

[REDACTED]

2 September 2010

Ms Amy Watson
Contact Officer
Major Projects Assessment
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2000

By fax: (02) 9228 6455
And via email: plan_comment@planning.nsw.gov.au

Dear Ms Watson

**OBJECTION TO ENVIRONMENTAL ASSESSMENT FOR CONCEPT PLAN
FOR A COMMERCIAL AND RETAIL DEVELOPMENT AT 88 CHRISTIE
STREET, ST LEONARDS (MPO9_0210)**

I am writing on behalf of [REDACTED] who
are the registered proprietors of the commercial property located at [REDACTED]
[REDACTED]

The purpose of this letter is to object to the project outlined in the Winten Property Group
("Winten") Concept Plan on the following basis:

1. Amalgamation

Numbered paragraph 5.3 on page 31 of the *Gpvironmental Assessment Report
Concept Plan* submitted on behalf of Winten states that:

*"Winton also attempted to purchase the lots fronting the Pacific Highway
to the north of the Concept Plan site. Despite **making numerous offers
above their potential development value**, they were only able to purchase
2 of the 8 lots. It should also be noted that all the tenancies are currently
leased with extended options on those leases"* [my emphasis in **bold** and
underlined]

As the owners of one of the lots fronting the Pacific Highway, and having spoken to
many of the property owners of those lots, the above statement is unsatisfactory and,
frankly, incorrect.

For example, with respect to our particular property, Winten made only one (1) offer
which was well below the property's current market value and potential
development value.

[REDACTED]

It is my understanding that most property owners of the adjoining lots fronting the Pacific Highway have had a similar, unsatisfactory experience with Winton's so-called "offers" and would dispute the above-mentioned statement by Winton.

In our view, the fact that Winton were only able to purchase 2 out of the 8 lots suggests that Winton's so-called "offers" were "Clayton's" offers and in fact well below the potential development value of the property. Most property owners we have spoken to have indicated that they would consider selling their respective properties *provided* they received from Winton a fair, genuine offer which was at least equal to the potential development value of their respective properties.

2. The Project is Out of Character and would have a Detrimental Impact on the Area

Winton's proposal for a 16-storey commercial office building which is *set back* from or located *directly behind* the properties fronting Pacific Highway is totally out of character with the rest of the commercial buildings in the area of this size. Nearly all developments of equivalent or similar size (including The Forum which was built by Winton) front directly onto Pacific Highway which creates a coherent built form and unified identity.

However, this most recent proposal by Winton would have a detrimental impact on the values of individual commercial properties and businesses in the area. The proposed 16-storey building would visually 'tower over' the lots fronting the Pacific Highway which in any people view as an area which is the "gateway" into St Leonards heading north along the Pacific Highway. This would sterilize the area surrounding Winton's proposed project and create a distinctive, uncharacteristic break from the current architectural design and identity of the buildings on Pacific Highway. In short, it would effectively eliminate and have a detrimental impact on a large area of prime commercial property, particularly the properties fronting onto Pacific Highway which – if the Winton project is approved – are unlikely to attract commercial development.

We support the St Leonards Strategy and believe that an amalgamation of the entire area – namely the site owned by Winton, combined with the lots owned by property owners fronting onto Pacific Highway – would be an optimal solution for the area as a whole.

3. Pedestrian and Vehicular Congestion in Christie Lane

Many of the local businesses which operate from the commercial properties which front onto Pacific Highway and back on to Christie Lane rely on deliveries to their businesses via Christie Lane. Winton's proposal would cause significant congestion and disruption to pedestrian and vehicular access to Christie Lane and hamper access to the rear of the commercial properties. It would lead to congestion and chaos in Christie Lane for any deliveries being made to the local businesses in this area.

4. Under-utilisation of Space

Generally, Winten's proposal is discriminatory towards individual, 'smaller' property owners and is unfairly in favour of 'the big end of town' or large property developers. It's primary aim would be to increase the profits of Winten and would be a gross under-utilisation of not only the space on which Winten propose to develop the site, but also of the properties which front Pacific Highway and which, if amalgamated with Winten's development, would create an important 'first impression' when entering St Leonards. In our view, a development of this size which is located directly behind an important 'gateway' into St Leonards must be considered in the context of what is in the best interests of the commercial and residential district as a whole, and not just those of Winten Property Group.

I strongly urge the Department of Planning and Director General to reject the project proposed by Winten.

Please note that I do not want my name to be made available to the Proponent, other interested public authorities, or on the Department's website.

Yours faithfully

[Redacted Signature]



2 September 2010

The Minister
NSW Department of Planning
C/-Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
SYDNEY NSW 2001

Dear Minister

**RE: Application MP09_0210 Commercial Development
St Leonards Commerce Centre, 88 Christie Street, St Leonards**

I am one of the privileged owners of a prime apartment in the Forum Tower with views of Sydney harbour and the city. This privilege which has been at considerable cost is sadly now at risk with the proposed Concept Plan.

I hereby wish to lodge an **objection** to the **height** and **scope** of the proposed development for the following reasons.

1. Loss of View and Effect on Property Values

The showpiece of the south-facing apartments is the uninterrupted panoramic views with the focal point the iconic Sydney Harbour Bridge. The proposed **height** of the commercial centre of 16 storeys (69.25 metres), which by admission is in excess of Lane Cove Council building requirements, will obstruct the bridge and city views to almost half of the prime apartments.

Needless to say property values of these apartments will be unfairly reduced and by extension the value of other properties in the building duly compromised.

Furthermore, the **scope** of the development impinges on the character of the south end of Christie Street with the existing commercial and residential properties and

will significantly impose on the outlook and privacy of apartments in the Forum complex.

2. Oversupply of Commercial/Retail Floor Space

It is incomprehensible for a commercial development of this magnitude to be considered 'beneficial' for the St Leonards precinct in light of the apparent oversupply of office and retail space in the area with so many vacancy signs on display, a number of which are on premier buildings. And I quote

““The Crows Nest/St Leonards market vacancy rate rose from 15.2 per cent to 15.4 per cent, despite an increase in net demand of 925 square metres,” Mr Byres said, “Chatswood fell back further, however, with the vacancy rate rising from 17.8 per cent to 19.2 per cent, with demand of minus 3868 square metres.

Independent advisory and valuers LandMark White said the figures showed that north shore markets continue to struggle, despite positive absorption (leasing) in both North Sydney and Crows Nest/St Leonards.

The firm said high supply completions had resulted in vacancy levels continuing to increase.

“North Sydney has grown for the third consecutive period from the low of 8.2 per cent in January 2009 to its current rate of 11.8 per cent, while Crows Nest/St Leonards is at a six-year high of 15.4 per cent,” the company's researchers said.””

Source: Sydney Morning Herald – 7 August 2010

3. Unidentified Road in Network


The Traffic Impact Study does not take into account the significant issue of congestion on Chandos Street which provides access to the northern end of Christie Street and will act as a thoroughfare to the proposed development on the southern end. The current traffic chaos particularly during peak hours is intolerable and any increase in the volume of cars can only compound the problem.

Finally, I wish to comment on the lack of conscience, integrity and corporate citizenship on the part of Winten Property Group that developed and sold the Forum apartments at top dollar on the merits of the outstanding views a decade ago and which it now perpetrates to obstruct with this commercial development.

Please note, I do not wish to have my name made available to the Proponent, authorities, or on the Department's website.

Yours faithfully





The Minister
NSW Department of Planning
C/-Development Assessment & Systems Performance
Metropolitan Projects
22-23 Bridge Street
Sydney NSW 2001

Wednesday 3rd August 2010

RE: Development Application: MP09_0210

Dear Ms Watson,

As the owner of the property above, I would like to propose an objection for Winten Property Group's development application (MP09_0210) for 88 Christie Street, St Leonards. There are several reasons that I would like to point out for my objection.

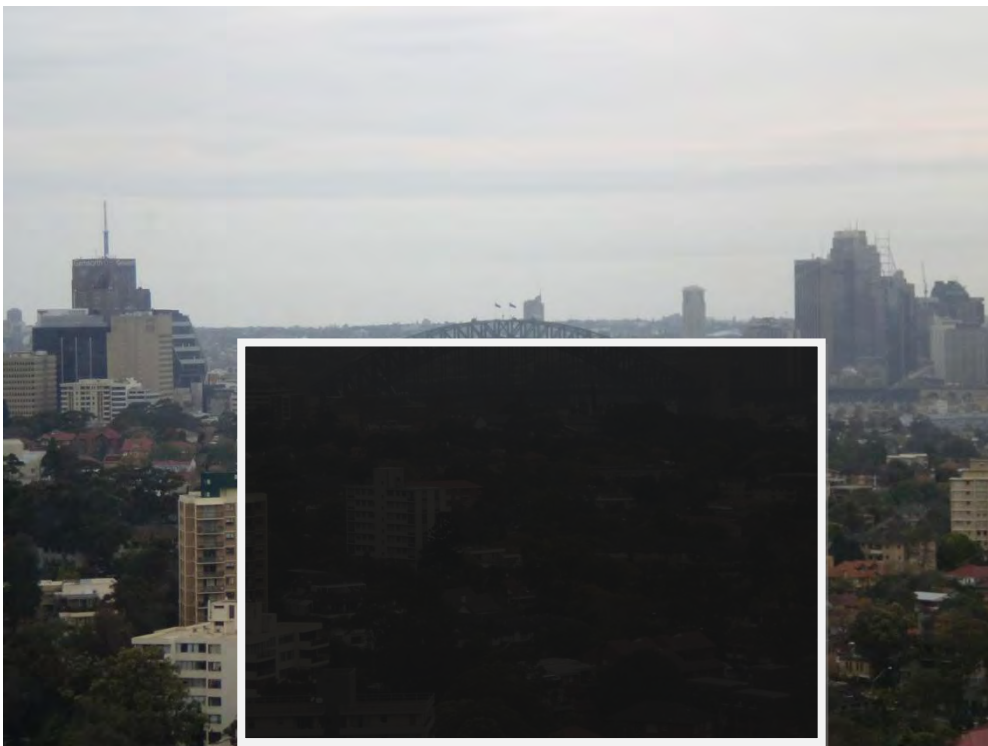
Since my unit has a view facing to the South, the height and scale of the development will significantly block the view of our City Skyline and almost all of the Sydney Harbour Bridge. My premier outlook is unique because it can observe Harbour Bridge. An obstruction of such key structure will significantly downgrade the quality and value of our outlook. I believe the proposed building will not only affect my view, but also residents from above and below my units as well as those next to my units. I found some of the proposal's written materials are very misleading. For example under section 5.6.3, the proposal plan states "the proposed tower envelope will have a minor impact on the views experienced from some units within the residential towers." However, I believe this statement is certainly not true. To start off with, only 38 units of the Forum Tower possess the Southern/Harbour panoramic view. Using this number, the proposed building will obstruct more than 50% of the units that has such prestigious outlook, rather than the 4% stated in the Concept Plan. In addition, the proposal also states – "the analysis demonstrates that the level of affectation will be minor..." However, the level of affectation from the building will not surely be minor. As explained before, obstructing the Harbour Bridge from our panoramic view is a significant downgrade to the view's quality.

The following photos illustrate the view shot from our units and how the proposed building will impact on our view.

Before



After (calculate approximately) – the shaded area will be the expected obstruction of the proposed building on our view.



Furthermore, the proposal plan will impact on the traffic flow in St Leonards and Lane Cove area. Large amounts of occupants/tenants use motor vehicles as their means to travel between their office and home. This is due to the fact that many people who work nearby actually live in areas that do not have railway links such as Manly and Mosman. While it is true that railway station is very near the proposed area and most people would think nearby occupants/tenants would use it as the main means of transport, this expectation of behaviour is actually not true. With the considerable amounts of people using motor vehicles to travel in and out, it is highly likely that the existing capacity will not cope with the demands from the freeway via Chandos Street and Chandos Street in order to gain access to the proposed development. Surely, no tenants/occupants would want heavy traffics jam during busy hours every day.

The Concept Plan also mentioned the building will bring substantial economic and commercial benefit to the area. However, I do not believe the result of this project will be as effective as it stated. It should be noted that vacancy rates for offices around the St Leonards area are very high and further new offices will only raise the rates even higher instead of able to provide additional employment. Therefore, this area does not require additional offices, and hence, building such a big project will only be a waste of capital.

It should be reminded that despite Concept Plans are not obliged to follow LEP 2009, the proposal's building is in excess of Lane Cove Council's building requirement. Under clause 4.3 of LEP 2009, the maximum height of for the site is set at 65m. However, the proposed building will exceed such limit by nearly 5m.

By all those reasons, I object Winten's development application MP09_0210. I do not believe the proposed development plan will benefit interest from the community. However, I can still accept a similar building but with lower height and smaller scale.

NOTES: I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979 and request for my confidential details remain to be hidden when posting my submission on the Department's website.

Bruce Davey
Unit 2108
1 Sergeants Lane
St Leonards
NSW 2065

The Planning Minister.

Development Application MP09 0210
88 Christie st St Leonard's

I would like to object to this development application on the following Grounds.

- 1- This building will obscure my view .This is not any view this is the iconic view of Sydney harbour bridge that internationally defines Sydney.

