A. Height of proposed development:**

The current maximum height of a developments in Atchison Street mandated by the North Sydney Council is 49 Metres (as represented in the Linea building next door to the proposed development at 15 floors). A proposed building of 34 floors (109 metres) at 6-16 Atchison Street will dominate and overburden the street in many ways including visually. This aspect appears to have been carefully avoided in the documentation - whereas the nearby but not relevant Willoughby and Lane Cove Council LEP's have been highlighted to support the proposal.

1. The reports makes much of the fact that one of the Forum Buildings in the relatively near vicinity is a similar height to the proposed development. This is entirely irrelevant because the Forum buildings are in a particular local development over the train station and down the hill from Atchison Street. The train station is in a distinctly different environment to the pleasant residential/business environment of Atchison Street. Further the Forum development is not even under North Sydney Council jurisdiction.
2. The proposed development would tower over the Linea and Habitat buildings (beside and behind) and even dominate the higher IBM building on the other side of the Atchison Street (Pacific Highway) and although there is a claim of no overshadowing of - say the Abode building beyond the IBM building - this is not credible. Figure 3 (below) from the Architectural drawings clearly shows the devastating appearance and effect of the proposed development on the Linea Building beside it. Also Figure 18 demonstrates the total dominance of part of the small general (Atchison Street) area.

Figure 3 (*Linea building next door totally dwarfed*)

Figure 18 (Note Abode building missing)  
*Dominance of Atchison Street*



The claim that the development would deliver "residential stock with minimal impact on its neighbours and the precinct" is not credible. Contrary to this "minimal impact" claim, the extent of this development would be a total burden on particularly the residential community in this tiny high rise area which currently stands at around 5,000 residents, for all the reasons stated in this objection.

**B. Existing Traffic issues in the general area will be exacerbated by such a large development**

1. Atchison Lane (only 5M wide) is already seriously compromised with entrances and exits from car parks (Linea - 14 Atchison Street, Habitat, - 11 Chandos Street, 45-49 Chandos Street, Arden - 40 Atchison Street and 32-38 Atchison Street, (under development) - over 1,000 residents. Claims of compliance with the concept of "Activation of the Lanes" - as described in the report (as being in the St Leonards' Strategy) - is deceptive in this context - the Lane will be further compromised.
2. Residents using vehicles, to exit from Atchison Lane North into Christie Street currently find that almost impossible at busy times and both Mitchell Street to the South and particularly Oxley Street, which might be considered available to be used to circumvent this problem, are almost at Traffic Gridlock at busy times or unsuitable for the purpose.
3. Residents wishing to go to the Freeway, logically try to go to Oxley Street where (to the West) there is roundabout access to Chandos Street and those wishing to go to the Pacific Highway also try to go to Oxley and East through to Albany Street - where there are Traffic lights onto Pacific Highway. However, both of these routes are at Traffic gridlock at busy times.
4. Waste collection, already very intrusive in Atchison Lane will be significantly increased. This includes Council refuse vehicles and private ones. These are very large vehicles which bring traffic to a stop on a regular basis as they block the Lane.
5. Activity of businesses abutting the Lane seems not to have been considered.
6. There is also the consideration of regular removalist vehicles - which can only service the buildings from the Atchison Lane. With 228 residential units proposed (together with the 170+ units already present - "Linea and Habitat), a regular pattern of moving (which exists in all high density high rise buildings)

## Unit W 1302, 599 Pacific Highway, St Leonards, NSW, 2065

- will mean large moving vehicles causing restriction of the Lane on almost a daily basis. There is no proposal for a full size loading dock at ground level included in this development plan. A basement loading dock is proposed which of course will not be able to be accessed by almost all moving vehicles. (The North Sydney Council now requires major high rise developments to include a substantial ground floor loading dock in their plans).

7. Albany Lane - which parallels Atchison Lane one block away to the South is proof of the difficulties caused by over development of this small part of the St Leonards area - signage has been changed to prohibit parking but the issue of servicing so many buildings and providing access to main traffic arteries is still difficult and relevant.

### C. Traffic management plan for the building as a whole,

1. Hotel traffic management plan appears not to be clearly defined or outlined (ingress/egress);
2. The relevant part of Atchison Street is narrow and one way (from Christie to Mitchell Streets). Hotel traffic appears not to have been considered in this regard.
3. It is known that hotel traffic and residential traffic have distinctly different patterns and it is evident that a narrow one way Street is unsuitable to this activity. The proposal includes 38 hotel rooms (and 228 residential units)

### D. Wind Effects

1. The report on the current issue of wind in this part of St Leonards is quite clear that there is a problem and that this proposed development would significantly increase the problem. It is proposed to "deal with this issue as required". So the problem is recognised but ignored.

