

27 April 2017

Mr. Ross McCreanor  
Acting General Manager  
North Sydney Council  
PO Box 12  
North Sydney NSW 2059

Attention: Marcelo Occhiuzzi

Dear Marcelo

### Concept for 23-25 Atchison Street, St Leonards

I refer to your letter dated 5 April 2017 and thank you for providing comments on our concept proposal for 23-25 Atchison Street, St Leonards that require further consideration.

A revised concept proposal has been prepared based on careful consideration of the nine (9) Council comments contained in your letter. This proposal contains a detailed response to each of the 9 comments. A copy of the revised concept proposal (AJ+C, April 2017) is attached for your consideration.

The key elements of the proposal that have changed in response to Council's comments are summarised as follows:

#### **1. A through site link**

A 6m wide open air through site link is provided along the western boundary of the site. This increases to 12m above podium height and also includes a further 2m setback to Upper Ground Floor retail fronting the through link. This increased setback at ground level will provide for covered access and the opportunity to further activate the through link.

The provision of the 6m setback will also provide for the following:

- A distinct tower element to the proposal;
- A clear and significant break in the built form between the subject site and adjoining 21 Atchison Street and Nexus Apartments; and
- Improved sunlight access to properties south of the subject site.

## **2. Podium is all non-residential**

Both the upper and ground floor levels of the podium will provide for retail space and the remaining 2 levels of the podium will accommodate commercial tenancies. There are no apartments proposed on the podium levels.

## **3. Increase in non-residential floor space**

The non-residential floor space ratio has been increased from 1.5:1 to 2.0:1. This is a net increase of 1,054.9m<sup>2</sup> making a total non-residential floor space of 4,219.6m<sup>2</sup>. This increase in non-residential floor space will further enhance employment and activity within 400m of the new Crows Nest metro station.

## **4. Increase setback from Atchison Street**

The Ground Level Upper and Ground Level Lower are setback 6m from Atchison Street. The setback will provide additional public domain upgrade in accordance with the *Draft Public Domain Upgrade Report - St Leonards*, particularly in relation to catering for outdoor seating, providing adequate winter solar access and protection from the elements.

The setback does not include the remaining two (2) levels of the podium because it is considered an essential design element of the proposal to maintain the existing streetscape character along Atchison Street, particularly in relation to the more recently developed Nexus Apartments and T1 Apartments and having consideration to the likely future development of adjoining property at 21 Atchison Street.

As detailed in the revised concept proposal, public domain objectives can be more than just adequately achieved without having to provide a 3m whole of building setback that will, in our opinion, be contrary to nearby setbacks along Atchison Street and will not make a positive contribution to the continuity of setbacks along Atchison Street.

## **5. Increased building height**

The revised proposal has an additional two (2) levels making it 18 storeys.

We understand and appreciate that Council's Planning Study for the precinct puts a cap of 16 storeys on any built form for the subject site but we believe there is support for applying a degree of flexibility to this height limit because:

- a) Provision of a 6m wide open air through site link that increases to 8m wide at ground level requires either a loss and/or redistribution of floor

space that can be otherwise achieved in an alternative scheme that does not deliver a similar through site link.

- b) Provision of a 12m setback from 21 Atchison Street to all levels above the podium requires either a loss and/or redistribution of floor space that can be otherwise achieved in an alternative scheme.
- c) The through site link is not identified as a requirement in Council's Planning Study for the precinct. A site link is provided nearby that has security doors and is closed every day at certain times.
- d) The through site link will deliver significant additional benefits to the public not identified in Council's Planning Study for the precinct.
- e) It is considered fair and equitable that some of the lost floor space is re-distributed in the development of the site.
- f) Apartments have been removed from the podium level to create a full commercial podium and increase the non-residential FSR.
- g) The addition of 2 floors will not detrimentally impact on the future character of the locality given the increased density of the development that will accompany the development of the new Crows Nest metro station. Council's adoption of a 16-storey height limit for the subject site preceded the announcement of the metro station that is within 200m of the subject site.
- h) The addition of 2 floors has been tested as detailed in the revised concept proposal. Overshadowing at midday in mid winter does not impact on any residential development above the podium level at 9-11 Albany Street (directly south of the proposal) and does not detrimentally impact on Hume Street Park.

We believe the revised concept proposal has gone a long way to addressing Council's comments and we look forward to continue working with Council on this matter. Following consideration of the revised concept proposal we would appreciate the opportunity to once again meet with you and your team to discuss the merits of our proposal.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a horizontal line and a small dash.

**Tony Polvere**  
Director