The Southern units of the forum were built and designed with this view as a feature, floor to ceiling windows right across the South of the Unit .

Winten built the Forum Premium South units to feature the WOW factor of the Bridge .City and Harbour. Prices reflected the view.

NOW THIS SAME COMPANY PLANS TO REMOVE THE VIEW THEY DESIGNED AND BUILT MY UNIT TO FEATURE.

NSW Government is promoting residential development around the rail line from Nth Sydney to Hornsby.

Left to the developers this would end up being a rats nest of overcrowded accommodation.

To promote a corridor of lifestyle living for a wide cross section of people from students to retirees the Government as our representatives is our only entity that has its hands on the levers to make this happen. As individuals we cannot match the resources of the big developers with there smooth presentations and spin upon spin and expert distortions.

I need the Government to ensure that this corridor is a life style choice for the long time residents. The developers only see a multimillion dollar money making opportunity.

They move on once the have pocketed their dollars.

I am here for the long haul .A voting Citizen of NSW.

An integral component of lifestyle is view, the out look. Wether it be the iconic view of Sydney Harbour or a tree or bushland setting. This needs to be preserved.

Much is made of affordable accommodation. At Forum units are expensive however not as expensive as North Sydney . At Forum we have iconic views 5 stations from the city at half the price of north Sydney. This is unique .I am able to have something I could not afford at North Sydney. There is nothing else comparable.

My view from my unit is my lifestyle .This is the only reason I have chosen to live here. For The investors of the proposed development its all about the money.

2- Congestion.

Constantly I hear of city congestion and the need for congestion tax etc.

This proposal is a huge step to replicating this same congestion at st Leonards.

I don not need experts and researchers to tell me about congestion at st Leonard's.

I live here plus my business service businesses in Christie and Nicholson st. We are their with our service trucks 3 times a week. Our vehicles wait up to 20 mins for a park outside the very building in question.

The Chandos st Christie st Roundabout is constantly grid locked. The law(not queuing through intersections) has to be broken for traffic to clear.

The car parking in and around this area clearly indicates many people commute by car.

Plus customers . sales reps. Couriers and service people all need street parking.

Not one building in the city accommodates service and delivery that requires more than 3/4 an hour. My trucks need 2-3 hours .they are competing for inadequate street parking. This buildings tenants will have medical and professional customers all needing street parking.

Nicholson st and Lithgow streets are narrow and already congested. This building is Sydney CBD congestion being replicated.

3- Noise rooftop air-conditioning is intrusive and lifestyle disruptive as it is . WE do not need any more.

4- Planning Regulation Being overridden.

I cannot speed or over park for commercial consideration.

I find it hideous that this development proposal is deliberately proposing to breach the Lane Cove LEP on the basis of financial need to make the proposal viable.

Their need for financial return takes my financial return away.

This is referred to in the proposal as minimal impact. Well that minimal impact is 100% for me.

They can build and make money in all sorts of places. Once my view is gone I have lost.

Why This Tower.

Rhodes , Homebush, Olympic Park all have modern new office complexes that attract the big Corporate such as AAP. Alcatel, NAB Westpac etc as well as a huge range of smaller tenants. ALL IN MID RISE BUILDINGS.

This Development is too large for the site.

Congestion and visual impact all call for a midrise building.

I would ask as voting citizen of NSW that you consider my objection.

With very best regards

Bruce Davey

2308/1 The Forum
Sergeants Lane
St Leonards NSW 2065

02 September 2010

The Minister
NSW Department of Planning
c/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge St
Sydney NSW 2001

Dear Minister

Letter of Objection

Re: **Development Application MP09_0210**
Winton property Group
St Leonards Commercial Centre/ 88 Christie St, St Leonards.

I wish to lodge an objection to the above proposed development and request that the application in its current form be denied on the following grounds.

In summary

1. Significant loss of Views
2. Financial loss to adjoining Residential and Commercial properties
3. Height – non compliance to Clause 4.3 LEP 2009
4. Overshadowing
5. Non compliance to DCP Block Plan
6. Noise Pollution to residential and Commercial Properties
7. Loss of Residential Amenity
8. Loss of Privacy
9. Continuing to qualify as a Major Project to Part 3A of the EP&A Act;

1. Significant loss of views

The attached photo shows the primary view from my apartment on the 23rd floor Forum East. The jewel is the vista showing the iconic Harbour Bridge, the CBD grandeur and Darling Harbour.

As a reference, I have also attached a photo of the imposing 13 story IBM Tower to the SE.

The proposed development is eminently closer, 16 stories high, with an added ARF and larger in mass than the IBM building. Due to this closeness and enormity of the development, the resulting projected **block out** on the horizon vista is devastating, affecting a large number of residents as well as adjoining Commercial properties..

My view from the Harbor Bridge, CBD and Darling Harbour will be lost.

This observation and impact analysis is conspicuous by its absence in the Development Proposal.

This **Block-out** affects over 60% of the residents, who have this view, from Forum East and 90% from Forum West.

We as citizens of Australia have a fundamental legal right to enjoy the benefits of the assets we have purchased.

The proposed development steals this view and abuses our fundamental rights.

Note that the first photo demonstrates how the existing Commercial properties.....which are limited to under 10 stories.... blend into the surrounding residential landscape.

2. Financial Loss

This has not been addressed by the developer.

Real estate Agents have estimated that the lost vista will **erode** Forum East property values by up to **20%**.

For those apartments directly affected this equates to a loss of up to \$300,000 per apartment.

This **wipes out** a significant chunk of **Retiree's** and **Investor's** capital.

This loss will not be isolated to those who have paid a premium for their view. It is accepted that there will be a flow on affect to all unit owners in both Forum East and West. This is not a small number of affected residents.

In addition owners who are investors will have their **rents slashed** to the lower valuation yields. It will increase loan to value ratios and reduce the amount of equity that owners can access through loans.

The maths is simple.....The combined **loss of value** is in excess of **\$20,000,000**.

The development value is only \$117m.

How is this in "The Public's Interest" to spend \$117m to destroy \$20m?

The resolve of those affected is clear....we will do what is necessary to protect our legal rights.

I note in Michael Woodlands letter dated 31st March 2010, that he expresses concern regarding the potential of the 3 properties south of the site to realize viable envelopes/ floorplates consistent with the height and FSR controls under Lane Cove LEP 2009. It is encouraging that the delegate for the Director General is cognizant of the potential financial loss of other land users and owners. I cannot see where the Environmental Assessment Report addresses this concern.

I would like to request that the Director General expand his concern and include the financial interests and rights of residents affected by the view block-out.

3. Height

By their admittance, they fail to comply with clause 4.3 LEP 2009.

Agreement to non compliance cannot be tolerated as it sets a dangerous precedence for others to abuse.

4. Overshadowing

They admit that the height of their development will create overshadowing in excess of acceptable limits.

Note that the ARF adds to the height abuse and overshadowing.

5. Non Compliance to DCP Block Plan

The proposed development should be declined as it does not comply with Street Frontage Height, Tower Footprint, Street and Tower set-backs.

I have already commented on the comparison in size with the IBM Tower. This development is higher, larger and pushes all the mandated construction boundaries. This development is not

consistent with the existing residential/commercial low rise property blend, south of the Pacific H'way. It can only result in a significant impact on the streetscape.

6. Noise Pollution

The developer admits...5.6.4....that the mechanical plant **WILL** impact on nearby residents and Commercial Properties.

The Forum is a nearby residential property where all residents will be affected. This is not a small number of affected residents!

7. Loss of residential amenity

The developer claims that the impact on residential amenity is minimal.

The 1st photo shows how the existing Commercial buildings under 10 stories south of Pacific H'way, blends into the residential landscape.

By contrast, the enormity of the proposed development is overbearing, creates overshadowing and can only deteriorate the Residential Amenity for nearby land users which includes residents of the Forum and adjoining residential houses to the SW.

8. Loss of privacy.

The close position of the proposed development to the southern elevation of Forum East will create a clear loss of privacy for the Forum residents.

Commercial Tenants will have no problem in their ability to peer into each Forum Apartment..... with their extensive wrap around floor to ceiling windows..... on the South Elevations.

9. Continuing to qualify as a Major Project to Part 3A of the EP&A Act;

The basis of the application presented to the Director General to have this project classified as a Major Project, was based on an initial Environmental Assessments from Winton group and JBA Urban Planning, where they have claimed that they can develop the site to 16 levels at a **complying** height of 65m. Subsequently this was estimated to be a development valued at \$117m by WT Partnership and therefore in excess of the classification threshold.

This claim was misleading.

We now find that from the disclosures in their Environmental Assessment Report Concept Plan that they cannot achieve compliance.

They do not satisfy Clause 4.3 LEP 2009, they exceed overshadowing limits and are non compliant with DCP Block Plan.

They state on page 24 that compliance will mean they lose levels 15 and 16 ...a loss of 3,388m which equates to 46% of commercial floor space.

It follows that the cost reduction for a 14 level development will fall well below the \$100m threshold and ceases to be classified as Major Project under Part 3A of the EP&A.

I note that in Michael Woodland's letter of the 31/03/2010 he states that "Under section 75F(3) of the Act, the Director General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project"

Accordingly, in light of their non compliance, I request that the Director General review the Proponents application and funding estimates, to be classified as a Major Project.

In addition I ask that the Director General request a report on the impact of the development to Forum residents, their loss of Views, the financial impact and how they intend to resolve their loss.

The Winton Group claims that it is "unreasonable" to have to comply, as the loss of 2 floors will make it non commercial.

We the residents claim; that it is unreasonable for us to lose our views when we have paid a premium price for the benefit. It is our right to retain this benefit.

It is unreasonable for residents to suffer a financial loss so that a developer can profit from a commercial project.

In conclusion, I again object to the proposed development and request that the application be declined, to be resubmitted having regard to the key points above and resident's rights.

Yours sincerely

Bruce Foye

0418 234 803

bruce@foyes.com.au

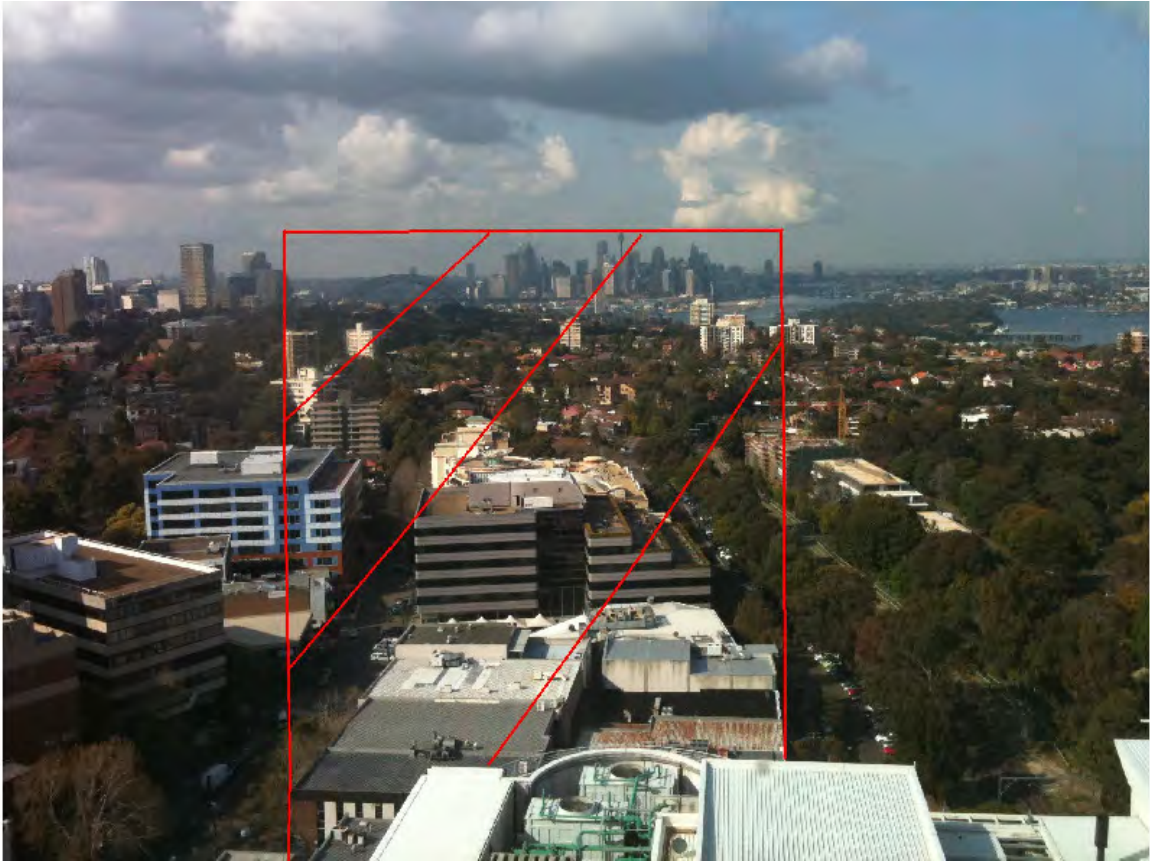
Current View from 2308



View of IBM Tower from same position.



Blocked Out View



Wednesday, 1st September 2010



**The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001**

Dear Minister

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210
Attention Amy Watson**

I am the owner of the above property which has an outlook to the south over the proposed development.