### E. Current Owners Rights

1. People who have purchased properties in the many high rise buildings in the immediate vicinity have done so understanding the North Sydney Council regulation of heights and building density.
2. This proposed development more than doubles the North Sydney Councils' mandated height level for this part of St Leonards which will have serious repercussions for the lifestyle of the existing owners.

### F. The Developer's attitude

1. At the public forum earlier this year the developer made his attitude to the concerns of local residents very clear when he scoffingly said that as he lived in Warringah (or was it Wahroonga?) he was protected, did not share and dismissed the concerns of the people present about overdevelopment in St Leonards!
2. The comments made in the report about the Community Consultation are almost entirely erroneous suggesting that there were only two concerns when in fact there were a large number. The primary one being the total unsuitability of a building of that height and mass being placed in Atchison Street.

### In Summary

1. The report suggests that North Sydney Council has a negative attitude towards the need for increased density of occupation in its LEP but - given that they have the



Unit W 1302, 599 Pacific Highway, St Leonards, NSW, 2065

most intimate knowledge of the problems and issues that exist through the current level of development, their perspective is certainly the most relevant and valuable.

2. Residents of high-rise in St Leonards undoubtedly understand that the predominant lifestyle is now "high-rise". They have chosen this lifestyle, but they are also clear on the problems and issues that have arisen and will arise if this tiny corner of St Leonards is overdeveloped in the manner suggested in this proposal. The lack of infrastructure generally is the issue.
3. The owners and residents of the Abode are particularly clear on this as we already deal with an almost identical Lane (Albany) to Atchison Lane which currently has over 300 high rise residential units and will eventually have nearly 400.
4. Nobody would object to a reasonable high rise development in the position of 6-16 Atchison Street, they just know that this proposal is a totally unsuitable .

We repeat - the proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to the aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and be harmful in many aspects to the current and future owners and residents.

9

**Amy Watson - Objection Planning 6-16 Aitchison Street St Leonards**

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**From:** "Rod Rodwell" <r.rodwell@bluewin.ch>  
**To:** <plan\_comment@planning.nsw.gov.au>  
**Date:** 20/10/2010 6:11 PM  
**Subject:** Objection Planning 6-16 Aitchison Street St Leonards  
**CC:** "Eileen Margaret Rodwell" <eileen99rod@hotmail.com>  
**Attachments:** Objections to 6-16 Final Version.doc

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My wife and I are the proprietors of W1705, 599 Pacific Highway St. Leonards. We bought it almost 3 years ago and plan to retire there in 2011. We bought with knowledge on the basis of rules and practices published by the North Sydney Council. We did not consider that there might be an arbitrary procedure that might turn these eminently sensible requirements on their head.

We are very supportive of policies to increase the density of "inner city" locations but we were flabbergasted to see the plans for the development of this site which we find disproportionate in the extreme. Attached is a formal objection that we totally endorse but as a preface we would reinforce the following

1. We believe for the Minister to approve the plan, the Minister would have to have a seriously compelling case to effectively overrule the requirements set by the Council.
2. Indeed we submit that the only compelling case is to reject the plan.
3. If there was a compelling case the developer would not have had to have been so economical with the truth in terms of the impact this development would have on its surrounds.
4. In ignoring quite sensible requirements set by Council in terms of basement and loading bay facilities the professional standards employed by the developer have to be seriously questioned.
5. Approval of this plan could only further increase public cynicism towards the standards set by those involved in planning and development in the Sydney Metropolitan area.

Yours sincerely,

Rodney and Eileen Rodwell

Note: This e-mail may contain confidential information. If you have received this e-mail without being the proper recipient, you are hereby notified that any review, copying or distribution of it is strictly prohibited. Please inform us immediately and destroy the original transmission

Email r.rodwell@bluewin.ch

## **Objection to proposed (NSW Department of Planning Part 3a Development MP09\_0187) at 6-16 Atchison Street, St Leonards**

### **Total unsuitability of the proposed development at 6-16 Atchison Street**

**The proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and harmful in many aspects to the current and future owners and residents of the precinct.**

#### **A. Height of proposed development:**

The current maximum height of a developments in Atchison Street mandated by the North Sydney Council is 49 Metres (as represented in the Linea building next door to the proposed development at 15 floors). A proposed building of 34 floors (109 metres) at 6-16 Atchison Street will dominate and overburden the street in many ways including visually. This aspect appears to have been carefully avoided in the documentation – whereas the nearby but not relevant Willoughby and Lane Cove Council LEP's have been highlighted to support the proposal.

