

25 November 2013

NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

By Email

Attention: Jane Flanagan

Dear Jane,

**RE: MP09\_0187 MOD 2 – AMENDED PLANS**  
**PROPERTY: NOS. 6-16 ATCHISON STREET, ST LEONARDS**

I am writing with regard to the above Section 75W Application, the Department's email correspondence dated 8 November 2013 and the meeting with the Department on 15 November 2013. The items raised by the Department are addressed below.

#### **Non-residential Gross Floor Area**

The Department has indicated that it is desirable that the quantum of approved non-residential GFA is maintained.

The Project Approval approved a total GFA of 20,819m<sup>2</sup> comprising 4,683m<sup>2</sup> of non-residential GFA including 76 serviced apartments. As a result of Condition B3 Building Height, five (5) levels were removed from the development, which equates to a reduction of 17.52% in total GFA. It is considered reasonable to pro rata the remaining residential and non-residential GFA. This equates to a reduction of the non-residential GFA to 3,863m<sup>2</sup> (which is an FSR of 2.22:2).

In consideration of the design development of the site, the new owners Holdmark held discussions with potential operators of the serviced apartments, who have advised that the preferred number of serviced apartments is around 50 (not 76 as approved). This figure and advice takes into account the current market situation, in which the St Leonards, Crows Nest and North Sydney areas have experienced an increase in approved or proposed serviced apartments in recent years. In comparison to when this Project Application was originally lodged in 2010, the availability of serviced apartments has substantially increased, as has the competition for this form of product. From a commercial perspective, the operators of serviced apartments prefer a figure of around 50 serviced apartments which limits vacancy rates and turnover. Further, it is considered valuable to provide additional services on site to set this facility apart from its competitors with 54 serviced apartments and the valuable ancillary services such as a pool and gym.

The proposal allows for the operation of first class serviced apartments which is competitive now, and into the future. Refer to the attached correspondence from APX Apartments dated 19 November 2013 for further details.

Notwithstanding the above, Council and the Department have specifically nominated that an increase in the number of serviced apartments is preferred. Although this numerical standard has been requested, we consider that there are alternative approaches to the design of the development which optimise the value and amenity of the non-residential component of the development. These relate to the provision of the pool and gym facilities which are beneficial given they are available for the use of the serviced apartment guests and the residents. In addition, the design of the pool is an integrated element to the architectural design and provides a built form which offers a high standard of architectural merit for the building form and a visually interesting public domain treatment.

Although the pool is not technically included within the definition of GFA, the pool provides a valuable service with a high level of amenity which is preferred in terms of residential benefits and as a commercial interest in support of the serviced apartments.

In order to achieve an increase to the non-residential GFA, it would be necessary to convert the pool area to provide the addition of serviced apartments. This area would equate to 2 or 3 levels of additional non-residential floor area in the order of 170m<sup>2</sup>-255m<sup>2</sup>. Although this conversion would achieve a higher quantum of GFA in line with what was approved, this would not result in an improved amenity, architectural merit or a commercially viable outcome as discussed above. Therefore, the proposal seeks to retain the 54 serviced apartments which is complemented by ancillary services in the form of the pool and gym.

The attached amended scheme comprises an overall GFA of 3,633m<sup>2</sup>, which equates to an FSR of 2.09:1, and provides land uses which are valuable to the community and provide real business opportunities which are financially feasible including a pool, gym and serviced apartments. The difference between the proposed and approved quantum of GFA is 6%. The quantum of approved non-residential GFA is considered to be generally maintained.

Therefore, it is proposed to retain the pool, in lieu of actual non-residential floor area (such as the conversion of the 2 or 3 levels of pool into a glut of serviced apartments) given it provides a better planning outcome.

## **SEPP 65 and the RFDC**

### Safety and Security

As demonstrated on the revised Ground Level Residential Entry Lower Plan Ref PA-100-02/4, the lobby area now comprises a dedicated lobby area which exhibits a high level of amenity and liveability for the overall development. This area acts as a 'wind lobby' and serves as a general gathering area for the occupants of the building and their guests. Separate lobby areas are also provided for the residential and non-residential components of the building with clearly distinguished lifts and lobbies with secure access.