I wish to lodge an objection to this development based on the following:-

- The height and scale of the development will effectively block my outlook to much of the city and almost all of the Sydney Harbour Bridge.**
- This perspective to the city and the bridge is the centre piece of my property and its value. The Sydney Harbour Bridge is a globally recognised icon and the loss of this outlook will significantly reduce the value of my property and others in the Forum Complex.**
- Collectively, this loss of property value represents millions of dollars extracted from individual owners for the benefit of Winten Properties.**
- I believe this development proposal represents unconscionable behaviour by Winten properties as they are effectively trying to sell the same view twice.**
- Winten Properties were the developers of the Forum Complex and extracted premium prices for the “*panoramic views of Sydney Harbour*” – the view they now propose to block and resell.**
- The proposal is already in excess of the Lane Cove Council LEP on several counts.**
- The proposal understates the impact on local traffic as evidenced by the existing traffic congestion around Chandos Street/ Pacific Highway and Christie Street.**

Section 5.6.3 of the Winten Property / JBA Planning - Concept plan (July 2010) grossly understates the loss of views.

This is No *“minor impact on the views experienced from some units in the residential towers”* as stated in the Environmental Assessment Report.

This section grossly understates the impact on views on two counts:

1) Of the 483 units in the Forum Tower, only 38 have the premier southern/harbour views. The vast majority of units in the Forum Tower do not have this outlook. It is appropriate therefore to measure the impact as a percentage of the properties that have the views in the first place. On this basis the proposal directly impacts more than 50% of units and not 4% as stated. It also fails to acknowledge the indirect views enjoyed by units on the eastern side that will also be affected.

2) The section also states:-

“The analysis demonstrates that the level of affection will be “minor”, as the units are a considerable distance from the proposed development and the affected view is “small” in comparison with the panoramic views enjoyed by the buildings”

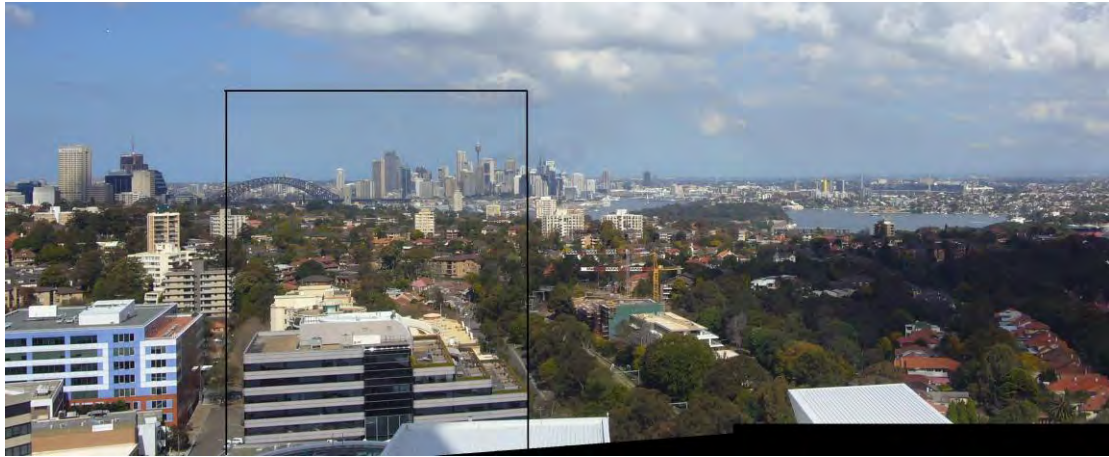
This is a misrepresentation as it fails to acknowledge the quality of the bridge and city outlook that this development will block as per the photo below.

This is like asking someone to view the famous Mona Lisa painting while covering a “small” area of the picture that just happens to be the face.

Yours Sincerely



I do not want my details made available under section 75H of the Environmental Planning and Assessment Act 1979.



This photo indicates the impact of the proposed development on my outlook to the City. The width of the proposal has been referenced to the building frontages on Christie and Lithgow Street. Height is referenced to an estimated level below the IBM building.

Wednesday, 25 August 2010



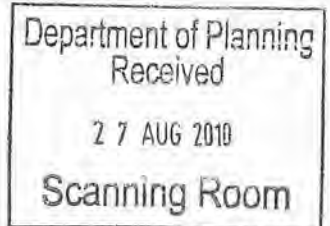
The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001



PCU013946

Dear Minister

**Letter of Objection – St Leonards Commercial Centre
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This perspective to the city and the bridge is the centre piece of my property and its value. The Sydney Harbour Bridge is a globally recognised icon and the loss of this outlook will significantly reduce the value and amenity of not only my property but others in the block. The proposal is already in excess of the Lane Cove Council LEP.

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The section also states:-

"The analysis demonstrates that the level of affection will be minor, as the units are a considerable distance from the proposed development and the affected view is small in comparison with the panoramic views enjoyed by the buildings"

This is a misrepresentation as it fails to acknowledge the quality of the bridge and city outlook that this development will block and is like asking someone to view the Mona Lisa while covering a "small" area of the painting that just happens to be the face.

Regards



Ps. I do not want my name or address made available to the Proponent or on the Department's website under section 75H of the Environmental Planning and Assessment Act 1979.

Monday, 30 August 2010



The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001

Dear Minister

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Development Application: MP09_0210
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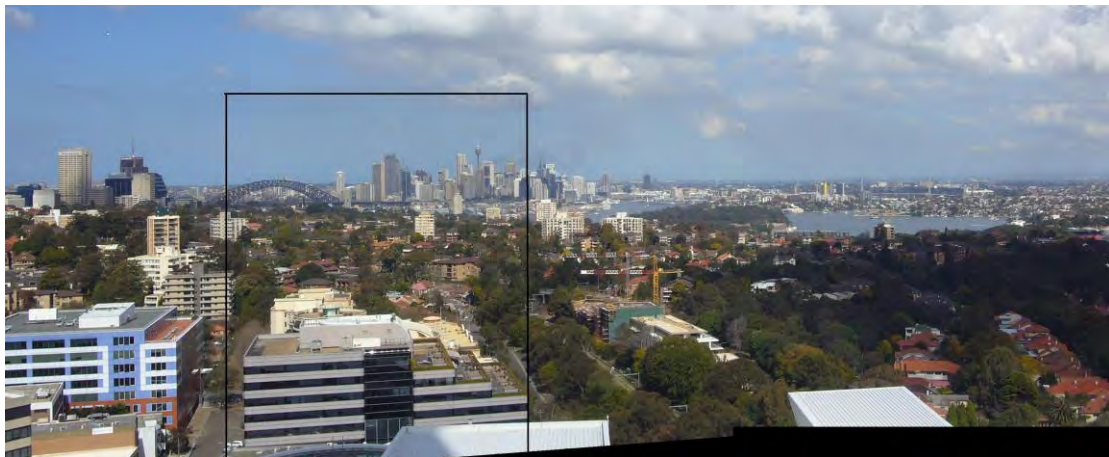
*“The analysis demonstrates that the level of affection will be **minor**, as the units are a considerable distance from the proposed development and the affected view is **small** in comparison with the panoramic views enjoyed by the buildings”*

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This is like asking someone to view the famous **Mona Lisa** painting while covering a “**small**” area of the picture that just happens to be the face.

Yours Sincerely

[REDACTED]



This photo indicates the impact of the proposed development on my outlook to the City. The width of the proposal has been referenced to the building frontages on Christie and Lithgow Street.

Ps. I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979.

[REDACTED]
[REDACTED]
[REDACTED]

2nd September 2010

The Minister
Department of Planning NSW
23-33 Bridge Street
Sydney NSW 2001

Dear Minister,

RE: Letter of Objection – 88 Christie St, St Leonards NSW 2065
Commercial Development MP09_0210

I am the owner of the above property and would like to raise my concerns for the proposed Development Application.

I am a resident in The Forum tower for the last 10 years and working in the same job for the last 17 years on the Northern Beaches. I come home at around 6pm every weeknight by driving west along Chandos St towards St Leonards Station. Traffic is usually suspended at the corner of Mitchell St and it takes me more than 3 minutes to drive through the roundabout at the intersection of Chandos St and Christie St to enter my carpark. According to the Traffic & Accessibility Impact Study prepared for the proposed Developer, my travelling delay should fall into their LOS "F" as unsatisfactory not "C" from the report.

St Leonards Central is situated within the boundary of three local councils (Willoughby, North Sydney and Lane Cove) and has never stopped developing in the last decade. By visiting these council websites, you can always find a handful of DA being lodged for redevelopment. With the increasing number of people using the public transport, St Leonards Station is being use as a pick-up/drop-off point by the local residents and our neighbouring suburbs, with no railway service, like Naremburn, Willoughby, Cammeray and Crows Nest. Their Study Report does not seem to consider any future potential impact to the traffic congestion in the area.

The proposed Developer Concept Plan has underlying the proportion of the view lost affected units in their claim (Pg 52-53). Being the same developer for The Forum and Forum West, Winten Property Group should understand that only the units on the South sides of the two towers can have the privilege of looking into the Harbour Bridge and Sydney city (38 units from The Forum; 18 units from Forum West), unless we could unfold the buildings and line up all these units to face South. That is, the affected units should be calculated as 20/38 units (52.6% not 4%) in The Forum and 14/18 units (77.7% not 5%) in Forum West towers. It is unacceptable as more than half of those units from both towers are being affected. There was a phrase written on The Forum Sales Catalogue as being “panoramic views of Sydney Harbour” handed out by Winten to their customers. Now they are trying to rip us off, ignoring our concerns, just to sell it again to double their profits.

The proposed site is located within the Block 2 of the Lane Cove Council DCP 2010 plan. The proposed Concept Plan (Pg 39) mentioned “The proposal does not comply with the street frontage height, tower footprint, street setbacks or tower setback controls in the DCP. However, .. , compliance with the controls will not produce a commercially viable building envelope ...”. With the additional gain of 6m on each side of the perimeter from the 2 podium levels and 18m setback from Lithgow St from the 16 office tower levels, they have gained, in excess, of over 10,000 m² of floor space. This is equivalent to 33,000m³ of air space lost by the local residents. I believe the basic concept of having setback is to enhance the quality of residential areas by creating open and spacious streetscapes, providing space for tree growth and maintain the consistency of building in the neighbourhood.

As a conclusion, I strongly believe the Winten Concept Plan has a lot of misleading information on both the *Traffic Study Report* and *View Loss* to the residents. Besides, this concept plan will definitely bring down the prices of the properties being affected. Ripping off millions of dollars from both towers to subsidise this new development, I found their action is unethical and unaustralian. A developer should be built with their heart; this is where they put people to live there, but not with greed. It would be disappointing to make our next generation feel that this country is run by Developers not the Government.

Thank you for your time and I hope my voice could be counted in your final decision.

Best regards.

[REDACTED]

PS I do not want my details made available under section 75H of the Environmental Planning and Assessment Act 1979

To Whom It May Concern:

I am writing to express my strong objection to the Development Project (the “Project”) by Winten Property Group (the “Proponent”) in building a 16-storey commercial building at the site of 88 Christie, St Leonards. This project has several detrimental and adverse impacts on the area, and the arguments put forward by the Proponent supporting this Project were flawed and unfounded. I request the Minister to carefully consider the points raised in my submission and make a decision **not** to approve this Project.

The reasons of my objection to this Project are:

- The requirement of additional commercial buildings in the area of St Leonards

It has been well publicised that the office vacancy rate at the Crows Nest/St Leonards area is at the highest in recent history. The article titled “North's vacancies inching upward” (<http://www.smh.com.au/business/norths-vacancies-inching-upward-20100806-11oh1.html>, and see appendix) states that the Crows Nest/St Leonards market vacancy rate is at 15.4%, the highest in more than 15 years. Therefore, I do not believe that there is a need for another commercial building in this area.

- Height exceeding Lane Cove Council’s LEP

The height limit in Clause 4.3 of LEP 2009 is 65m. However, the height of the proposed building is 69.25m. Even the Proponent claims that this is due to the sloping topography of the site, the Project DOES NOT comply with the requirement. It is unjustified to exceed the requirement set by the LEP simply because of a geographical issue. To me, you either comply or not comply with the requirement and in this case, the Project does not comply with the requirement set by the Council.

- Financial impact on owners of the property in Forum Tower and Forum West

The panoramic view enjoyed by many owners of the building is also an important and valuable asset to them. The proposed building will severely block the view of the City skyline and the famous icon, the Sydney Harbour Bridge, from many of the units. According to section 5.6.3 of the Environmental Assessment Report, “20 of the units in Forum Tower and 14 of the units in the Forum West will lose the view as a result of this proposed commercial building” (this statement is flawed in itself, please refer to my next argument). On average, the market value of each of the claimed affected unit is around \$1.5 million, the loss of the Harbour Bridge view will adversely reduce the value of the units by at least 30%. This in total results in a loss of over \$15 million for owners of the building. In addition, the drop in market value will affect other units in the building as well, not only the ones facing south with the Harbour Bridge view. Therefore, conservatively the estimated financial loss is close to \$20 million, equivalent to approximately 20% of the cost of this Project, and this amount is substantial to the unit owners.