1. The reports makes much of the fact that one of the Forum Buildings in the relatively near vicinity is a similar height to the proposed development. This is entirely irrelevant because the Forum buildings are in a particular local development over the train station and **down** the hill from Atchison Street. The train station is in a distinctly different environment to the pleasant residential/business environment of Atchison Street. Further the Forum development is not even under North Sydney Council jurisdiction.
2. The proposed development would tower over the Linea and Habitat buildings (beside and behind) and even dominate the higher IBM building on the other side of the Atchison Street (Pacific Highway) and although there is a claim of no overshadowing of – say the Abode building beyond the IBM building – this is not credible. Figure 3 (below) from the Architectural drawings clearly shows the devastating appearance and effect of the proposed development on the Linea Building beside it. Also Figure 18 demonstrates the total dominance of part of the small general (Atchison Street) area.

**Figure 3** (*Linea building next door totally dwarfed*)

**Figure 18** (*Note Abode building missing*)  
*Dominance of Atchison Street*





**The claim that the development would deliver “residential stock with minimal impact on its neighbours and the precinct” is not credible.** Contrary to this “minimal impact” claim, the extent of this development would be a total burden on particularly the **residential community** in this tiny high rise area which currently stands at around 5,000 residents, for all the reasons stated in this objection.

**B. Existing Traffic issues in the general area will be exacerbated by such a large development**

1. Atchison Lane (only 5M wide) is already seriously compromised with entrances and exits from car parks (Linea – 14 Atchison Street, Habitat,- 11 Chandos Street, 45-49 Chandos Street, Arden - 40 Atchison Street and 32-38 Atchison Street,(under development) – over 1,000 residents. Claims of compliance with the concept of “Activation of the Lanes” – as described in the report (as being in the St Leonards’ Strategy) – is deceptive in this context – the Lane will be further **compromised**.
2. Residents using vehicles, to exit from Atchison Lane North into Christie Street currently find that almost impossible at busy times and both Mitchell Street to the South and particularly Oxley Street, which might be considered available to be used to circumvent this problem, are almost at Traffic Gridlock at busy times or unsuitable for the purpose.
3. Residents wishing to go to the Freeway, logically try to go to Oxley Street where (to the West) there is roundabout access to Chandos Street and those wishing to go to the Pacific Highway also try to go to Oxley and East through to Albany Street – where there are Traffic lights onto Pacific Highway. However, both of these routes are at Traffic gridlock at busy times.
4. Waste collection, already very intrusive in Atchison Lane will be significantly increased. This includes Council refuse vehicles and private ones. These are very large vehicles which bring traffic to a stop on a regular basis as they block the Lane.
5. Activity of businesses abutting the Lane seems not to have been considered.
6. There is also the consideration of regular removalist vehicles – which can only service the buildings from the Atchison Lane. With 228 residential units proposed (together with the 170+ units already present - “Linea and Habitat), a regular pattern of moving (which exists in all high density high rise buildings) – will mean large moving vehicles



causing restriction of the Lane on almost a daily basis. **There is no proposal for a full size loading dock at ground level included in this development plan. A basement loading dock is proposed which of course will not be able to be accessed by almost all moving vehicles. (The North Sydney Council now requires major high rise developments to include a substantial ground floor loading dock in their plans).**

7. Albany Lane – which parallels Atchison Lane one block away to the South is proof of the difficulties caused by over development of this small part of the St Leonards area – signage has been changed to prohibit parking but the issue of servicing so many buildings and providing access to main traffic arteries is still difficult and relevant.

**C. Traffic management plan for the building as a whole,**

1. Hotel traffic management plan appears not to be clearly defined or outlined (ingress/egress);
2. The relevant part of Atchison Street is **narrow and one way** (from Christie to Mitchell Streets). Hotel traffic appears not to have been considered in this regard.
3. **It is known that hotel traffic and residential traffic have distinctly different patterns and it is evident that a narrow one way Street is unsuitable to this activity.** The proposal includes 38 hotel rooms (and 228 residential units)

**D. Wind Effects**

1. The report on the current issue of wind in this part of St Leonards is quite clear that there is a problem and that this proposed development would significantly increase the problem. It is proposed to “deal with this issue as required”. So the problem is recognised but ignored.

**E. Current Owners Rights**

1. People who have purchased properties in the many high rise buildings in the immediate vicinity have done so understanding the North Sydney Council regulation of heights and building density.
2. This proposed development more than doubles the North Sydney Councils’ mandated height level for this part of St Leonards which will have serious repercussions for the lifestyle of the existing owners.

