

PCU016872

PO Box 1639

Mackay QLD 4740

10<sup>th</sup> November 2010

Amy Watson

Contact Officer

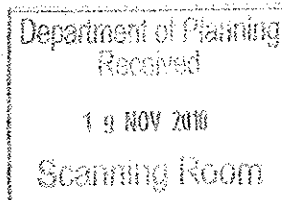
Environmental Assessment MP09\_0187

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) as owners of one of the units in "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:**

Kim and Robynne Dudley, directors of the trustee company – Enacorp Pty Ltd as trustee for the K & RC Dudley Family Trust – owner of unit 408/2-4 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 of whether we support or object to the project:**

We strongly 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 the development would be 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.

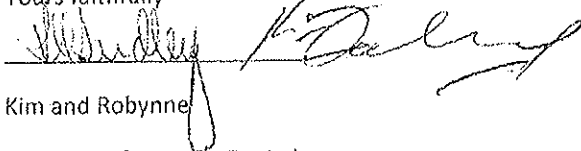
We respectfully request that the NSW Department of Planning subjects this development proposal to detailed scrutiny in terms of its significant negative impact on people and infrastructure.

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, sewerage, 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 faithfully



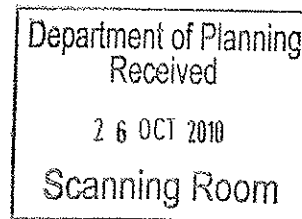
Kim and Robynne

Directors of Enacorp Pty Ltd

As trustee for the K & RC Dudley Family Trust



NSW Department of Planning  
23-33 Bridge Street,  
SYDNEY NSW 2001



20 October 2010

## 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

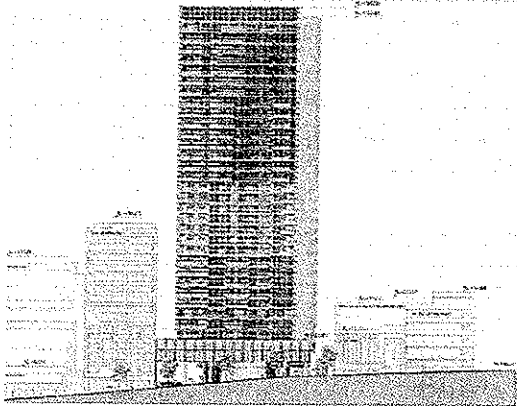
The proposed development would, by reason of height, bulk, scale and mass appear as an incongruous, overbearing, unacceptably dominant and visually intrusive feature in the street scene. It would be harmful to the character and appearance of the surrounding area, contrary to aims and objectives the North 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**

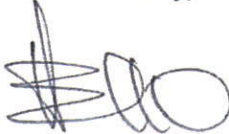
1. The report suggests that North Sydney Council has a negative attitude towards the need for increased density of occupation in its LEP but – given that they have the most intimate knowledge of the problems and issues that exist through the current level of development, their perspective is certainly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

Yours Faithfully,



**Ben Cabello – Senior Strata Manager**  
**on behalf of the Abode Executive Committee & the Owners Corporation of Strata Plan 71980**

Dr Andrew Hart  
Linea Apartments  
806/2-4 Atchison St  
St Leonards NSW 2065



Major Projects Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001



17 October 2010

I wish to make a submission in regard to the proposed development at the following address:

6-16 Atchison St  
St Leonards NSW 2065

**Name and Address:**

Dr Andrew Hart  
Linea Apartments  
806/2-4 Atchison St  
St Leonards NSW 2065

**Name of the application and the application number:**

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

**Statement of support or objection:**

I strenuously object to the proposed development

**Reasons for objection:**

i) Traffic Congestion

The major objection I have to the proposed development is in relation to increased traffic congestion.

The proposed development will be bordered by Atchison Street, Mitchell Street, Christie Street and Atchison Lane.

North Sydney Council changed traffic conditions in Atchison Street. The street was narrowed and made one-way in an easterly direction between Christie and Mitchell Streets. There is only a single lane for traffic.

The driveways for buildings between Christie and Mitchell Streets, including Linea Apartments, are accessed via Atchison Lane. The lane is only just wide enough to cater for two cars passing side-by-side. It is not wide enough for a truck and a car to pass side-by-side without great difficulty and it is not uncommon to exit the Linea Apartments and be forced to go east up Atchison Lane because a garbage or removal truck has blocked it in the westerly direction and *vice versa*.

There is a loading dock in the Linea Apartments but it is too small for the larger trucks and is often in use when a second truck arrives. It is not used by garbage trucks. Due to the absence of available parking, the removal trucks often park illegally for hours while they unload. Large trucks put their wheels up on the footpath to allow other vehicles to pass. There have been occasions when I have been prevented from entering the driveway of the Linea Apartments from Atchison Lane by a driverless truck illegally blocking access.

In morning and evening peak traffic periods, large numbers of vehicles attempt to use the only nearby entry point to Pacific Highway: Christie Street. Traffic banks up along Christie Street and then down Chandos Street. There are long delays to enter Pacific Highway. Vehicles exiting their building via Atchison Lane are routinely forced to look for more distant alternatives if they wish to enter Pacific Highway within a reasonable amount of time.

Given the narrowing of Atchison Street by North Sydney Council, the existing traffic problems on Atchison Lane and the congested access to Pacific Highway during peak periods, I was surprised to learn that the proposed development contains plans to build an additional 38 hotel rooms and 228 units. I was mortified to learn that the proposal aims to provide access to the development's driveway via Atchison Lane. It is frightening to contemplate the disastrous effect this will have for the residents of Linea Apartments using Atchison Lane and for St Leonards, as more vehicles and trucks try to access Pacific Highway via Christie Street during peak periods.

The inclusion of 38 hotel rooms in the proposal will accentuate the negative effects on traffic congestion because these will necessitate a higher frequency of vehicles dropping off and picking up passengers on Atchison Street and Atchison Lane.

The only existing development in St Leonards that is similar in size to the proposed development is the Forum. In contrast to the proposed development however, the Forum has driveway access via Herbert Street. Unlike Atchison Lane, which is a narrow back street, Herbert Street is a major thoroughfare.

## ii) Building Height

North Sydney Council has stipulated a maximum building height of 49 metres in the precinct. Many developments in recent years along Chandos and Atchison Streets have been built within this limit and complement the area. The proposed



development would be approximately twice the maximum height and would unfairly dominate the surrounding area.

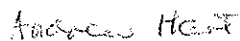
In conclusion, despite my objections to the proposed development, I wish to state that I am not "anti-development". I would be amenable to a development that was within the council's limits for height and size, and that lacked the potential to cause traffic chaos. Such a development would be similar to many others in the precinct.

The current proposal plans to build an additional 38 hotel rooms and 228 units that will be bordered by a single-lane, one-way street and a small laneway. The negative impact on residents in Linea Apartments and St Leonards will be devastating and the result will be untenable.

I hope that the Department of Planning takes into account the significant negative impact on residents that will result from building such an unsuitably large development in the back streets of St Leonards.

Thank you for the opportunity to register my objection to the proposed development.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Andrew Hart". The script is cursive and somewhat stylized.

Andrew Hart