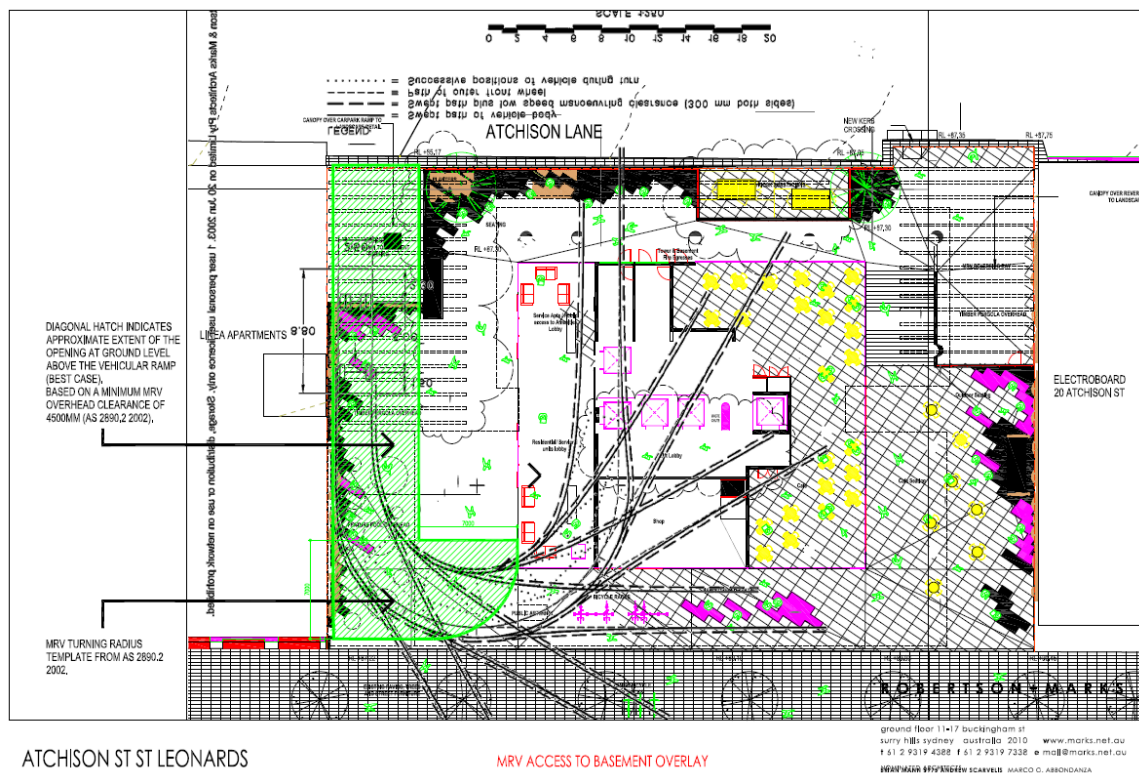
This arrangement provides a public presence and interface within the public domain and also clearly orientates individuals to their destination with convenient paths of travel.

### Vehicle Access

The site slopes downwards towards Atchison Lane to the north and also has an east-west cross slope. There is an existing laneway to Atchison Lane to the north which provides vehicle servicing to the parking of these buildings and waste collection services. Overall, these areas currently have a poor urban design outcome.

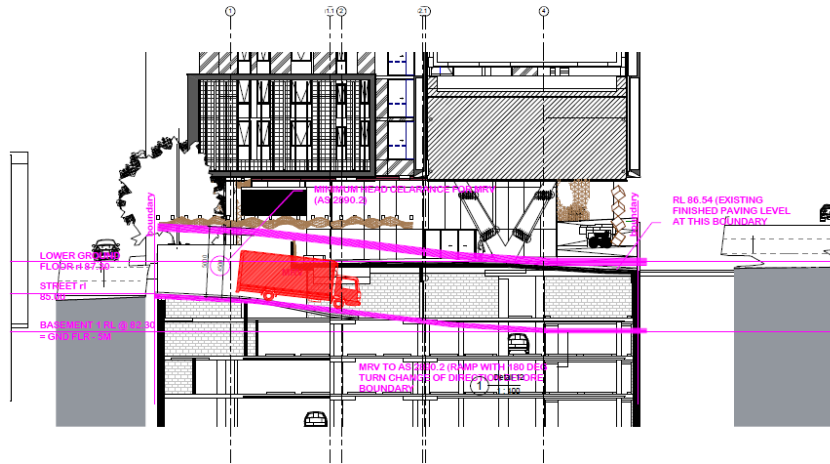
The redevelopment of Nos. 6-16 Atchison Street is proposed to provide an improved urban design outcome which prioritises creating accessible paths of travel throughout the site and a visually appealing built form outcome which is supplemented by architectural treatments and landscaping elements. The design is also responsive to achieving functionality for vehicles accessing the site for servicing purposes.