**F. The Developer’s attitude**

1. At the public forum earlier this year the developer made his attitude to the concerns of local residents very clear when he scoffingly said that as he lived in Warringah (or was it Wahroonga?) he was protected, did not share and dismissed the concerns of the people present about overdevelopment in St Leonards!
2. The comments made in the report about the Community Consultation are almost entirely erroneous suggesting that there were only two concerns when in fact there were a large number. The primary one being the total unsuitability of a building of that height and mass being placed in Atchison Street.

**In Summary**

1. The report suggests that North Sydney Council has a negative attitude towards the need for increased density of occupation in its LEP but – given that they have the most intimate knowledge of the problems and issues that exist through the current level of development, their perspective is certainly the most relevant and valuable.

## RIL and EM Rodwell W1705 , 599, Pacific Highway, St Leonards 2065

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2. Residents of high-rise in St Leonards undoubtedly understand that the predominant lifestyle is now "high-rise". They have chosen this lifestyle, but they are also clear on the problems and issues that have arisen and will arise if this tiny corner of St Leonards is **overdeveloped** in the manner suggested in this proposal. The lack of infrastructure generally is the issue.
3. The owners and residents of the Abode are particularly clear on this as we already deal with an almost identical Lane (Albany) to Atchison Lane which currently has over 300 high rise residential units and will eventually have nearly 400.
4. Nobody would object to a reasonable high rise development in the position of 6-16 Atchison Street, they just know that this proposal is a totally unsuitable .

**We repeat - the proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to the aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and be harmful in many aspects to the current and future owners and residents.**

10

**Amy Watson - Proposed Part 3a development at 6-16 Atchison Street St Leonards 2065**

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**From:** "Pat Quirke-Parry" <billparry@pacific.net.au>  
**To:** "NSW Department of Planning" <plan\_comment@planning.NSW.gov.au>  
**Date:** 20/10/2010 5:05 PM  
**Subject:** Proposed Part 3a development at 6-16 Atchison Street St Leonards 2065  
**Attachments:** Objection to NSW Department of Planning proposed Part 3a development at 6.doc

---

I am attaching our objection to this proposal

Pat Quirke-Parry  
1803/599, Pacific Highway  
St Leonards 2065

Phone 02 9439 3132  
email [billparry@pacific.net.au](mailto:billparry@pacific.net.au)



**Objection to NSW Department of Planning proposed Part 3a development at 6-16 Atchison Street, St Leonards 2065 (MP09\_0187) from W.G.Parry & P.M. Quirke-Parry, owners of Unit 1803/599, Pacific Highway St Leonards 2065**

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October 21, 2010

**Our knowledge and experience of the area**

We have owned and lived in our apartment at 599, Pacific Highway since January 2005. In the intervening years we have observed a large amount of high rise development in this tiny corner of St Leonards. Whilst this may be considered a relatively brief period of experience, it has encompassed the period of major change in the development of St Leonards as a high rise, high density environment.

It is our observation that the level of development (in spite of Council restrictions), has often been inappropriate to the environment because of the size of the streets and particularly the lanes behind the streets that service the high rise buildings. Our direct experience is of **Albany Lane** (only one block away and slightly South of the proposed development at 6-16 Atchison Street) - a 5M wide lane - and the section to which our building has its vehicular entrance and exit is approximately 190M long. There are currently four (soon to be five) high rise buildings with similar entrance/exits into that section of the lane - about 470 units or about 1200 residents. Albany Lane is frequently impassable due to

- Large refuse vehicles - stopping at regular intervals in the lane
- Delivery vehicles stopping at a particular businesses
- Removalist vehicles stopping for extended periods of time usually in the most inappropriate positions.
- People who apparently are unable to read the parking signs
- And currently the building process for 9-11 Atchison Street
- Resident traffic
- Passing traffic which has tried to avoid traffic chaos in the vicinity

**Atchison Lane**, behind the proposed development at 6-16 Atchison Street is almost identical to Albany Lane and already has 2 high rise developments with their vehicular entrance and exits into the Lane (Linea and Habitat). The addition of 228 residential units in the proposed Part 3a development will result in a total of almost 400 units and impassability and issues similar to that in Albany Lane.

**Objection to NSW Department of Planning proposed Part 3a development at 6-16 Atchison Street, St Leonards 2065 (MP09\_0187) from W.G.Parry & P.M. Quirke-Parry, owners of Unit 1803/599, Pacific Highway St Leonards 2065**

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October 21, 2010

**Overdevelopment in the immediate vicinity causing Traffic chaos**

There are a number of developments abutting Atchison Lane - East of Mitchell Street with high rise buildings at 45-49 Chandos Street, the Arden building at 40 Atchison Street and the coming development at 32-38 Atchison Street - about 260 units. Traffic issues are at a critical state with it being almost impossible for residents to exit West into Christie Street at busy times and therefore forced to go East to Mitchell or Oxley Streets to try to access Chandos Street - for the freeway or Albany Street - for Pacific Highway. But all of these streets are at gridlock at busy times and additional traffic will therefore impose further problems on all the existing residents. The Traffic Report which says that "delays are expected at busy times" is seriously understated.