- Percentage of units affected is higher than stated in the report

According to section 5.6.3 of the Environmental Assessment Report, “20 of the units in Forum Tower and 14 of the units in Forum West will lose the view as a result of this proposed commercial building. This equates to 4% of the units in Forum Tower and 5% of the units in Forum West being affected”. This calculation is flawed, misleading and fails to show the full picture. Out of total number of units, the units which have direct views to the Harbour Bridge are those facing south and in total, there are 38 of them. Therefore, the correct representation of the impact should be $20/38 = 52.6\%$. It is incorrect to divide the unit affected by the total number of units because most of the other units never had and will never have the same views enjoyed by those facing south. The percentage of units affected in Forum West is even higher because it has fewer levels than the Forum Tower (ie the denominator is smaller but numerator remains to be 14).

Please note also that this calculation has not included those units facing south east and south west, which also have a view of the Sydney Harbour Bridge.

- Moral Issue

Winten is Forum's developer. It sold the Forum unit emphasising on the views. Ten years later, it is also the same developer who is planning to build a building which will block the view enjoyed by many of the unit owners. Morally this is not correct and I am disgusted by the action taken by the developer.

- Misleading claims as to employment creation

This development does not create jobs. It simply shifts workers from one local area to another. This is only if the office space can be rented out to corporates, which is doubtful given the vacancy rates experienced in the past years.

- Environmental Issues

The noise created by this construction will affect residents around the area, including the residents to the south of St Leonards and residents in all apartments within the area. Upon the completion of the building, the direction of the air flow from air ventilations at rooftop will have undesirable impact on apartment residents. This is unacceptable environmentally, and will have adverse health effect on residents in the area.

In conclusion, economically the area does not require additional commercial floor space and this Project does not create new jobs for the area. Financially, this Project has a substantial impact on many of the unit owners. Morally, the developer is betraying the unit owners who they originally sold the units to. On top of it, the Proponent is pretending that this Project is beneficial for the area which it clearly is not. On those grounds, I formally request the Minister to reject the application of this Project.

Regards,
Hoi Wa Eric Cheng

[The Sydney Morning Herald](#)

Business

North's vacancies inching upward

Carolyn Cummins COMMERCIAL PROPERTY EDITOR

August 7, 2010

OVERSEAS investors have shown a liking for the North Sydney office market in recent times but the sales activity has been overshadowed by new data revealing vacancy rates in the commercial towers are inching up.

According to the Property Council of Australia's *Office Market Report* for the six months ending July, the office vacancy rate in North Sydney increased marginally from 11.7 per cent to 11.8 per cent.

The NSW executive director of the PCA, Glenn Byres, said the addition of 28,420 square metres of new office stock was almost matched by an increase in net demand of 24,381 square metres, the most robust growth in a decade.

But when looking at the whole of the north shore including Chatswood and St Leonards, the overall vacancy rate rose from 13.7 per cent to 14.1 per cent, the highest rate in more than 15 years.

"The Crows Nest/St Leonards market vacancy rate rose from 15.2 per cent to 15.4 per cent, despite an increase in net demand of 925 square metres," Mr Byres said. "Chatswood fell back further, however, with the vacancy rate rising from 17.8 per cent to 19.2 per cent, with demand of minus 3868 square metres."

Independent advisory and valuers LandMark White said the figures showed that north shore markets continue to struggle, despite positive absorption (leasing) in both North Sydney and Crows Nest/St Leonards.

The firm said high supply completions had resulted in vacancy levels continuing to increase.


"North Sydney has grown for the third consecutive period from the low of 8.2 per cent in January 2009 to its current rate of 11.8 per cent, while Crows Nest/St Leonards is at a six-year high of 15.4 per cent," the company's researchers said.

"Chatswood continues to raise questions as to its validity as a viable office market; tenants occupying 3868 square metres have relocated out of this location resulting in vacancy of 19.2 per cent, now the highest vacancy seen since January 1993, when vacancy hit 20.3 per cent."

The managing director of CBRE's North Sydney office, Peter Flint, said the sales deals to Asian investors and some new leasing transactions were at odds with vacancy rates.

"Recent activity at the top end of North Sydney's market has seen vacancies shrink in A grade to just the very highest floors in the new towers of the Ark building at 40 Mount Street and the redeveloped 101 Miller Street - and the asking rents [from \$670/net] reflect the owners' desire to pick and choose the right tenants to finish off their lease profile on the best possible rents."

Mr Flint said while Chatswood remained problematic, the new Chatswood-Epping rail link had dramatically added to the demographic appeal of this business district to employers and employees alike.



The Minister
NSW Department of Planning
C/-Development Assessment & Systems Performance
Metropolitan Projects
22-23 Bridge Street
Sydney NSW 2001

Tuesday 2nd August 2010

RE: Development Application: MP09_0210

Dear Ms Watson,

As the owner of the property above, I would like to propose an objection for Winten Property Group's development application (MP09_0210) for 88 Christie Street, St Leonards. There are several reasons that I would like to point out for my objection.

Since my unit has a view facing to the South, the height and scale of the development will significantly obstruct the view of our City Skyline and almost all of the Sydney Harbour Bridge. My premier outlook is unique because it can observe Harbour Bridge. An obstruction of such key structure will significantly downgrade the quality and value of our outlook. I believe the proposed building will not only affect my view, but also residents from above and below my units as well as those next to my units. I found some of the proposal's written materials are very misleading. For example under section 5.6.3, the proposal plan states "the proposed tower envelope will have a minor impact on the views experienced from some units within the residential towers." However, I believe this statement is certainly not true. To start off with, only 38 units of the Forum Tower possess the Southern/Harbour panoramic view. Using this number, the proposed building will obstruct more than 50% of the units that has such prestigious outlook, rather than the 4% stated in the Concept Plan. In addition, the proposal also states – "the analysis demonstrates that the level of affectation will be minor..." However, the level of affectation from the building will not surely be minor. As explained before, obstructing the Harbour Bridge from our panoramic view is a significant downgrade to the view's quality.

The following photos illustrate the view shot from our units and how the proposed building will impact on our view.

Before



After (calculate approximately) – the shaded area will be the expected obstruction of the proposed building on our view.



Furthermore, the proposal plan will impact on the traffic flow in St Leonards and Lane Cove area. Large amounts of occupants/tenants use motor vehicles as their means to travel between their office and home. This is due to the fact that many people who work nearby actually live in areas that do not have railway links such as Manly and Mosman. While it is true that railway station is very near the proposed area and most people would think nearby occupants/tenants would use it as the main means of transport, this expectation of behaviour is actually not true. With the considerable amounts of people using motor vehicles to travel in and out, it is highly likely that the existing capacity will not cope with the demands from the freeway via Chandos Street and Chandos Street in order to gain access to the proposed development. Surely, no tenants/occupants would want heavy traffics jam during busy hours every day.

The Concept Plan also mentioned the building will bring substantial economic and commercial benefit to the area. However, I do not believe the result of this project will be as effective as it stated. It should be noted that vacancy rates for offices around the St Leonards area are very high and further new offices will only raise the rates even higher instead of able to provide additional employment. Therefore, this area does not require additional offices, and hence, building such a big project will only be a waste of capital.

It should be reminded that despite Concept Plans are not obliged to follow LEP 2009, the proposal's building is in excess of Lane Cove Council's building requirement. Under clause 4.3 of LEP 2009, the maximum height of for the site is set at 65m. However, the proposed building will exceed such limit by nearly 5m.

By all those reasons, I object Winten's development application MP09_0210. I do not believe the proposed development plan will benefit interest from the community. However, I can still accept a similar building but with lower height and smaller scale.

PS: I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979 and request for my confidential details remain to be hidden when posting my submission on the Department's website.

Wednesday, 1st September 2010

2201 Forum Tower
1 Sergeants Lane
St Leonards NSW 2065

The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001
Dear Minister

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210**

I am the owner of the above property which has an outlook to the south over the proposed development.

I wish to lodge an objection to this development based on the following:-

- The height and scale of the development will effectively block my outlook to much of the city and almost all of the Sydney Harbour Bridge.
- This perspective to the city and the bridge is the centre piece of my property and its value. The Sydney Harbour Bridge is a globally recognised icon and the loss of this outlook will significantly reduce the value of my property and others in the Forum Complex.



Proposed Winton Development and the impact on the view looking from my property

- Collectively, this loss of property value represents many millions of dollars extracted from individual owners for the benefit of Winten Properties.
- I believe this development proposal represents unconscionable behaviour by Winten properties as they are effectively trying to sell the same view twice.
- Winten Properties were the developers of the Forum Complex and extracted premium prices for the “*panoramic views of Sydney Harbour*” – the view they now propose to block and resell.
- The proposal is already in excess of the Lane Cove Council LEP.
- The proposal understates the impact on local traffic as evidenced by the existing traffic congestion around Chandos Street/ Pacific Highway and Christie Street.

Please take into account the numbers of people that will flood into the area, increasing the rate of criminal offences and traffic in a traditionally residential and schooling area.

I sincerely hope that the development can be scaled back to a more appropriate dimension which will have a positive effect on the community and the environment for our children.

Yours Sincerely,

Lina Chen
on behalf of her parents
Yuxian Chen
Pingying Jiang

2nd September 2010



The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001

Dear Sir/Madam,

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210
Attention Amy Watson**

I am the owner of the above property and I am replying to strongly object to this proposed Concept Plan due to:

- The proposed height of the plan will impact our outlook of the city and Harbour Bridge view. As a result, it will have further impact upon our family's enjoyment of viewing global recognized icon, which was our main reason to purchase this property at a relatively high-price compare to other existing residential buildings within St Leonards.
- In addition, the proposal is already in excess of the Lane Cove Council LEP i.e. height and floor space.
- With propose 330 car parking new spaces (pg. 13 of Environmental Assessment Report), there will be a large increase in the number of vehicles associated with that. As there are already lots of vehicles congestion around Forum Tower on Chandos Street/Pacific Highway and Christie Streets, an additional volume of cars coming in and out would, in my opinion, make the area far more congested for residents entering and exiting Forum Tower car park.
- Misleading statement of "To deliver a significant number of new jobs in the St Leonards Centre" by providing large commercial plates when Australia's Office Market Report highlighted the increase of office vacancy in Crows Nest/St Leonards areas. Note: According to the Property Council of Australia's Office Market Report for the six months ending July 2010, "The Crows Nest/St Leonards (office) market vacancy rate rose from 15.2 per cent to 15.4 per cent" compared to "the overall (whole North Shore) vacancy rate rose from 13.7 per cent to 14.1 per cent, the highest rate in more than 15 years".

[Source: Article from Sydney Morning Herald, North's vacancies inching upward
Carolyn Cummins COMMERCIAL PROPERTY EDITOR August 7, 2010]

I imagine you will receive many similar objections from other residents living nearby and I trust you will forward our submissions to the developer to reassess their application on the basis that they most definitely impacting the local surroundings of proposed site.

For this submission, I do not want my name to be made available to the Proponent, these authorities, or on the Department's website.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Response to the Development Proposal at 88 Christie Street, St Leonards

Privacy Note:

We would appreciate if our name and personal details are NOT released to the Proponent, other interested public authorities, or on the Department's website.

Dear Sir/Madam:

We are writing in response to the Commercial Development Proposal at 88 Christie Street, St Leonards (MP 09_0210) to voice our concerns regarding the following:

1. Obstructed view on Forum complex residents, and of neighbouring residents

Due to the location and height of the proposed development, the impact on nearby residents will be considerable with regards to view loss. South-facing residents of the Forum West residential, Forum Tower residential and Forum commercial tenants will be will have severely restricted city views as shown in the photos at the end of this submission. Currently these views are unrestricted and include the iconic Sydney Harbour Bridge, North Sydney, Sydney CBD and Darling Harbour including night time city lights and Harbour firework displays. Most apartments in the Forum/Forum West complex will lose or have severely impacted views to the Sydney CBD, North Sydney, Harbour Bridge and/or Sydney Harbour.

Residents and tenants of the neighbouring Abode residential (Pacific Hwy/Albany Street) and IBM complexes (Pacific Hwy) with a westerly aspect will also be affected and have a restricted view. Currently their westerly views are unrestricted also. The upper levels of the College of Law (Chandos Street) will also be affected with a restricted southerly view. Please note that a view loss analysis of the Abode, IBM, and College of Law buildings is not presented in the concept plan dated July 2010.

The view loss can be compared to a trip to the local movies with a large screen playing your favourite film which you have paid full price tickets for – the only problem being the large person standing in front of the projector blocking the centre part of the screen. This would not be deemed a “minor affect” even if you could see the rest of the large screen.

This view loss goes beyond having a pleasing skyline, furthermore it will impact on resident’s visual privacy with such a large glass fronted building.

2. Private and public transport to the area, parking and traffic

The development proposal is in close proximity to Pacific Highway, and thus there would be an increased need for parking spaces and an increase in the traffic flow to the area as people are commuting to and from this development. Currently there is very limited on and off-street parking within the St Leonards area, and with the proposed development this will add extra stresses to the situation at present. Currently at the proposed site there is allocation for 110 parking spaces, and with a projected increase of over 2000 people when this development is completed it is not sufficient to accomodate them easily with a maximum of 330 parking spaces (approx 15% of the new work force at this development).

