

8th November 2016

Attn: Michael Mason

Director of Planning

Lane Cove Council

Lane Cove, NSW

Dear Michael,

Submission on the Development Application for 500 Pacific Highway, St Leonards on behalf of the 69 Christie Street Owners Corporation

This submission is made on behalf of the owners of 69 Christies Street, St Leonards. The AMA building at 69 Christie Street houses the national headquarters of the Australian Medical Association. It also has a wide variety of commercial occupants, many of these are medical specialist consulting rooms, including surgeons who operate at the nearby Royal North Shore Hospital.

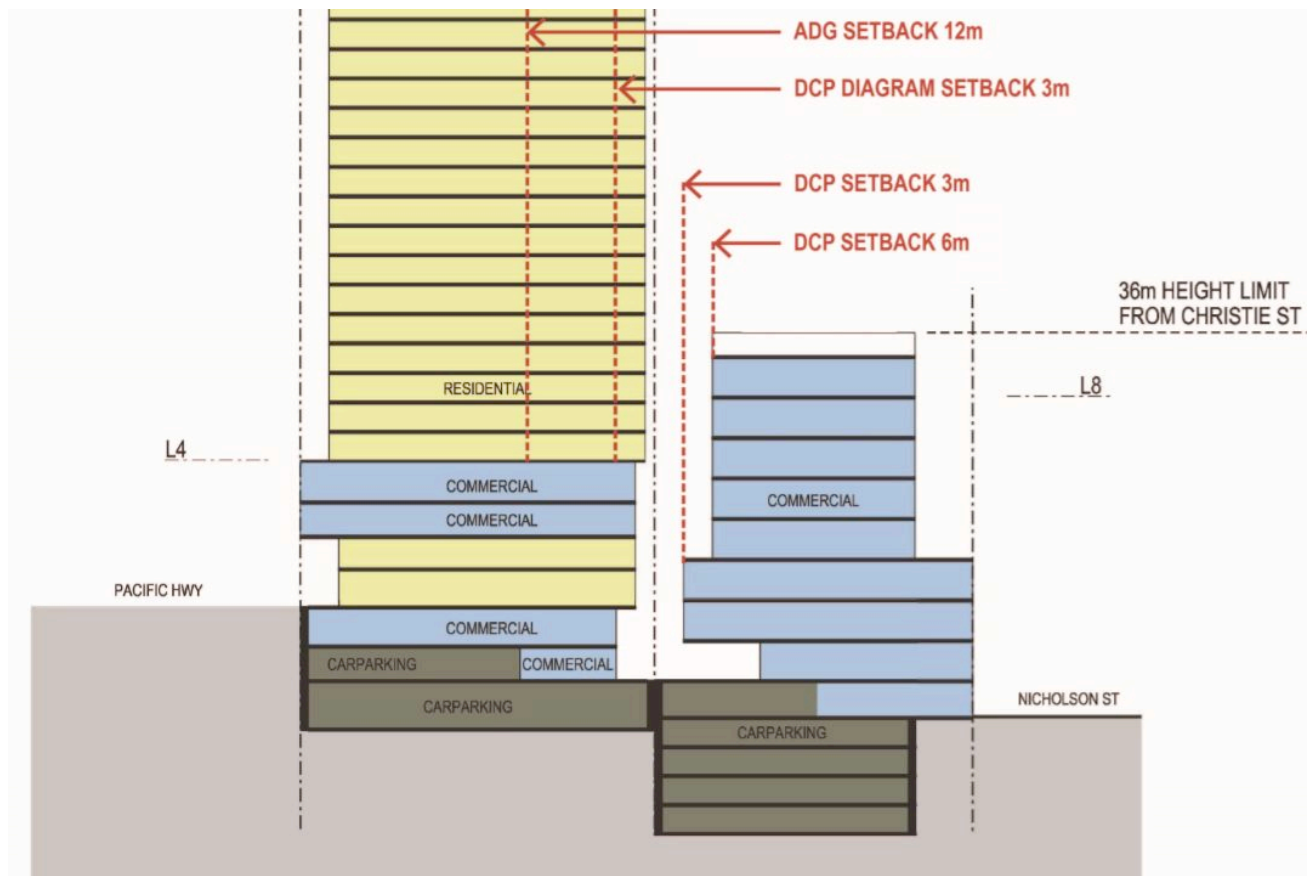
This submission follows on from our previous submission of October 10, 2016 which outlined some of our concerns regarding the proposal for 500 Pacific Highway and its non-compliance with SEPP 65. It is prepared in response to the letter dated 14th October, 2016 prepared by Urbis which we received on 3rd November.