**The nature of the proposed Part 3a development**

North Sydney Council mandates this particular zone of St Leonards should not exceed a height of 49 metres and the proposed development is 109 metres (222% higher). Height comparisons are made in the Part 3a proposal with the Forum building over the St Leonards station. This is a really inappropriate comparison. The Forum buildings are in a distinct area over the station, they are "down the hill" from Atchison Street and have no real impact on the general environment - rather creating one of their own. They also occupy a relative small footprint in their environment. Whereas, the proposed development at 6-16 Atchison Street is in the middle of a residential and business district on a relative small site. The immediate area and site would be completely dominated and overburdened by such a massive and unsuitable development. A building of such height, mass and scale would seriously impose upon the current environment - destroying many of its characteristics irretrievably. There would be many unpleasant results from such an intrusion including the already mentioned traffic failures, service delivery problems, serious wind effects and domination of the surrounding buildings and district. It would offer the existing owners/residents only negatives. It would amount to offering a developer a licence to make a huge profit with no realistic benefit to the area or to the current and future owners/residents but would further be a burden for evermore on the current street scene.

**Objection to NSW Department of Planning proposed Part 3a development at  
6-16 Atchison Street, St Leonards 2065 (MP09\_0187) from W.G.Parry & P.M.  
Quirke-Parry, owners of Unit 1803/599, Pacific Highway St Leonards 2065**

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October 21, 2010

**Parking in the environs**

There is a completely false premise in our experience that people purchasing property in our neighbourhood - close to St Leonards station will not have cars. This is entirely fallacious and results in indiscriminate parking and use of parking facilities. The fact is that people who may indeed use public transport to go to work, still want to have a car available for evenings and weekends. In our experience, even a one bedroom apartment may have two cars involved. At the Abode, we have had to place parking bollards in our visitors parking area and on our wide pavement in Albany Lane to solve this problem.

**Atchison Street itself**

Atchison Street (in the specific area contemplated) is narrow - one way and one lane with meter parking on both sides. Hotel traffic we know is different and demands effective approach routes. Atchison Street does not qualify in this regard. Christie Street (as already described) is at gridlock for large parts of the day and Atchison Street is one way from Christie Street and one lane. A totally inappropriate approach route for even a small hotel.

**The negative effects on the area generally**

- Existing traffic problems will be driven East to already gridlocked streets
- Neighbouring buildings will be massively overshadowed in every sense
- The already difficult wind effects in the street will be exacerbated
- Many buildings will be grossly overshadowed from a light point of view
- The pleasant business/residential environment of the street will be irrevocably changed forever
- Public benefit is supposed to be at the heart of a Part 3a project as I understand it - and whilst there may be some very minor benefits proposed within the development - it would be majorly harmful in general.

Pat Quirke-Parry & Bill Parry  
1803/599, Pacific Highway  
St Leonards 2065  
02 94393132

[billparry@pacific.net.au](mailto:billparry@pacific.net.au)



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PCU015590

Pat Quirke-Parry

1803/599, Pacific Highway

St Leonards 2065

14<sup>th</sup> October 2010

Part 3a Development MPO9 0187 6-16 Atchison Street, St Leonards 2065

As Chair person of the Abode building Owners' Corporation Executive Committee, I am enclosing a submission objecting to this proposed development on behalf of the owners and residents of the Abode. The Abode is on the corner of Pacific Highway and Albany Street in St Leonards and there are about 470 residents in the 192 apartments.

My telephone numbers of 02 9439 3231 and Mobile 0412 041 229 and I can be contacted on email at [billparry@pacific.net.au](mailto:billparry@pacific.net.au)

I am also forwarding the submission through the Department website.

Yours faithfully

Pat Quirke-Parry





Objection to proposed (NSW Department of Planning Part 3a Development MP09\_0187) at 6-16 Atchison Street, St Leonards

**Total unsuitability of the proposed development at 6-16 Atchison Street**

The proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and harmful in many aspects to the current and future owners and residents of the precinct.

**A. Height of proposed development:**

The current maximum height of a developments in Atchison Street mandated by the North Sydney Council is 49 Metres (as represented in the Linea building next door to the proposed development at 15 floors). A proposed building of 34 floors (109 metres) at 6-16 Atchison Street will dominate and overburden the street in many ways including visually. This aspect appears to have been carefully avoided in the documentation – whereas the nearby but not relevant Willoughby and Lane Cove Council LEP's have been highlighted to support the proposal.