Given these site constraints and through further detailed architectural design it has become apparent that the capacity for the site to accommodate medium rigid vehicles (MRVs) within the basement parking levels would require a large proportion of the public domain area to be removed to achieve the clearance heights as required by the Australian Standards. **Figures 1 and 2** below demonstrate the area of the public domain area which would be removed to accommodate a MRV, being a minimum area of 230m<sup>2</sup>. Furthermore, the basement levels would be required to be lowered by 300mm-500mm.

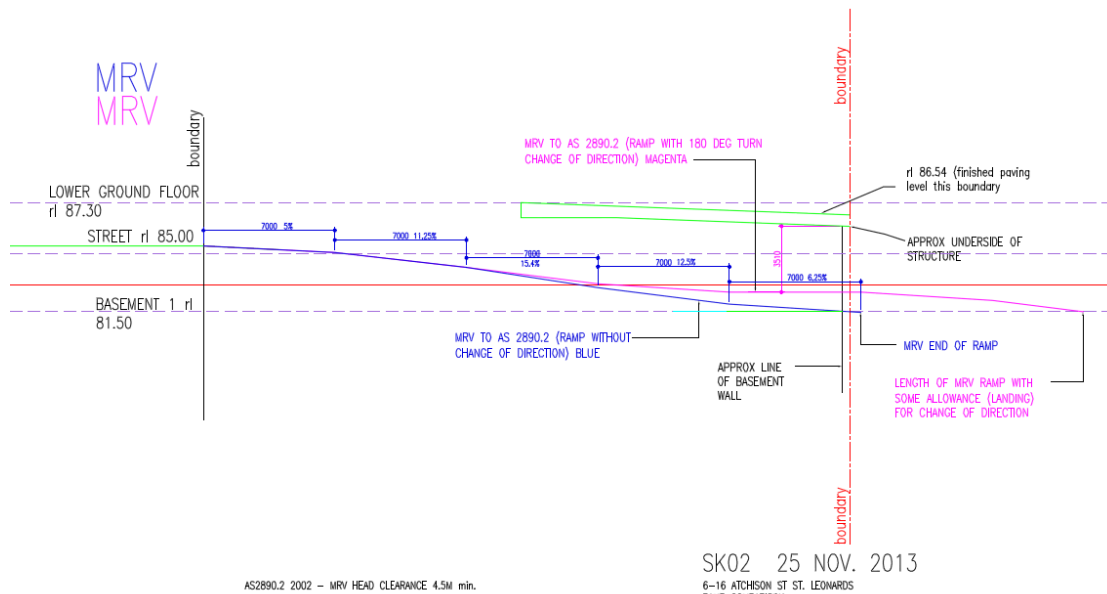


**Figure 1:** Indicative Site Overlay Plan which demonstrates the extent of the site which is required to be open at ground level to satisfy the minimum overhead clearance of 4500mm (AS 2890.2 2002) (area highlighted in green).

SHEET 2  
MRV RAMP



**Figure 2:** Indicative Section Plan which demonstrates the minimum overhead clearance of 4500mm (AS 2890.2 2002) to accommodate a MRV. The clearance level is above the public domain level at Atchison Street.



**Figure 3:** Indicative Section Plan which demonstrates that the site is not capable of accommodating the required grades and driveway lengths for a MRV.

Furthermore, this revised design would require a longer and shallower ramp grade, therefore requiring the circulation area of Basement Level 1 to be revised. As demonstrated in **Figures 1 and 2** above, significant circulation space would also be required for the MRV to manoeuvre within the site to successfully exit by the ramp, as well as additional excavation to satisfy the clearance heights.

Given the site constraints above, it is not considered desirable or reasonable to redesign the basement to accommodate a MRV given the public domain level to Atchison Street would be significantly reduced / interrupted, and the poor circulation which would be required for vehicular ingress and egress. Also refer to further justification in the section entitled 'Garbage Storage' below.

It is therefore proposed to retain the design of the basement as per the plans recently submitted to the Department, as this provides a functional vehicular arrangement. That is, SRV access to the basement and MRV access via a loading bay on the eastern side of the site. From **Figure 2**, it can be seen that the MRV will not be highly visible from either Atchison Lane or the public domain areas when deliveries are being made or garbage collection occurring. Noting the garbage collection will be done within the ramp and thus not visible from the lane, this solution is considered more desirable.