We note also that the occupants and patients of the medical practitioners in AMA building use Friedlander Place as an important vehicle access point to bring urgent medical deliveries and it is used as a drop off area for mobility impaired patients visiting the building. Many specialist medical practitioners who are based in this building do post-operative patient consultation in their rooms here. It is not clear how this important function will be protected and preserved in the development proposal. This area also serves for rubbish removal for the AMA Building the area being suitable for garbage trucks to access on occasion. This matter has been raised previously with Council; however we are not aware of a satisfactory resolution.

We note that the level of detailed consideration contained in the preparation of the DCP appears only to have been site specific to the extent that it considered the redevelopment of 472-504 Pacific Highway. It does not appear to have considered the redevelopment of other sites in the precinct in any detail. Therefore the urban design investigation which the 69 Christie Street Owners Corporation has commissioned and contained in our previous and in this submission represents more complete analysis.

We confirm that we believe that the Apartment Design Guide takes precedence over the Development Control Plan as confirmed in Planning Circular PS 15-002, so the setbacks for the residential uses must be as they are set out in the ADG, which is 12 metres setback where the building rises above 25 metres in height.

The diagram below presents a cross section of complying redevelopment on 69 Christie Street, showing the relationship to the proposed development on the Pacific Highway. The stipulated setbacks for 69 Christies Street are 3 metres at the lower levels and 6 metres for the upper levels. This demonstrates that the proposal has inadequate setbacks. Commercial floor setbacks should be appropriate the future redevelopment 69 Christie Street and residential floor setbacks should be as set out in the Apartment Design Guide.



This diagram shows the inadequate setback on 500 Pacific Highway relative to a complying development on 69 Christie Street.

Development Control Plan

The sections that follow detail design elements in the proposal for 500 Pacific Highway that conflict with the Lane Cove Development Control Plan and which also adversely impact 69 Christie Street. The Development Control Plan contains a range of measures that appear to be intended to protect the quality of the public domain and to enhance it. The measures that relate to Nicholson Street and Freidlander Place are particularly significant for 69 Christies Street as they establish the context for the site. This relates to the existing building on the site and also to its potential redevelopment.

Line of the Freidlander Place Terrace

In the DCP diagram below, Freidlander Place is clearly illustrated with a stepped line to indicate the edge of the structure at the upper level terrace being set back from Nicholson Street and from the 69 Christie Street. This configuration has important implications for the quality of the environment along Nicholson Street and on the 69 Christie Street as it provides daylight and gives cues to the role of the space as a public access way. The proposal does not set back as indicated in the DCP, it shows a ten metre high structure containing car park, ramps and exhaust air fans. This structure covers the whole area and meets Nicholson Street (see also diagram on following page).

Vehicular Driveway from Nicholson Street

The narrow vehicular entry from Nicholson Street shown in the DCP diagram, this occupies 1/3 of the width of Freidlander Place and provides vehicular access under the structure. This design is important because it preserves a predominance of pedestrian priority in the area and creates the opportunity for high quality planting and landscape elements. The proposal occupies the whole width of Freidlander Place with vehicular ramps and structure supporting the car park above. It does not create a good pedestrian environment.

Tower Footprint & Setbacks

As set out in the Apartment Design Guide and as confirmed in Planning Circular PS 15-002, the ADG takes precedence over the DCP, so the setbacks for the residential uses must be as they are set out in the ADG (9 metres setback below 12- 25 metres in height and 12 metres setback where the building rises above 25 metres in height). Even if the SEPP hypothetically did not exist, the proposal impinges beyond the line shown in the DCP. The building footprint implied by the diagram only touches the common boundary at one point. For the parts of the common boundary where it faces the existing AMA building on 69 Christie Street, the diagram indicates a setback of three metres. The proposal does not apply the setback shown in the DCP diagram.