1. The reports makes much of the fact that one of the Forum Buildings in the relatively near vicinity is a similar height to the proposed development. This is entirely irrelevant because the Forum buildings are in a particular local development over the train station and down the hill from Atchison Street. The train station is in a distinctly different environment to the pleasant residential/business environment of Atchison Street. Further the Forum development is not even under North Sydney Council jurisdiction
2. The proposed development would tower over the Linea and Habitat buildings (beside and behind) and even dominate the higher IBM building on the other side of the Atchison Street (Pacific Highway) and although there is a claim of no overshadowing of – say the Abode building beyond the IBM building – this is not credible. Figure 3 (below) from the Architectural drawings clearly shows the devastating appearance and effect of the proposed development on the Linea Building beside it. Also Figure 18 demonstrates the total dominance of part of the small general (Atchison Street) area.

Figure 3 (Linea building next door totally dwarfed)

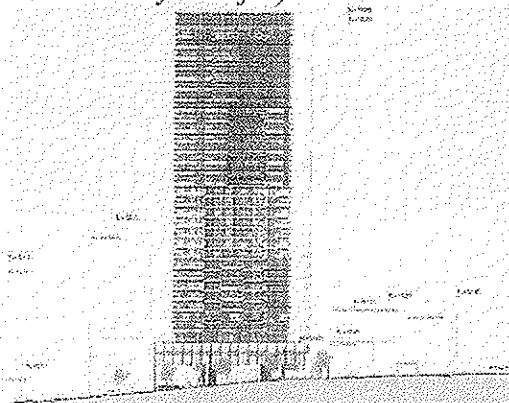
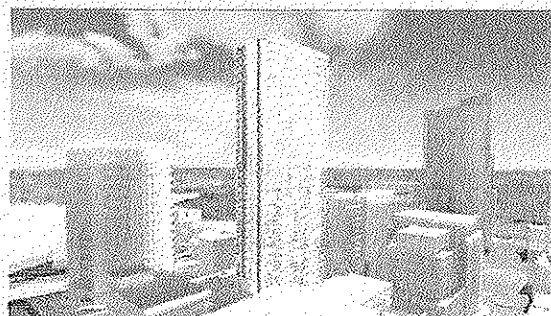


Figure 18 (Note Abode building missing) Dominance of Atchison Street



## The Abode, 599, Pacific Highway, St Leonards 2065

The claim that the development would deliver "residential stock with minimal impact on its neighbours and the precinct" is not credible. Contrary to this "minimal impact" claim, the extent of this development would be a total burden on particularly the residential community in this tiny high rise area which currently stands at around 5,000 residents, for all the reasons stated in this objection.

### **B. Existing Traffic issues in the general area will be exacerbated by such a large development**

1. Atchison Lane (only 5M wide) is already seriously compromised with entrances and exits from car parks (Linea – 14 Atchison Street, Habitat, - 11 Chandos Street, 45-49 Chandos Street, Arden - 40 Atchison Street and 32-38 Atchison Street, (under development) – over 1,000 residents. Claims of compliance with the concept of "Activation of the Lanes" – as described in the report (as being in the St Leonards' Strategy) – is deceptive in this context – the Lane will be further compromised.
2. Residents using vehicles, to exit from Atchison Lane North into Christie Street currently find that almost impossible at busy times and both Mitchell Street to the South and particularly Oxley Street, which might be considered available to be used to circumvent this problem, are almost at Traffic Gridlock at busy times or unsuitable for the purpose.
3. Residents wishing to go to the Freeway, logically try to go to Oxley Street where (to the West) there is roundabout access to Chandos Street and those wishing to go to the Pacific Highway also try to go to Oxley and East through to Albany Street – where there are Traffic lights onto Pacific Highway. However, both of these routes are at Traffic gridlock at busy times.
4. Waste collection, already very intrusive in Atchison Lane will be significantly increased. This includes Council refuse vehicles and private ones. These are very large vehicles which bring traffic to a stop on a regular basis as they block the Lane.
5. Activity of businesses abutting the Lane seems not to have been considered.
6. There is also the consideration of regular removalist vehicles – which can only service the buildings from the Atchison Lane. With 228 residential units proposed (together with the 170+ units already present - "Linea and Habitat), a regular pattern of moving (which exists in all high density high rise buildings) – will mean large moving vehicles causing restriction of the Lane on almost a daily basis. There is no proposal for a full size loading dock at ground level included in this development plan. A basement loading dock is proposed which of course will not be able to be accessed by almost all moving vehicles. (The North Sydney Council now requires major high rise developments to include a substantial ground floor loading dock in their plans).
7. Albany Lane – which parallels Atchison Lane one block away to the South is proof of the difficulties caused by over development of this small part of the St Leonards area – signage has been changed to prohibit parking but the issue of servicing so many buildings and providing access to main traffic arteries is still difficult and relevant.