#### Garbage Storage

The current design proposes to store the waste and recycling materials at Basement Level 1, with a dedicated servicing lift transporting the bins to the Ground Level (which is partly below the public domain level due to the topography of the site) with the bins presented to the Loading Bay off Atchison Lane for collection purposes by a private waste contractor. The Loading Bay is capable of holding the waste bins and the waste collection vehicle simultaneously.

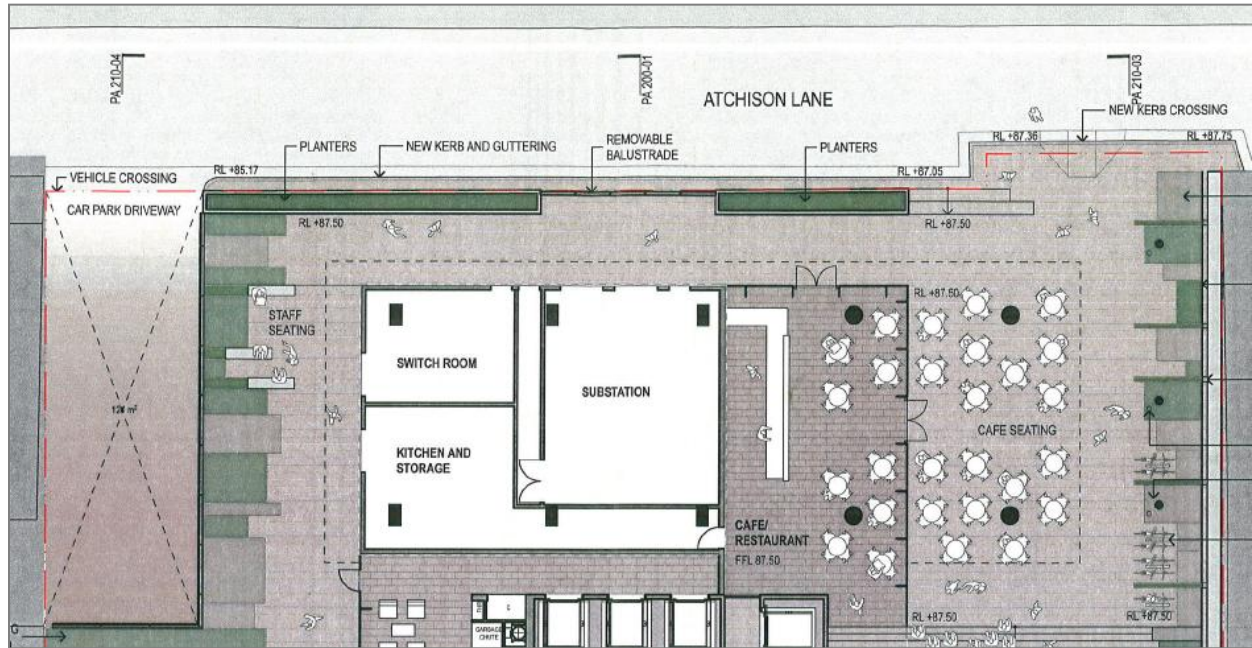
The attached letter of advice from Pacific Building Management Group dated 22 November 2013 confirms that of the waste collection companies that service the St Leonards area, there are no Small Rigid Vehicles (SRVs) (with a maximum length of 6.4m) available. Therefore, it is not possible for waste collection to be undertaken within the basement level of the development.

Given this, it is proposed that the garbage is stored in the basement levels, and presented and collected from the loading bay, as this offers the most direct collection method with minimal frequency. Furthermore, when not in use, the loading bay area presents as an extension of the public domain area with cohesive treatments, pergola and landscaping.

#### Pedestrian / Public Access

The Department has requested that the configuration of the Atchison Lane frontage is maintained as approved. As demonstrated in **Figure 4** below, the approved scheme comprises a dedicated car park driveway area, uniform planter boxes, steps and a narrow pathway at the eastern side of the site. Through the recent design and development of the current scheme, it is considered that functionality and presentation of the rear portion of the site can be improved to provide a more unique presentation.