A single car park entry/exit for this building is proposed on Lithgow Street, a one way street which currently runs from River Road to Pacific Highway. In addition to this, Lithgow Street is a narrow road. This development will change the traffic conditions of this road, and adjacent streets but it appears the developer has no intention of upgrading roads. It would not be out of the question to consider an upgrade to this road due to the increased traffic of both cars, service vehicles and trucks. According to page 19 of the Colston Budd Hunt & Kafes indicates on Lithgow Street increases of 90 vehicles from a current 110 vehicles, approx 180% increase. A similar percentage increase in traffic is also projected to occur on Oxley Street.

The report states that the traffic impact as “similar average delays per vehicle”. These traffic delays will affect mostly residential traffic, and parking in surrounding areas. Due to the number of projected new jobs, and available floor space the development will create, it will have an adverse affect on residential traffic and parking in surrounding areas. Those who do not have a parking space will need to find parking in nearby residential areas thus inconveniencing local residents.

Due to the added commercial space which is created from this development, this will increase the number and frequency of delivery trucks and commercial vehicles. This increase must be considered with the addition to the additional traffic and parking spaces required by tenants and persons employed by the commercial entities.

With such a large development and limited parking, there would be significant impact on public transport (buses and trains). No study of the impact on the bus and train system from this new development appears in the report. Responsibility of the travel plans have also been pushed to the potential tenants who may or may not take up this responsibility.

3. Value of properties/financial impact on owners of property in the Forum buildings (tower and west), loss of value and amenity

With the proposed view loss of the adjacent buildings – Forum Tower, Forum West, Abode, IBM, and the College of Law it does not factor in the financial loss of value and amenity to the residents of these buildings. In particular, affected apartments and offices with currently unrestricted city and harbour views will now have a compromised view as a result of this development, and this will result in a significant decrease of realised value to the property. Many residents have purchased their properties paying a premium for the unrestricted views sold to them. The report states 34 residential units in the complex will be affected. A loss of value of say \$200,000 per apartment would cause a \$6.8 million loss in total – this would not be considered a “minor affectation”.

4. Tenancy of commercial floorspace

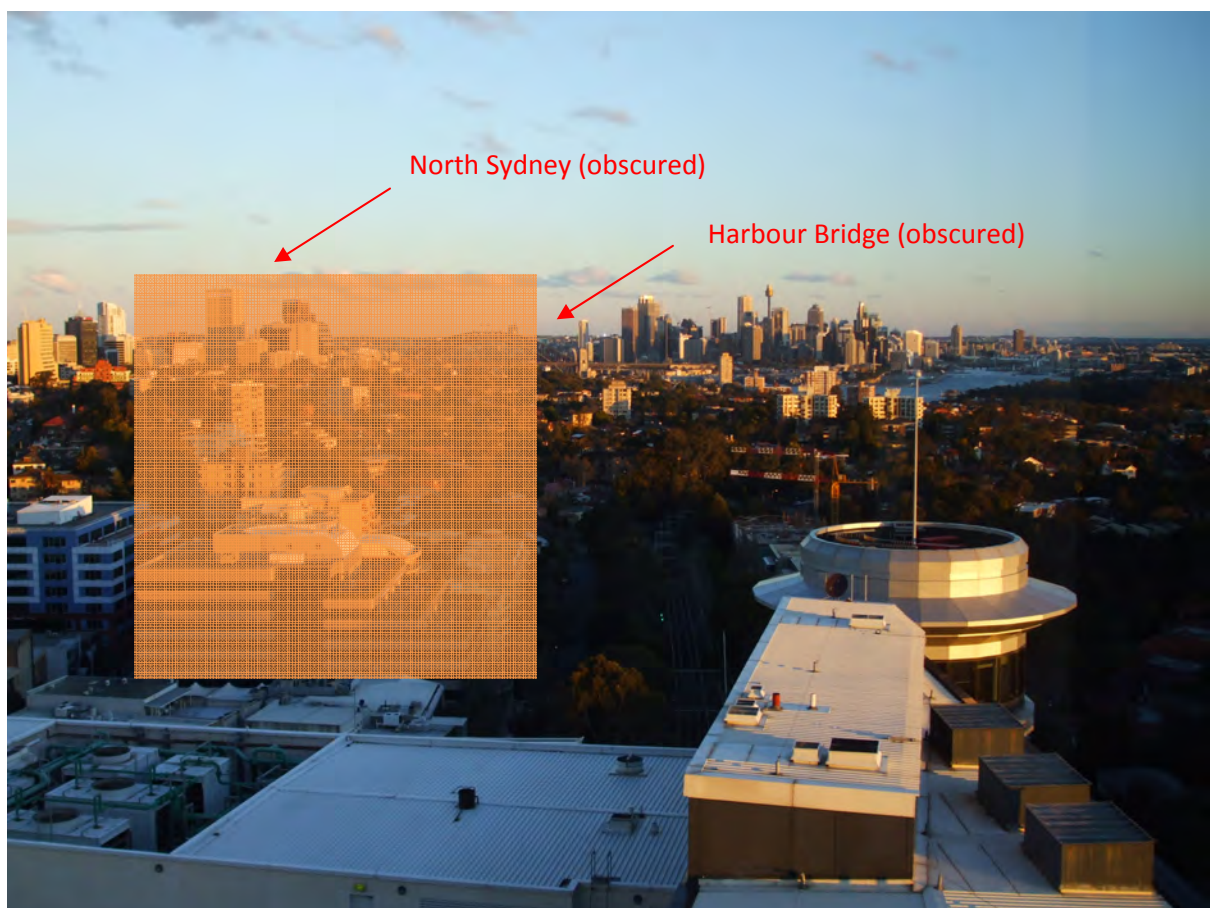
Commercial vacancy rates are increasing in the St Leonards/ Lower North shore area. According to the Sydney Morning Herald on 7 August 2010, “commercial vacancy rates in the North Shore area has increased from 13.7% to 14.1%, the highest rate in more than 15 years” and “the Crows Nest/St Leonards market vacancy rate rose from 15.2% to 15.4% despite a net increase of 925sqm”. There is no guarantee that with the completion of this large development that reasonable occupancy will be attained. There are already several commercial buildings around St Leonards that are currently vacant and displaying “for lease” signs.

5. Height in excess of Lane Cove Council building requirements, contravening development standards

In section 5.2 of the Environmental Assessment Concept Plan July 2010 they detail the aspects of the Lane Cove Council's Local Environment Plan (LEP) 2009 and the proposed height in excess of the plan.

The extra height will cause additional houses in Holdsworth Avenue to be completely shaded in the morning and have no sunlight, whereas with the existing pre-approved building envelope these residents are able to enjoy morning sunlight (even if partially shaded by some tall trees near the railway line). According to page 25 of the Environmental Assessment Concept Plan July 2010 the estimated number of houses affected by this change is five, however this number may not be representative of the neighbouring residents affected due to traffic, acoustic and environmental concerns.

Appendix A – Typical View Loss from Forum West



2nd September 2010

The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001

Dear Sir/Madam,

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210
Attention Amy Watson**

I am the owner of the above property and I am replying to strongly object to this proposed Concept Plan due to:

- The proposed height of the plan will block our outlook of the city and Harbour Bridge view. The reason I bought the property at a substantially higher premium to surrounding residential buildings was the enjoyment of the view of the globally recognized Sydney Harbour Bridge and the city. The proposed plan will destroy that view, so I am strongly opposing to the plan.
- With propose 330 car parking new spaces (pg. 13 of Environmental Assessment Report), there will be a large increase in the number of vehicles associated with that. As there are already lots of vehicles congestion around Forum Tower on Chandos Street/Pacific Highway and Christie Streets, and the situation is far worse during peak morning and evening work travel periods. Additional volume of cars coming in and out would, in my opinion, make the area far more congested for residents entering and exiting Forum Tower car park. The congestion will also impact travelers along the Pacific Highway for south and north bound traffic.
- Misleading statement of "To deliver a significant number of new jobs in the St Leonards Centre" by providing large commercial plates when Australia's Office Market Report highlighted the increase of office vacancy in Crows Nest/St Leonards areas. Note: According to the Property Council of Australia's Office Market Report for the six months ending July 2010, "The Crows Nest/St Leonards (office) market vacancy rate rose from 15.2 per cent to 15.4 per cent" compared to "the overall (whole North Shore) vacancy rate rose from 13.7 per cent to 14.1 per cent, the highest rate in more than 15 years". Such a high rate of vacancy simply won't justify for a tall office building.

[Source: Article from Sydney Morning Herald, North's vacancies inching upward Carolyn Cummins COMMERCIAL PROPERTY EDITOR August 7, 2010]

- The proposal is already in excess of the Lane Cove Council LEP i.e. height and floor space.
- **Section 5.6.3 of the Winten Property / JBA Planning - Concept plan (July 2010) grossly understates the loss of views.**

This is **No** "*minor impact on the views experienced from some units in the residential towers*" as stated in the Environmental Assessment Report. This section grossly understates the impact on views on two counts:

1) Of the 483 units in the Forum Tower, only 38 have the premier southern/harbour views. The vast majority of units in the Forum Tower do not have this outlook. It is appropriate therefore to measure the impact as a percentage of the properties that have the views in the first place. On this basis the proposal directly impacts more

than 50% of units and not 4% as stated. It also fails to acknowledge the indirect views enjoyed by units on the eastern side that will also be affected.

2) The section also states:-

*"The analysis demonstrates that the level of affection will be **"minor"**, as the units are a considerable distance from the proposed development and the affected view is **"small"** in comparison with the panoramic views enjoyed by the buildings"*

This is a misrepresentation as it fails to acknowledge the quality of the bridge and city outlook that this development will block as per the photo below.

The following photo indicates the impact of the proposed development on my outlook from the apartment with reference to the height of the IBM building.



I imagine you will receive many similar objections from other residents living nearby and I trust you will forward our submissions to the developer to reassess their application on the basis that they most definitely impacting the local surroundings of proposed site.

For this submission, I do not want my name to be made available to the Proponent, these authorities, or on the Department's website.

Yours sincerely,

[Redacted Signature]

2 September 2010

Major Projects Assessment,

Department of Planning

GPO Box 39

Sydney 2001

Fax : 02 9228 6455

Dear Sir/Madam,

Re:Exhibition of Environmental Assessment for Concept Plan for a
Commercial and retail Development at 88 Christie Street, St Leonards
(Application Number MP09_0210)

We have viewed the concept plans and wish to confirm Nature Care College supports the referred development application.

We own premises occupied by our business Nature Care College located at Christie Street and Nicholson Street St Leonards.

In relation to the development proposal, we are impressed with the pedestrian initiatives, vehicular ingress and egress positioning in Lithgow street, in the proposed development and generally the workable multi street level and topographic sensitivity of the scheme.

We believe the southern Pacific hwy precinct will benefit from this three street frontage proposal for redevelopment. The subject site is a gateway to the precinct and the zone would benefit from a major redevelopment of the present cluster of older buildings with multiple vehicle access points.

In supporting this proposal we believe that it will set the standard for other development lots within the precinct, including our site.

Should you wish to discuss any matter herein please call the me on 0410 585 426

Regards

A handwritten signature in blue ink, appearing to read 'Julian Moorcroft', with a stylized flourish at the end.

Julian Moorcroft

Director

Nature Care College.

Development Objection

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

03 September 2010

The Minister
NSW Department of Planning
c/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge St
Sydney NSW 2001
Dear Minister

Letter of Objection
Re: Development Application MP09_0210
Winton property Group
St Leonards Commercial Centre/ 88 Christie St, St Leonards.

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I do not wish to have my details made public under section 75H of the Environmental Planning and Assessment Act 1979



Issues Associated with Development

Non-Compliance

Section 5.2.1 of the Winton Property Group, 2010. Environmental Assessment Report, pge 34 states that the building exceeds the required height that LEP 2009 has set by 4.25 meters, the reasoning being that it does not need to comply with the rule as discussed, but no mention of the exemption is mentioned. The report also states that reducing the two levels of the building to bring it to standard would reduce the economic viability of the building. It MUST be noted that the economic viability of Winton is not acceptable and standards should not be changed just because it does not meet their standard of viability. This is Wintons issue, not a burden of the council.

The statement on page 39 also mentions that the plan does not meet the street frontage standards, tower footprint, or tower setback controls. Again the excuse used is that the economic viability will be affected. Once again this is not acceptable. Standards are not to be changed just because the economic viability of a private company are ot met, it is their responsibility to comply and make their operations viable.

Traffic Issues

The second issue of concern in regards to the development is the question of traffic. The St. Leonard's area especially around Chandos street, Christie Street and other streets around the proposed sight are usually in chaos around 8-10 am and 3-6pm. I have to question the building of such a large development and the impacts on the surrounding area for an already troubled area in terms of traffic. There is no point denying that the building of a 16 level apartment will have significant effect on the current situation. Winton provide no method in which they propose to counter or provide a solution of how they will minimize the impact of their building on the area and I am sure any attempts if taken will not be sufficient to handle this problem, Winton even admit they have no control of this issue in their report (5.2.3). We can safely say that Winsten have attempted to solve this issue with the least of care, the reports mention that they use a minimalist approach for parking (5.5.1).