### **C. Traffic management plan for the building as a whole,**

1. Hotel traffic management plan appears not to be clearly defined or outlined (ingress/egress);

## **The Abode, 599, Pacific Highway, St Leonards 2065**

---

2. The relevant part of Atchison Street is narrow and one way (from Christie to Mitchell Streets). Hotel traffic appears not to have been considered in this regard.
3. It is known that hotel traffic and residential traffic have distinctly different patterns and it is evident that a narrow one way Street is unsuitable to this activity. The proposal includes 38 hotel rooms (and 228 residential units)

### **D. Wind Effects**

1. The report on the current issue of wind in this part of St Leonards is quite clear that there is a problem and that this proposed development would significantly increase the problem. It is proposed to "deal with this issue as required". So the problem is recognised but ignored.

### **E. Current Owners Rights**

1. People who have purchased properties in the many high rise buildings in the immediate vicinity have done so understanding the North Sydney Council regulation of heights and building density.
2. This proposed development more than doubles the North Sydney Councils' mandated height level for this part of St Leonards which will have serious repercussions for the lifestyle of the existing owners.

### **F. The Developer's attitude**

1. At the public forum earlier this year the developer made his attitude to the concerns of local residents very clear when he scoffingly said that as he lived in Warringah (or was it Wahroonga?) he was protected, did not share and dismissed the concerns of the people present about overdevelopment in St Leonards!
2. The comments made in the report about the Community Consultation are almost entirely erroneous suggesting that there were only two concerns when in fact there were a large number. The primary one being the total unsuitability of a building of that height and mass being placed in Atchison Street.

### **In Summary**

1. The report suggests that North Sydney Council has a negative attitude towards the need for increased density of occupation in its LEP but – given that they have the most intimate knowledge of the problems and issues that exist through the current level of development, their perspective is certainly the most relevant and valuable.
2. Residents of high-rise in St Leonards undoubtedly understand that the predominant lifestyle is now "high-rise". They have chosen this lifestyle, but they are also clear on the problems and issues that have arisen and will arise if this tiny corner of St Leonards is overdeveloped in the manner suggested in this proposal. The lack of infrastructure generally is the issue.
3. The owners and residents of the Abode are particularly clear on this as we already deal with an almost identical Lane (Albany) to Atchison Lane which currently has over 300 high rise residential units and will eventually have nearly 400.
4. Nobody would object to a reasonable high rise development in the position of 5-16 Atchison Street, they just know that this proposal is a totally unsuitable.

**Let me repeat - The proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to the aims and objectives the North Sydney Local Environmental Plan and their Development Control Plan and be harmful in many aspects to the current and future owners and residents.**



Apartment 3408,  
The Forum, 1 Sergeants Lane,  
St.Leonards. NSW 2065



Amy Watson,  
Department of Planning,  
Information Centre,  
23-33 Bridge Street,  
SYDNEY.NSW 2000.



Dear M/s Watson

Application Number (MP09\_0187)

I do not support this project for the following reasons,

1. It will close in all the surrounding "air space"
2. The traffic will only add to the already congested area of St.Leonards.

Perhaps a smaller version of the building would be acceptable with less traffic and not so high.

Yours fathfully,

A handwritten signature in dark ink, appearing to read "Andre Stephan". The signature is fluid and cursive, with the first name "Andre" being more prominent.

Andre Stephan.  
11<sup>th</sup> October, 2010.





Amy Watson - MP09\_0187

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**From:** "Kelly Walch" <kellywalch@conveyancingshop.com.au>  
**To:** <amy.watson@planning.nsw.gov.au>  
**Date:** 28/10/2010 11:38 AM  
**Subject:** MP09\_0187  
**Attachments:** 2187\_001.pdf

---

Dear Colleague

Please find attached Objection, that we file on behalf of our client Andre Stephan.

Please confirm you have received this submission within time.

Regards

Kelly Walch ? The Conveyancing Shop ? P: 02 9410 3722 ? F: 02 9410 0458 ? conveyancingshop.com.au ? PO Box 5100 WEST CHATSWOOD NSW 1515 ? DX 29589 CHATSWOOD NSW ? Suite 18, 47 Neridah Street, CHATSWOOD NSW 2067 ?

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25<sup>th</sup> October 2010

NSW Government Planning  
Attention: Amy Watson  
FAX 92286455

Dear Madam

Re: 6-16 Atchison Street, St Leonards (MP09\_0187)

I object to the project because it will impinge not only on the amenity of my adjoining apartment by restricting sunlight, but also increase the density of traffic in an already congested locality.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Andre Stephan', with a stylized flourish at the end.