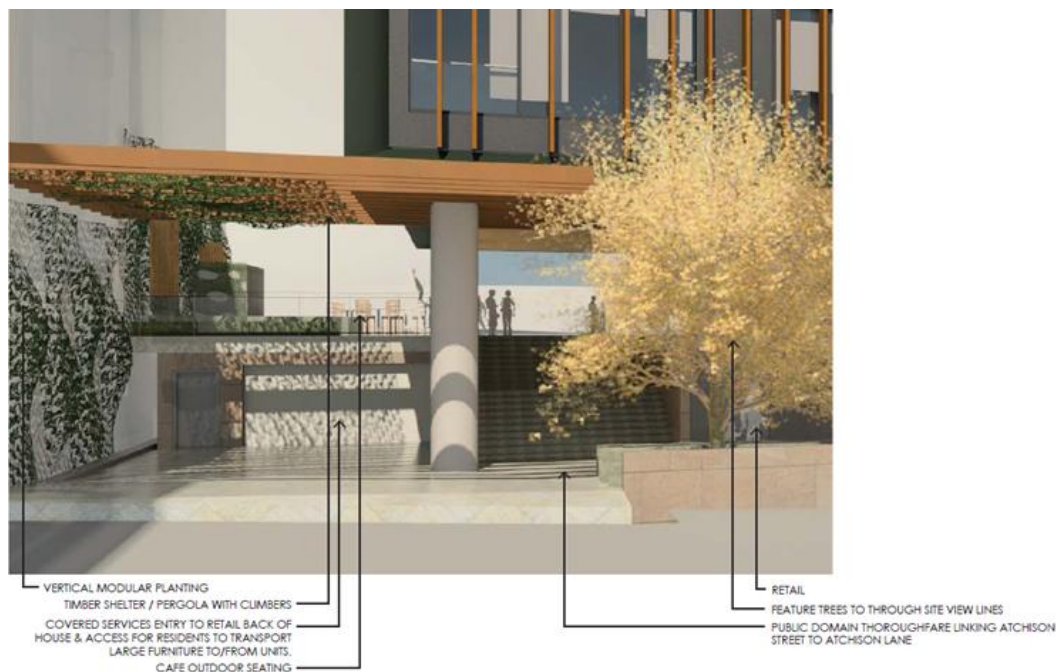


**Figure 4:** Approved Site Plan (MP09\_0187) which demonstrates the public domain treatment to Atchison Lane comprises planters, balustrades, steps and a narrow pathway area at the eastern side of the site.

As shown in **Figure 5** below, the proposed scheme maintains the pedestrian paths of travel throughout the site and provides a direct and pleasant environment and through-site link. The configuration of the rear through-site link offers a high degree of functionality, with the necessary services being located and arranged in an efficient manner which satisfies the relevant requirements. The proposed public domain plane creates areas of retail use and passive recreational areas which complement the use of the site and its functionality.



**Figure 5:** Proposed Ground Level Residential Entry Lower Plan Ref PA\_100-02/4 which demonstrates the majority of the Atchison Lane frontage is landscaped, and the eastern pedestrian entry provides an at grade pedestrian access point which is highly accessible.



**Figure 6:** Extract of the Photomontage 'View from Atchison Lane East Through Cross Site Link' dated June 2013 demonstrating the at grade access to the site and loading bay which is treated to integrate with the presentation of the development.

The proposed scheme provides a development outcome which is responsive to the current commercial market for serviced apartments in the St Leonards vicinity and provides a mix of commercial land uses which are compatible with the residential units above. The revised scheme does not impact on the amenity of neighbouring properties and does not result in any adverse environmental impacts.

Should you have any queries with regard to the above, please feel free to contact me on 8270 3500.

**YOURS SINCERELY**

**SUE FRANCIS  
EXECUTIVE DIRECTOR  
CITY PLAN STRATEGY AND DEVELOPMENT**

*Enclosed Plan, Indicative Plans and Supporting letters:*

*Amended Architectural Drawing prepared by R+M Architects – Ground Level Residential Entry Lower Plan PA-100-02/4.*

*Indicative MRV Access to Basement Overlay - Loss of Public Domain prepared by R+M Architects dated Nov 2013.*

*Indicative MRV Ramp Section A-93413 prepared by R+M Architects dated Nov 2013.*

*Indicative MRV Ramp Section SK02 prepared by Varga Traffic Planning dated 25.11.2013.*

*Letter from APX Apartments dated 19 November 2013.*

*Letter from Pacific Building Management Group dated 22 November 2013.*