The building only provides 330 car spaces when it plans to conduct a 16 level operation (Winton Property Group, 2010. Environmental Assessment Report, pge 13). I have to question how this is an effective development when such a limited space is provided for vehicles. We also have to keep in mind that some of these parking's are also for trucks and couriers.

The report also mentions traffic generation (5.5.2). The report mentions that the existing parking spaces within the development generate some 0.25 to 0.4 vehicles per hour per



space (two-way) during peak periods and will increase to 88 cars per hour, this is a significant increase and might not even be accurate.

On page 46 Winsten also mention that they have not yet considered the effect of construction traffic. Whether this is to avoid the question of increase of traffic or to prevent such information being known and affecting the approval of site is yet to be known.

View Loss (5.6.3)

The report claims that the effect on view loss will be insignificant. This again represents to the ignorance of Winton in accepting the significant impacts of the construction. At least 20 apartments or more will be affected. Each of these units will lose tremendous value as a result of the building taking up the CBD views, this will be much greater than the stated 4%.

Development Objection

[REDACTED]

Reference

JBA Planning, Winten Property Group, 2010. Environmental Assessment Report. *Environmental Assessment Report Concept Plan*, [Online]. 1, All. Available at:
<http://majorprojects.planning.nsw.gov.au/files/55585/environmental%20assesment%20report.pdf>
[Accessed 03 September 2010].

[REDACTED]

23/08/10

Ms Amy Watson
NSW Govt Dept of Planning.
G.P.O Box 39
Sydney NSW 2001



Dear Ms Watson,

Ref concept Plan for Development 88 Christie St. St Leonards NOP 09-0210

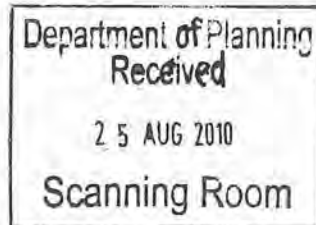
As owners of property [REDACTED] we object to the proposed development as it appears to be in conflict with Lane Cove Council's Development Control Plan as it does not include a strip of land between Pacific Hwy and Pacific Lane, which is an integral part of the whole area., and would make it difficult to develop this narrow strip of land.


We do not wish this letter to be disclosed to Winton Property Group.

We have not made political donations during the past 2 years

Yours Faithfully'

[REDACTED]





12 August 2010

Ms Amy Watson
Contact Officer
Major Projects Assessment
NSW Department of Planning,
GPO Box 39
SYDNEY NSW 2001

Dear Ms Watson

Subject: Concept Plan for a Commercial and Retail Development at 88 Christie Street, St Leonards (MP09_0210)

As a Director [REDACTED] which owns [REDACTED] I object to the proposed project because it is limited in its scope. The project can be improved and :

- 1) satisfy the NSW Department of Planning's concern regarding viable envelopes/floorplates.
- 2) fulfil the vision of Lane Cove Council for the southern side of St Leonards as stated in its LEP, adopted 20 August 2009 for the Lithgow- Christie Precinct.
- 3) provide for the future population needs for residential accommodation and urban consolidation.

The Wintern Property Group can achieve a better concept plan by doing the following:

The Wintern Property Group already owns three properties in the shopping strip located on the Pacific Highway and which fronts the proposed development site between Christie and Lithgow Streets. The properties owned by Wintern are:

554-556 Pacific Highway

558 Pacific Highway and

562 Pacific Highway.

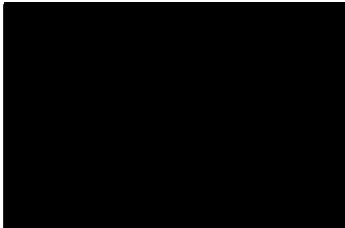
If the Wintern Property Group purchased the remaining properties in the shopping strip, at a market rate, then it would be able to provide a better concept plan which would not only provide retail and commercial space but provide residential space as well, emulating its development of the Forum at St Leonards.

I have attached a copy from the Lane Cove Development Control Plan, Locality1 - B2 – Lithgow- Christie Precinct which outlines the council's vision for the site and provides for a new laneway, allowing Christie Lane to be incorporated into the development site.

This is an opportunity to maximise the use of the site and design a building which will provide mixed use, including residential accommodation on a major crossroad corridor at St Leonards, meeting the needs of urban consolidation and growth.

I do not wish my name to be made available to the Proponent, other interested public authorities, or on the Department's website.

Yours sincerely



Block 2 (B2): Lithgow-Christie Precinct

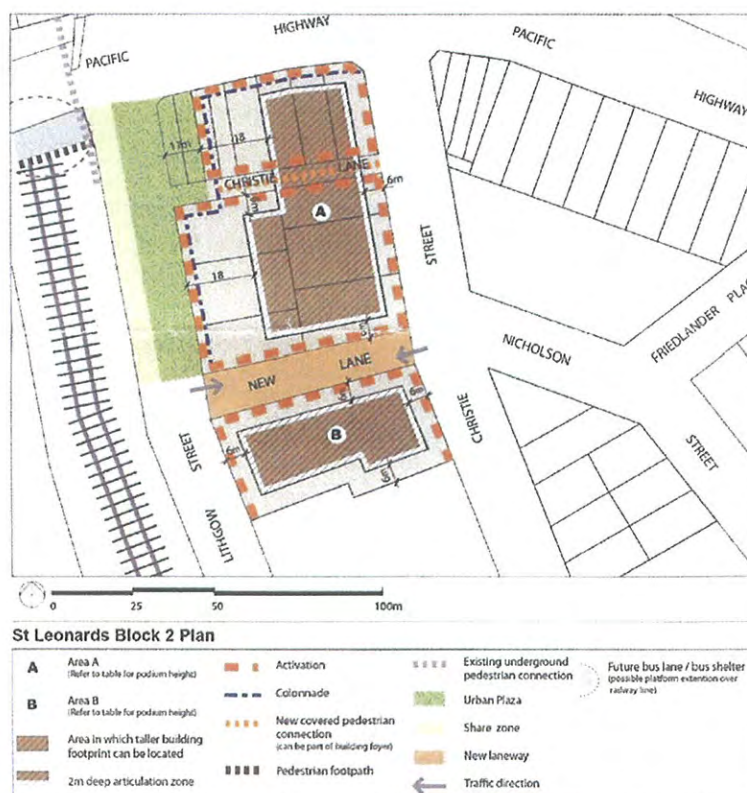
B2 is located in the precinct area bound by Pacific Highway to the north, Lithgow Street to the west and Christie Street to the east.




Block key

Objectives

- 1 To create a distinctive character onto Pacific Highway and the 'heart' of the southern side of St Leonards.
- 2 To provide a major high quality public plaza or town square to the west of podium A. This public open space is to include the upgrade of the existing pedestrian link to the station. Ideally the link should be provided as part of a 1-2 storey kiosk building development adjacent to the rail line.
- 3 To provide high quality tower forms.
- 4 To provide a new laneway connector to provide an improved vehicular and pedestrian connection to the rail underpass.
- 5 To provide safety and amenity.
- 6 To maintain public amenity including solar access to the park on southern end of Christie St.





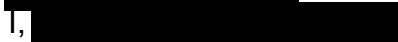


19 August 2010

M/s A Watson
Major Projects Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear M/s Watson,

Re: Exhibition of Environmental Assessment for Concept Plan for a
Commercial and Retail Development at 88 Christie Street, St Leonards
(MP09_0210)

 is the owner of  and
I,  am submitting an objection to the project as
outlined in the Winten Property Group Concept Plan.

The concept plan does not fully take advantage of the objectives of the
Metropolitan Strategy nor does it maximise the opportunities available under
the draft LEP 2008 controls for this site, as set out in the DGR's.

The above concept plan does not allow the maximisation of the commercial
development possibilities of a larger site since it does not include the properties
on the Pacific Highway directly to the north of the site. It does not create
realistic viable envelopes / floorplates or FSR provisions for the Pacific Highway
properties and therefore this smaller envelope created will not attract
commercial development.

The development should better address the DGR's by amalgamating the
Pacific Highway properties with the Winten Concept Plan. Their Environmental
Assessment Report states that they own two properties in the Pacific Highway
Block and therefore the amalgamation makes sense and is in keeping with the
strategy. Moreover the St Leonards Strategy will be better placed to meet its
targets if the properties were amalgamated.

An amalgamated site will create an opportunity to maximise commercial
development on a much larger envelope. It is a premier location and therefore
ideally suited to realise this much needed commercial growth for St Leonards
that looks to creating an improved public domain and visionary urban design in
reinvigorating the southern business district.

I support the St Leonards strategy and see amalgamation of the entire site as the optimal solution. I dispute the comments made in 5.3 of the Environmental Assessment Report that 'Despite making numerous offers above their potential development value, they were only able to purchase 2 of the 8 lots.' The last offer made by the Winten Property Group was not only below independent valuation but also was not reflective of the present value of the income streams of our property.

Please note I do not want my name to be made available on the Department's website.

Yours sincerely,

A black rectangular redaction box covering the signature area.

Re : MP09_0210 Commercial Development

With reference to the Environmental Assessment Report Concept Plan by Winten Property Group and the Business Zones Development Control Plan by the Council of Municipality of Lane Cove, the following issues are identified:

1. The proposed plan is situated among a mixture of residential and commercial properties. Despite being artificially included in the business zone, it produces a significant impact on local residents and business people. We understand that the Council has placed a significant emphasis on the harmony of the neighborhood area, as stated in the Residential Zone Development Control Plan that (home) development is only allowed where
 - a. “The existing amenity of the residents in the locality will not be adversely affected”
 - b. “Occupants will not be subject to offensive traffic noise”
 - c. “Traffic movement will not be excessive.”
2. The impact of view loss on Forum and Forum West apartment has been erroneously understated in the Environment Assessment Report Concept Plan prepared by Winten Property Group. It vaguely stated that the development “will affect 20 Units in the Forum (4% of the total number of units), and 14 units in Forum West (5% of the total number units). Level of affection will be minor.” The analysis has by no means demonstrated it a minor effect. Using simple examples where everyone can easily relate to: In medical practice, if a procedure, or a new medication is known to cause death in 1% of the patient group, or lead to paralysis in 4 % of the group, would you consider it a minor effect? Would you put your family through it or consider an alternative? Due to the proximity of the proposed site, it is deemed to produce detrimental impact on the value of those affected units in Forum and Forum West Building. Once again, the effect is far beyond minor. The units in a high-rise apartment have little value in terms of space or land. In effect, the views they offer are one of the major determinants of their value. As a result, the development will adversely affect the individuals in the apartment, amongst which are predominantly small families. To further the discussion, the proponents also argued that the shadow impact on the neighboring residential properties are minor, which at closer look, is another misleading statement. Quoting from the Residential Zone Development Control Plan, “allotment needs to be related to the particular effect the development may have on the adjoining dwellings. For a proposal to be sympathetic to the existing immediate neighbouring buildings, it is required that the development will not significantly affect any available views from adjoining dwellings nor significantly decrease the amount of sunshine access available to the adjoining allotments.”
3. The proponents also tried to convince that height and scale in excess to Lane Cove Council building is acceptable, and that compliance is “unreasonable or unnecessary.”
4. To date, there have been numerous office space and commercial properties in

the area that remained unoccupied, and yet the proponent is planning to build another large scale commercial development.

We sincerely ask for further consideration in approval of the proposal.

Robert & Jacqueline McLachlan
The owners of Unit 2708/1 Sergeants Lane, St Leonards 2065

Dear Sir,

We would like to register our objection and concerns relating to the proposed 65 meter building in development application MP09_0210 for 88 Christie Street St Leonards.

The building does not meet the current building zoning requirements.

The proposed building's height is not in keeping with recent buildings, in the area concerned, that have setback heights of eleven to twelve stories, such as with the recent buildings of the Forum Podium and Space 207.

At a height of 65m the building is at odds with the existing lower height building developments such as the larger land area lower rise residential developments further along Christie Street and within 150 meters of the proposed building, further such a height will in future be creating a canyon effect along the St Leonards precinct of the Pacific highway. This is not in keeping with the residential feel of the local precinct, which is at a confluence of different Councils with differing building height restrictions for their various residential and commercial developments.

Professional and commercial offices that exist in the Sergeants lane railway station precinct (within 50m of the station) have a considerable amount of tenants that use motor vehicles. This being due to a professional demographic choosing to live in areas that are not serviced by rail links, such as districts around the suburbs of Manly and Mossman etc. These tenants' appear to have a preference for their motor vehicles as a mode of transport to their offices rather than the public bus service to these areas. This is evidenced by six of the eight levels of the Forum Podium car parking facilities having dedicated car parking spaces for commercial tenants amounting to hundreds of car spaces to service an eleven-story commercial building. During the weekends these spaces often fulfil the function of a park and train ride solution where owners of these dedicated car parking spaces drive from their homes to their commercial car spaces and then take the train to the city for leisure outings. This behaviour is at odds with the proposal that tenants will use rail and bus links, unfortunately this is simply not the case, in fact it's the opposite. Since the traffic flow is very constricted in the streets of the proposed development it cannot cope with large increase in the number of cars for tenants of the proposed sixteen level building. This will create the same grid locked commercial tenant traffic jams that exist every morning and evening centred around the freeway access via Chandos and Christie streets. Which will then have to further support the additional traffic in Christie Street to cross the Pacific Highway to access the proposed building.