Andre Stephan  
2901/1 Sergeants Lane  
ST LEONARDS NSW 2065

## Political donations and gifts disclosure statement

{INSERT COUNCIL LOGO}

Office use only:

Date received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning application no. \_\_\_\_\_

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

### Explanatory information

#### Making a planning application to a council

Under section 147(4) of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

#### Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

#### How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

#### What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council.

Note: A separate Disclosure Statement Template is available for disclosures to the Minister or the Director-General of the Department of Planning.

**Warning:** A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

## Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

**gift** means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

**gift** means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

**local councillor** means a councillor (including the mayor) of the council of a local government area.

**relevant planning application** means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
  - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
  - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
  - d) an application for development consent under Part 4 (or for the modification of a development consent), or
  - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
  - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
  - h) any other application or request that is excluded from this definition by the regulations.

**relevant period** is the period commencing 2 years before the application or submission is made and ending when the application is determined.

**relevant public submission** means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

**reportable political donation** means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

### 86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
  - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
  - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
    - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
    - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

**a person has a financial interest** in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

**persons are associated with each other** if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations.



# Political Donations and Gifts Disclosure Statement to Council

If you are required under section 147(4) or (5) of the Environmental Planning and Assessment Act 1979 to disclose any political donations or gifts (see page 1 for details), please fill in this form and sign below.

<b>Disclosure Statement Details</b>					
Name of person making this disclosure statement <b>ANDRE STEPHAN</b>	Planning application reference (e.g. DA number, planning application title or reference, property address or other description) <b>MP009-0157</b>				
Person's interest in the application (circle relevant option below)					
You are the APPLICANT	YES / <b>NO</b> OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION <b>YES</b> / NO				
<b>Reportable political donations or gifts made by person making this declaration or by other relevant persons</b>					
<p>* State below any reportable political donations or gifts you have made over the 'relevant period' (see glossary on page 2). If the donation or gift was made by an entity (and not by you as an individual) include Australian Business Number (ABN).</p> <p>* If you are the applicant of a planning application state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</p> <p>* If you are a person making a submission in relation to an application, state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by an associate.</p>					
Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift
NIL					
Please list all reportable political donations and gifts—additional space is provided overleaf if required.					
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.					
Signature(s) and Date <b>Andre Stephan</b>		28-10-10			
Name(s) <b>ANDRE STEPHAN</b>					

**Amy Watson - Online Submission from Nyun Mui Lee (object)**

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**From:** Nyun Mui Lee <nmllee2000@hotmail.com>  
**To:** Amy Watson <amy.watson@planning.nsw.gov.au>  
**Date:** 19/10/2010 7:30 PM  
**Subject:** Online Submission from Nyun Mui Lee (object)  
**CC:** <assessments@planning.nsw.gov.au>

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Dear Sir/Madam,

I am an owner in Linea, 2-4 Atchison Street, St Leonards and I wish to make a submission in regard to the proposed development at 6-16 Atchison Street, St Leonards NSW 2065(MP09\_0187).

This most recent application/proposal by the developer for this site is more massive than the application they made previously which was rejected.

I think all the reasons for rejection of the previous application are still valid for current application, as the impact will be twice as much this time.

As the proposed height of the development is mostly twice as high as buildings next to or near it, it will dominate the surrounding area and will have a negative impact on the look of the area.

Due to its proposed height, it will also cast shadows on all the buildings around it. It will be environmentally unfriendly as residents in the surrounding buildings will require more electricity to heat their living space in the winter and cool the same area in the summer.

As it will be a hotel complex, they will increase traffic as nature of a hotel, in the immediate and surrounding streets. Currently, there is already a problem with traffic especially during peak hours. It will make the traffic problem worse and could make it an all day traffic congestion area. The pollution from the traffic will impact on the health of the residents in the area.

I sincerely request that the NSW Department of Planning to think seriously the environmental impact of this application as well as on the health of people living there now and in the future.

Thanks & Regards,

Nyun Mui Lee

Name: Nyun Mui Lee

Address:  
GPO Box 1240  
Sydney  
NSW 2001

IP Address: - 203.0.223.243

Submission for Job: #3592 MP09\_0187 Mixed use Development  
[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=3592](https://majorprojects.onhiive.com/index.pl?action=view_job&id=3592)

Site: #2141 6-16 Atchison Street, St Leonards

[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=2141](https://majorprojects.onhiive.com/index.pl?action=view_site&id=2141)

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**Amy Watson**

E: [amy.watson@planning.nsw.gov.au](mailto:amy.watson@planning.nsw.gov.au)  
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