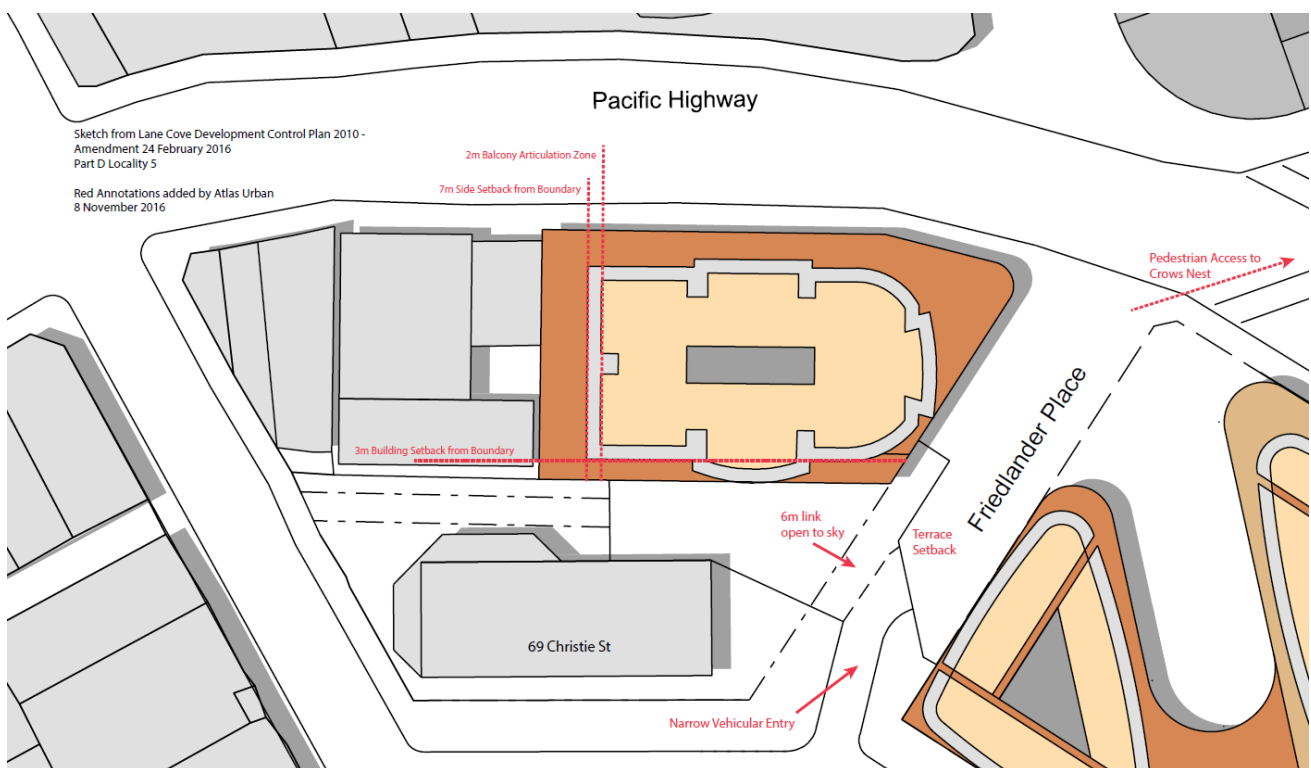
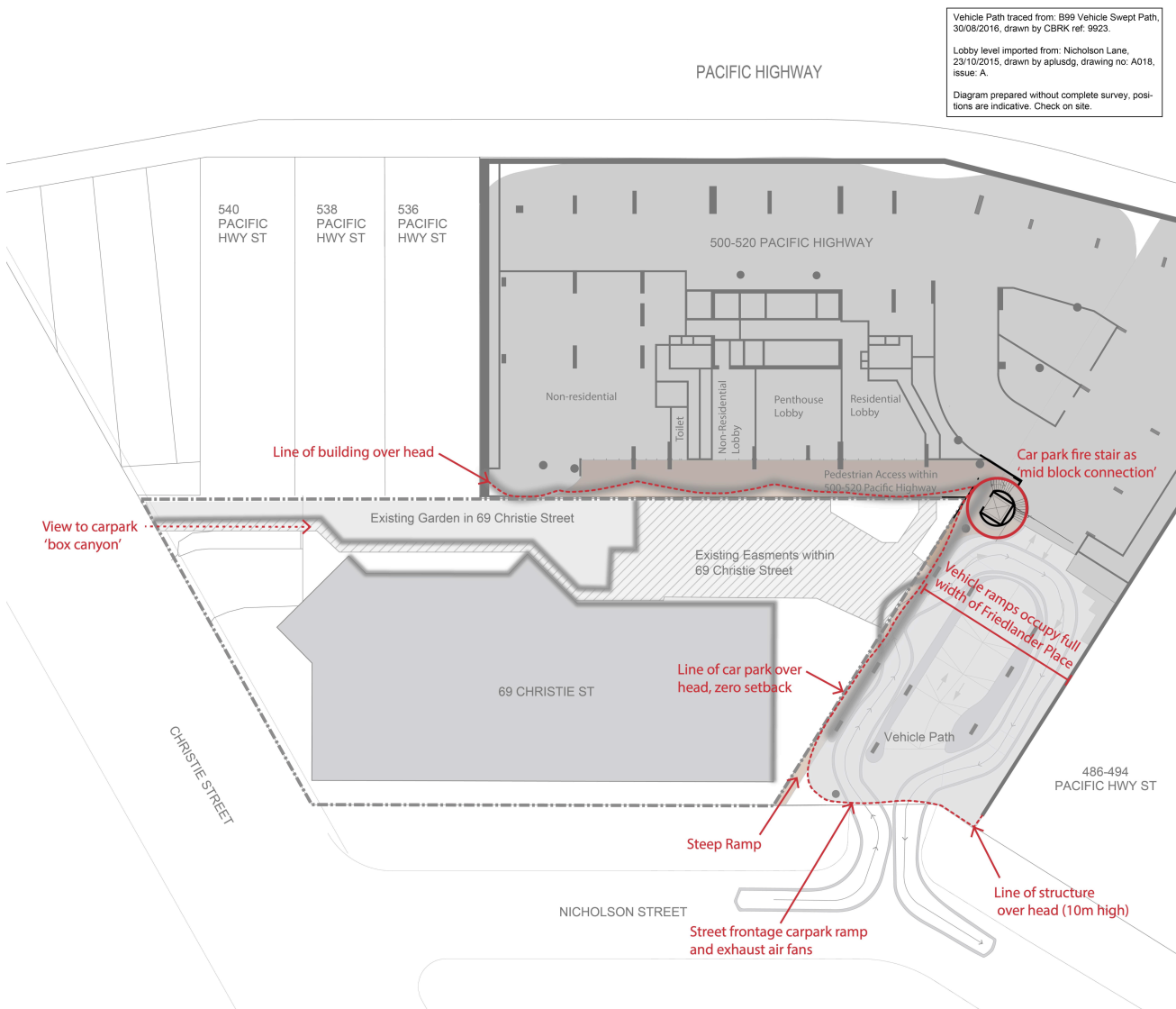