The Forum Towers are unique in their development being over the air space of the rail station area, the cost to build an entirely new railway station being

offset by the value that needed to be created by high density residential units in the high-rise Forum residential towers, which numbers, in the hundreds. This being a determining factor in the height of these towers and as such should not then be used as a benchmark for other buildings in the area.

At a height of 65 meters the proposed building will block existing views from the IBM Tower, Forum commercial and residential towers and Space 207 tenants and owners who number on the hundreds. This building will also block views of the Sydney Harbour Bridge and the city skyline, causing an economic impact on the value of hundreds of properties in the Forum residential towers that indirectly funded the newer St Leonards railway station. The IBM tower may well be 16 levels, however, it is at the highest topographical point in the present and as such is more in keeping with visual appeal of the area, with existing building heights rising towards the higher topographical land points. The proposed building is not at the highest point and will have a visual impact not dissimilar to the effect of the Blues Point Tower adjacent to Blues Point Reserve.

The proposed building is more than half of the effective height of the Forum Towers and almost as high as the Forum West Tower. This will cause privacy issues and strongly detract from the visual focus of the Forum as the proposed building will block all other north facing outlooks south of it. This can be clearly seen in the elevation views provided in the development application itself.

A compromise on the height of this building needs to be obtained and with recent commercial buildings with a similar setback having no more than eleven to twelve floors including the plant and equipment level. This would then seem to be reasonable and certainly not 65 meters. A total height similar to the Forum Podium and Space 207 would reduce; the visual impact, the impact on traffic and reduce the economic impact on apartment values in the Forum Towers and other commercial buildings in the present.

We are not against development in the area and submit this correspondence to register our objections and concerns to the proposed planning to meet with existing needs of the community members of the precinct.

2nd September 2010

The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001

Dear Sir/Madam,

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210
Attention Amy Watson**

I am the owner of the above property and I am replying to strongly object to this proposed Concept Plan due to:

- The proposed height of the plan will block our outlook of the city and Harbour Bridge view. The reason I bought the property at a substantially higher premium to surrounding residential buildings was the enjoyment of the view of the globally recognized Sydney Harbour Bridge and the city. The proposed plan will destroy that view, so I am strongly opposing to the plan.
- With propose 330 car parking new spaces (pg. 13 of Environmental Assessment Report), there will be a large increase in the number of vehicles associated with that. As there are already lots of vehicles congestion around Forum Tower on Chandos Street/Pacific Highway and Christie Streets, and the situation is far worse during peak morning and evening work travel periods. Additional volume of cars coming in and out would, in my opinion, make the area far more congested for residents entering and exiting Forum Tower car park. The congestion will also impact travelers along the Pacific Highway for south and north bound traffic.
- Misleading statement of "To deliver a significant number of new jobs in the St Leonards Centre" by providing large commercial plates when Australia's Office Market Report highlighted the increase of office vacancy in Crows Nest/St Leonards areas. Note: According to the Property Council of Australia's Office Market Report for the six months ending July 2010, "The Crows Nest/St Leonards (office) market vacancy rate rose from 15.2 per cent to 15.4 per cent" compared to "the overall (whole North Shore) vacancy rate rose from 13.7 per cent to 14.1 per cent, the highest rate in more than 15 years". Such a high rate of vacancy simply won't justify for a tall office building.

[Source: Article from Sydney Morning Herald, North's vacancies inching upward Carolyn Cummins COMMERCIAL PROPERTY EDITOR August 7, 2010]

- And lastly, the proposal is already in excess of the Lane Cove Council LEP i.e. height and floor space.

I imagine you will receive many similar objections from other residents living nearby and I trust you will forward our submissions to the developer to reassess their application on the basis that they most definitely impacting the local surroundings of proposed site.

For this submission, I do not want my name to be made available to the Proponent, these authorities, or on the Department's website.

Yours sincerely,



Amy Watson - Online Submission from Cherry Lee (object)

From: Cherry Lee <c.percylee@gmail.com.au>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 2/09/2010 7:14 PM
Subject: Online Submission from Cherry Lee (object)
CC: <assessments@planning.nsw.gov.au>

I submit that the MP09_0210 Commercial Development application be rejected on the following grounds:

1.THE HEIGHT: of 69.25m breaches the Development Standards.Therefore it should not be allowed.If allowed, this would set an unacceptable precedent for all projects in the future.

2.Page 28 Table 7: the proposal lists 4 out of 7 items do not comply. This is a new proposal. There is no reason for non compliance.

4/7 = over 57% non compliant requirements.The proposal MUST fit into existing Standards. Winten wants to breach the Standards so that they can obtain more lettable space for more profit (2 floors in fact). Their gain is someone elses' loss.

3. TRAFFIC CONGESTION : The streets surrounding this proposal is extremely narrow, even for the present traffic.The extra traffic to be brought about by extra 2121 new jobs plus their associated activities would render the traffic congestion into chaos. Offering additional 220 parking is an inadequate solution. The area will not cope with the additional traffic.

4.LOSS OF VIEW & LOSS OF PRIVACY:to dismiss the loss of value (not only in \$ terms) of view & privcy as "minor" & "small" and to describe the distance from the propose project to the Forum units as "considerable distance" (page 41) is grossly misleading. The view that is blocked in total is the iconic Sydney Harbour Bridge & the city skyline.It was this view that Winten sold the Forum & Forum West to the unit owners. Now they propose to block this same view claiming that it is "minor"

The distance between the propose development & the Formum units would be about 150m. this is NOT "considerable distance". There will be no privacy as the buildings will be facing each other.

5.COSTS: the costs to Winten is \$117m. The loss in value to the 2 Forum properties would be in the vincity of \$20m.

The additional 2 floors which Winten want by compromising the Standards, so they can gain extra profit is at the expense of the 34 unit owners.

The 4% & 5% quoted on page 41 is again grossly misleading.The % affected in the Forum is $20/44 = 45.45\%$. The same high % applies to Forum West.

6.ACOUSTIC PRIVACY 5.6.4 : the "plant" noise level have not been addressed.Why was not a report presented here? Why do we have to wait till later? Later would be too late.

7.MORAL OBLIGATION: Winten has a moral obligation to consider. They sold those 34 units with the iconic view (at a premium) now they want to block them.Not only that they want the Standards to be contravened so that they can have two extra floors. All this for no compensation to the unit owners.

Name: Cherry Lee

Address:

UNit 2408 / 1 Sergeants Lane, St. Leonards. 2065

IP Address: - 120.155.24.247

Amy Watson - Online Submission from CHUNG P and CHERRY A LEE ()

From: CHUNG P and CHERRY A LEE <c.percylee@gmail.com>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 1/09/2010 2:55 PM
Subject: Online Submission from CHUNG P and CHERRY A LEE ()
CC: <assessments@planning.nsw.gov.au>

We submit that the MP09-0210 Commercial Development be NOT approved on the following grounds:

1. THE HEIGHT of 69.25m exceeds the Development Standards. Winten's inability to acquire the adjoining sites does not justify the compromise of the Development Standards. Winten claims that the 69.25m allows them to gain 2 extra floors of 3388 sq.m of lettable area. They argue that the standard be compromised or breached so that they can obtain extra commercial profit. But that is at the expense of the 34 unit owners whose view they block. The extra 2 floors (i.e. 15 & 16) must be deleted.

2. PAGE 28 TABLE 7 of the proposal lists 4 out of 7 items do not comply. This is a new development - there is no reason why the proposal cannot comply with the Development Standards.

3. TRAFFIC CONGESTION. Winten states there will be traffic congestion and offer 220 additional parking spaces as a solution. They state that 2121 new jobs will be created. Have they also considered the additional traffic brought about by the 2121 people's visitors, business associates etc.?

They have offered no solution to the traffic congestion.

4. VISUAL PRIVACY 5.6.2(3) & VIEW LOSS

(a) The most important view i.e. the Sydney Harbour Bridge will be COMPLETELY blocked and lost to 34 unit owners. People from all over the world travel here to view and marvel at the "Bridge". This is an Australian icon, yet Winten dismissed this important issue as "...level of affection will be minor (page 41)"

(b) I have been verbally advised that levels 14 - 23 of the Forum will lose their view. The percentage affected quoted of 4% and 5% (for Forum West) on page 41 is completely misleading. As far as Forum is concerned 20 out of 44 units will be affected i.e. 45.45% (not 4% as stated). Same percentage would apply for Forum West.

(c) Winten who developed the 2 Forums used this iconic view to sell to the original owners. (of which we are one) and charged us a handsome premium. This same Winten now claims "...level of affection will be minor", blocks the views of 34 unit owners (who all paid a high premium) with no compensation whatsoever.

(d) 5.6.2 is misleading. The proposed development is about 100m - 150m distance away from the Forum and directly in the face of the 34 unit owners. There will be no privacy for the 34 unit owners.

5. ACOUSTIC PRIVACY 5.6.4

Winten points out the noise problem but no report on noise levels has been done yet. How can this proposal not include such an important issue?

6. COSTS AND REDUCTION OF FORUM VALUES

The cost of Winten's project is \$117m. The affect on the property values of the 34 unit owners would be substantially reduced plus the ripple effect on the value of the rest of the 2 Forum buildings. The reduction in value could be in the vicinity of \$20m.

Winten wants 2 extra floors by contravening the height standards - extra 3388 sq.m floor space - lettable space for EXTRA PROFIT at the expense of not only the Forum residents, but the whole surrounding community.

7. MORAL OBLIGATION

Surely Winten must have some moral obligation to consider the plight of the 34 unit owners. First they sell the owners the view at a premium then they take it away for no compensation. They want two extra floors so they can maximise their profits. What about the view and financial loss of those 34 unit owners?

Name: CHUNG P and CHERRY A LEE

Address:

UNIT 2408/1 SERGEANTS LANE, ST.LEONARDS 2065

IP Address: - 120.156.200.120

Submission for Job: #3737 MP09_0210 Commercial Development

https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards

https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

Powered by Internetrix Affinity

Amy Watson - Online Submission from [REDACTED] (object)

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 2/09/2010 9:07 PM
Subject: Online Submission from [REDACTED] (object)
CC: <assessments@planning.nsw.gov.au>

Dear Sir,

I would like to submit an objection to size of the current proposed development of MP09_0210 Commercial Development on 88 Christie St. My objections are:

- The proposed size of the building is disproportionately large compared to the current surrounding buildings. It is 16 stories high, exceeding Lane Cove Council's LEP, and high compared to surrounding buildings which are typically around 12 stories.
- The number of proposed car park spaces (330) based on a larger floor space area will add a significant amount of car traffic to the area which is already congested at peak traffic times around the Chandos St and Christie St entrance from the Pacific Highway. The submission states 0.25 to 0.4 vehicles per hour for each car space in peak times, so 330 spaces would see 82 to 132 cars flowing through a relatively small area. It is difficult to believe that ? intersections would continue to operate at their existing satisfactory levels of service? and no road upgrades would be required for the approximately 100 cars per hour generated by the development.
- It is located directly in front of the Forum towers (1 Sergeants Lane) and would block the view of a large number of residential apartments facing the south. I believe that the submission understates the number of apartment directly affected, and completely ignores apartments along the sides of the Forum Tower which have partial south facing views. The proposed building will block the view for the full width of the building between Lithgow St and Christie St (from east to west). By building to the maximum height along the east to west axis, the proposal maximises disruption to current buildings to the north of the project. In particular by building up on the east side, the proposed building will block views of the Harbour Bridge for Forum Tower residents. A slimmer profile above the 12 storey leaving the east side empty, would help to minimize the visual impact. While I acknowledge that ?loss of view? is not a legal objection, the Forum Towers were built by Winten, the same developer as the Christie St proposal, the Forum Towers were sold on the premise of ?panoramic views of Sydney Harbour?. Winten is now attempting to sell the same view a second time around, without any consideration of their previous development.

I do not want my personal details to be revealed. Please make my details unavailable to the Proponent, these authorities, or on the Department's website.

Regards,

Name: [REDACTED]

Address: [REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09_0210 Commercial Development

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
CC: <assessments@planning.nsw.gov.au>
Date: 3/09/2010 5:56 pm
Subject: Online Submission from [REDACTED]
Attachments: Development Objection.pdf

I strongly support the development objection points made by my neighbours.

I do not want to my name is available to the proponent, authorities or dapartment's website

Name: [REDACTED]
Organisation: [REDACTED]

Address:
[REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

2308/1 The Forum
Sergeants Lane
St Leonards NSW 2065

02 September 2010

The Minister
NSW Department of Planning
c/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge St
Sydney NSW 2001

Dear Minister

Letter of Objection

Re: Development Application MP09_0210

Winton property Group

St Leonards Commercial Centre/ 88 Christie St, St Leonards.

I wish to lodge an objection to the above proposed development and request that the application in its current form be denied on the following grounds.

In summary

1. Significant loss of Views
2. Financial loss to adjoining Residential and Commercial properties
3. Height – non compliance to Clause 4.3 LEP 2009
4. Overshadowing
5. Non compliance to DCP Block Plan
6. Noise Pollution to residential and Commercial Properties
7. Loss of Residential Amenity
8. Loss of Privacy
9. Continuing to qualify as a Major Project to Part 3A of the EP&A Act;

1. Significant loss of views

The attached photo shows the primary view from my apartment on the 23rd floor Forum East. The jewel is the vista showing the iconic Harbour Bridge, the CBD grandeur and Darling Harbour.