Diagram from Lane Cove DCP. Notes by Atlas Urban are shown in red.

Car Park occupies Friedlander Place

The DCP under Part D, Block 3: Friedlander Precinct sets out objectives: (6) *To provide activation to Nicholson Street.* However the frontage to Nicholson Street is entirely occupied with car park ramps. The upper level of this frontage is occupied with car park exhaust air fans. There is no activation of Nicholson Street.

Under DCP Control (10) Carparking, it notes that carparking is to be: *underground or sleeved by other uses.* However car parking occupies a structure which rises 10 metres above Nicholson Street. The frontage to 69 Christies Street along Friedlander Place is a multi-storey car park with zero setback. This presents a very poor frontage for the existing AMA building. Furthermore, the view along the pedestrian access from Christie Street which lies to the north of the AMA building terminates with a view to this multi storey car park structure, its character appears like a box canyon, it is not an attractive sight line.



This diagram shows an overlay of the proposal in the context of 69 Christie Street. It demonstrates the impacts on 69 Christie Street and the public domain and mid block connection planned in the DCP

Mid-Block Connection

The DCP under Part D, Block 3: Freidlander Precinct, sets out objectives: (3) *To enhance the public domain regarding view lines, pedestrian links and streetscape* and (6) *To provide activation to Nicholson Street*. In the DCP table under point (11) *Mid Block Connection*, provision is made for the connection to be within Freidlander Place and to have *Min. Width 6m*. The link is not 6 metres wide. It is circuitous and steep. It appears to be less than 2 metres wide.

Further notes in the DCP provide for the Mid Block Connection:

DCP Notes	Comments
<i>To be a direct Pedestrian connection only</i>	The connection is not direct. It is via a lift car or a fully enclosed fire stair inside the car park. Then along a steep narrow path (1:8 gradient) beside a vehicle ramp.
<i>Arcade link to Pacific Highway & Nicholson Street</i>	There is no arcade link
<i>To be lined with active retail uses and open 24 hour / 7 day week</i>	Only the upper level of the link appears to have retail. The circuitous nature of the vertical link and the blind/ enclosed nature of the stair link makes it a dubious environment to enter after hours
<i>To be Located within the area currently occupied by Friedlander Place</i>	Friedlander Place is a historic urban connection which aligns with Albany Street. It is the appropriate location for a high-quality public mid-block connection. The proposal fails to provide this.

In summary, the proposal appears to take advantage of all the extraordinary elements of the DCP that produce a private benefit to the proponent but ignore the set of elements that give a public benefit or that mitigate impacts on neighbouring sites.

We would be happy to provide additional information in relation to this matter if this assists with your assessment.

Yours Sincerely,



Paul Walter
Director

CC Kerry Evripidou, Chair, 69 Christie Street Owners Corporation
Stella McWiggan, Strata Manager