As a reference, I have also attached a photo of the imposing 13 story IBM Tower to the SE.

The proposed development is eminently closer, 16 stories high, with an added ARF and larger in mass than the IBM building. Due to this closeness and enormity of the development, the resulting projected **block out** on the horizon vista is devastating, affecting a large number of residents as well as adjoining Commercial properties..

My view from the Harbor Bridge, CBD and Darling Harbour will be lost.

This observation and impact analysis is conspicuous by its absence in the Development Proposal.

This **Block-out** affects over 60% of the residents, who have this view, from Forum East and 90% from Forum West.

We as citizens of Australia have a fundamental legal right to enjoy the benefits of the assets we have purchased.

The proposed development steals this view and abuses our fundamental rights.

Note that the first photo demonstrates how the existing Commercial properties.....which are limited to under 10 stories.... blend into the surrounding residential landscape.

2. Financial Loss

This has not been addressed by the developer.

Real estate Agents have estimated that the lost vista will erode Forum East property values by up to **20%**.

For those apartments directly affected this equates to a loss of up to \$300,000 per apartment.

This **wipes out** a significant chunk of **Retiree's** and **Investor's** capital.

This loss will not be isolated to those who have paid a premium for their view. It is accepted that there will be a flow on affect to all unit owners in both Forum East and West. This is not a small number of affected residents.

In addition owners who are investors will have their **rents slashed** to the lower valuation yields. It will increase loan to value ratios and reduce the amount of equity that owners can access through loans.

The maths is simple.....The combined **loss of value** is in excess of **\$20,000,000**.

The development value is only \$117m.

How is this in "The Public's Interest" to spend \$117m to destroy \$20m?

The resolve of those affected is clear....we will do what is necessary to protect our legal rights.

I note in Michael Woodlands letter dated 31st March 2010, that he expresses concern regarding the potential of the 3 properties south of the site to realize viable envelopes/ floorplates consistent with the height and FSR controls under Lane Cove LEP 2009. It is encouraging that the delegate for the Director General is cognizant of the potential financial loss of other land users and owners. I cannot see where the Environmental Assessment Report addresses this concern.

I would like to request that the Director General expand his concern and include the financial interests and rights of residents affected by the view block-out.

3. Height

By their admittance, they fail to comply with clause 4.3 LEP 2009.

Agreement to non compliance cannot be tolerated as it sets a dangerous precedence for others to abuse.

4. Overshadowing

They admit that the height of their development will create overshadowing in excess of acceptable limits.

Note that the ARF adds to the height abuse and overshadowing.

5. Non Compliance to DCP Block Plan

The proposed development should be declined as it **does not** comply with Street Frontage Height, Tower Footprint, Street and Tower set-backs.

I have already commented on the comparison in size with the IBM Tower. This development is higher, larger and pushes all the mandated construction boundaries. This development is not

consistent with the existing residential/commercial low rise property blend, south of the Pacific H'way. It can only result in a significant impact on the streetscape.

6. Noise Pollution

The developer admits...5.6.4....that the mechanical plant **WILL** impact on nearby residents and Commercial Properties.

The Forum is a nearby residential property where all residents will be affected. This is not a small number of affected residents!

7. Loss of residential amenity

The developer claims that the impact on residential amenity is minimal.

The 1st photo shows how the existing Commercial buildings under 10 stories south of Pacific H'way, blends into the residential landscape.

By contrast, the enormity of the proposed development is overbearing, creates overshadowing and can only deteriorate the Residential Amenity for nearby land users which includes residents of the Forum and adjoining residential houses to the SW.

8. Loss of privacy.

The close position of the proposed development to the southern elevation of Forum East will create a clear loss of privacy for the Forum residents.

Commercial Tenants will have no problem in their ability to peer into each Forum Apartment..... with their extensive wrap around floor to ceiling windows..... on the South Elevations.

9. Continuing to qualify as a Major Project to Part 3A of the EP&A Act;

The basis of the application presented to the Director General to have this project classified as a Major Project, was based on an initial Environmental Assessments from Winton group and JBA Urban Planning, where they have claimed that they can develop the site to 16 levels at a **complying** height of 65m. Subsequently this was estimated to be a development valued at \$117m by WT Partnership and therefore in excess of the classification threshold.

This claim was misleading.

We now find that from the disclosures in their Environmental Assessment Report Concept Plan that they cannot achieve compliance.

They do not satisfy Clause 4.3 LEP 2009, they exceed overshadowing limits and are non compliant with DCP Block Plan.

They state on page 24 that compliance will mean they lose levels 15 and 16 ...a loss of 3,388m which equates to 46% of commercial floor space.

It follows that the cost reduction for a 14 level development will fall well below the \$100m threshold and ceases to be classified as Major Project under Part 3A of the EP&A.

I note that in Michael Woodland's letter of the 31/03/2010 he states that "Under section 75F(3) of the Act, the Director General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project"

Accordingly, in light of their non compliance, I request that the Director General review the Proponents application and funding estimates, to be classified as a Major Project.

In addition I ask that the Director General request a report on the impact of the development to Forum residents, their loss of Views, the financial impact and how they intend to resolve their loss.

The Winton Group claims that it is "unreasonable" to have to comply, as the loss of 2 floors will make it non commercial.

We the residents claim; that it is unreasonable for us to lose our views when we have paid a premium price for the benefit. It is our right to retain this benefit.

It is unreasonable for residents to suffer a financial loss so that a developer can profit from a commercial project.

In conclusion, I again object to the proposed development and request that the application be declined, to be resubmitted having regard to the key points above and resident's rights.

Yours sincerely

Bruce Foye

0418 234 803

bruce@foyes.com.au

Current View from 2308



View of IBM Tower from same position.



Blocked Out View



Amy Watson - Online Submission from [REDACTED]

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 28/08/2010 6:33 PM
Subject: Online Submission from [REDACTED]
CC: <assessments@planning.nsw.gov.au>

We (about 30 property owners living in Forum Tower)are very strongly oppose and reject the development plan MP09_0210 Commercial Development submitted by Winten Group.

The main reasons are;

1. Winten Group sold all of current Forum Residential Properties with the main marketing of fantastic city and harbour bridge view features ten years ago. We all trusted that Ad and purchased current Forum Tower properties.
2. Now, same Developer Winten Group is planning 65m Residential and commercial building project right in front of the Forum Tower which is developed and sold by them.
3. The Winten Group's current MP09_0210 Commercial Development plan is completely block the harbour bridge and city view of major Forum Tower Residents and it will greatly impact on the value of about 30 main high rise apartments.

We (owners of forum apartment)are taking this matter very seriously and having a continuous meetings these days and decided to act strongly oppose this plan.

We will also send strong request and massages to Winter Group complaining as former customers who purchased their projected properties before from them and ask them to revise current plan.

Even we are thinking of legal fighting and appealing to public media if this project is go ahead.

Plase consider this critical points and strong complaints from the existing residents who put the great amount of money to Winter Group with the trust of their selling ad ?city and harbour brige view features?.

In order to stop this project, we, all owners will do everything we can do to protect our valuable assets.

Name: [REDACTED]

Organisation: [REDACTED]

Address:

[REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

**Amy Watson - Online Submission from [REDACTED]
(object)**

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 31/08/2010 1:23 AM
Subject: Online Submission from [REDACTED]
CC: <assessments@planning.nsw.gov.au>
Attachments: View_blocked_by_Winten_development.1.pdf

Objection of MP09_0210

I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979.

Name: [REDACTED]

Organisation: [REDACTED]

Address:
[REDACTED]

IP Address: [REDACTED]

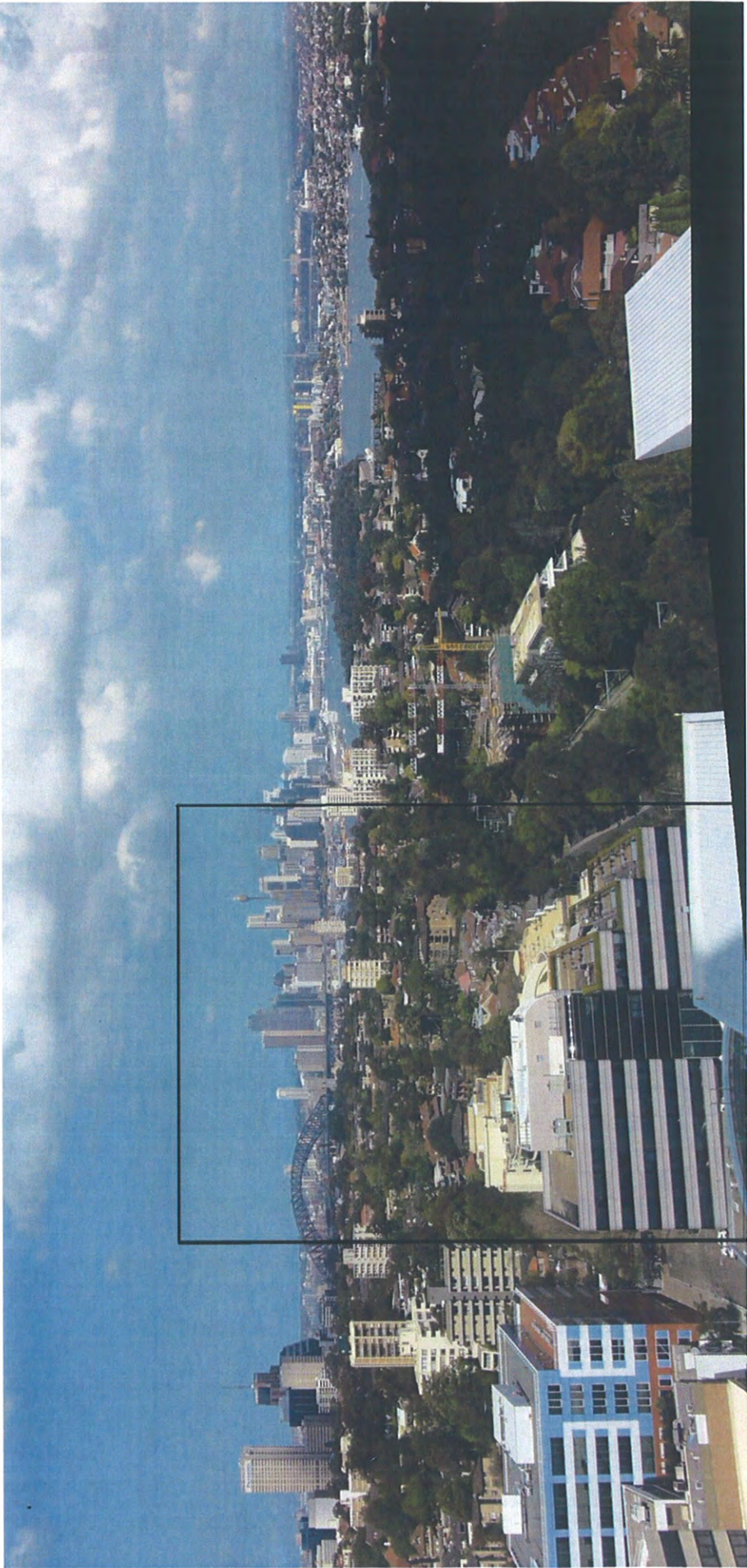
Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from [REDACTED]

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 28/08/2010 6:31 PM
Subject: Online Submission from [REDACTED]
CC: <assessments@planning.nsw.gov.au>

We (about 30 property owners living in Forum Tower)are very strongly oppose and reject the development plan MP09_0210 Commercial Development submitted by Winten Group.

The main reasons are;

1. Winten Group sold all of current Forum Residential Properties with the main marketing of fantastic city and harbour bridge view features ten years ago. We all trusted that Ad and purchased current Forum Tower properties.
2. Now, same Developer Winten Group is planning 65m Residential and commercial building project right in front of the Forum Tower which is developed and sold by them.
3. The Winten Group's current MP09_0210 Commercial Development plan is completely block the harbour bridge and city view of major Forum Tower Residents and it will greatly impact on the value of about 30 main high rise apartments.

We (owners of forum apartment)are taking this matter very seriously and having a continuous meetings these days and decided to act strongly oppose this plan.

We will also send strong request and messages to Winter Group complaining as former customers who purchased their projected properties before from them and ask them to revise current plan.

Even we are thinking of legal fighting and appealing to public media if this project is go ahead.

Plase consider this critical points and strong complaints from the existing residents who put the great amount of money to Winter Group with the trust of their selling ad ?city and harbour brige view features?.

In order to stop this project, we, all owners will do everything we can do to protect our valuable assets.

Name: [REDACTED]

Address:
[REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson - Online Submission from [REDACTED] (object)

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 31/08/2010 1:21 AM
Subject: Online Submission from [REDACTED] (object)
CC: <assessments@planning.nsw.gov.au>
Attachments: View_blocked_by_Winten_development.pdf

Objection of MP09_0210

I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979.

Name: [REDACTED]

Address:
[REDACTED]

IP Address: [REDACTED]

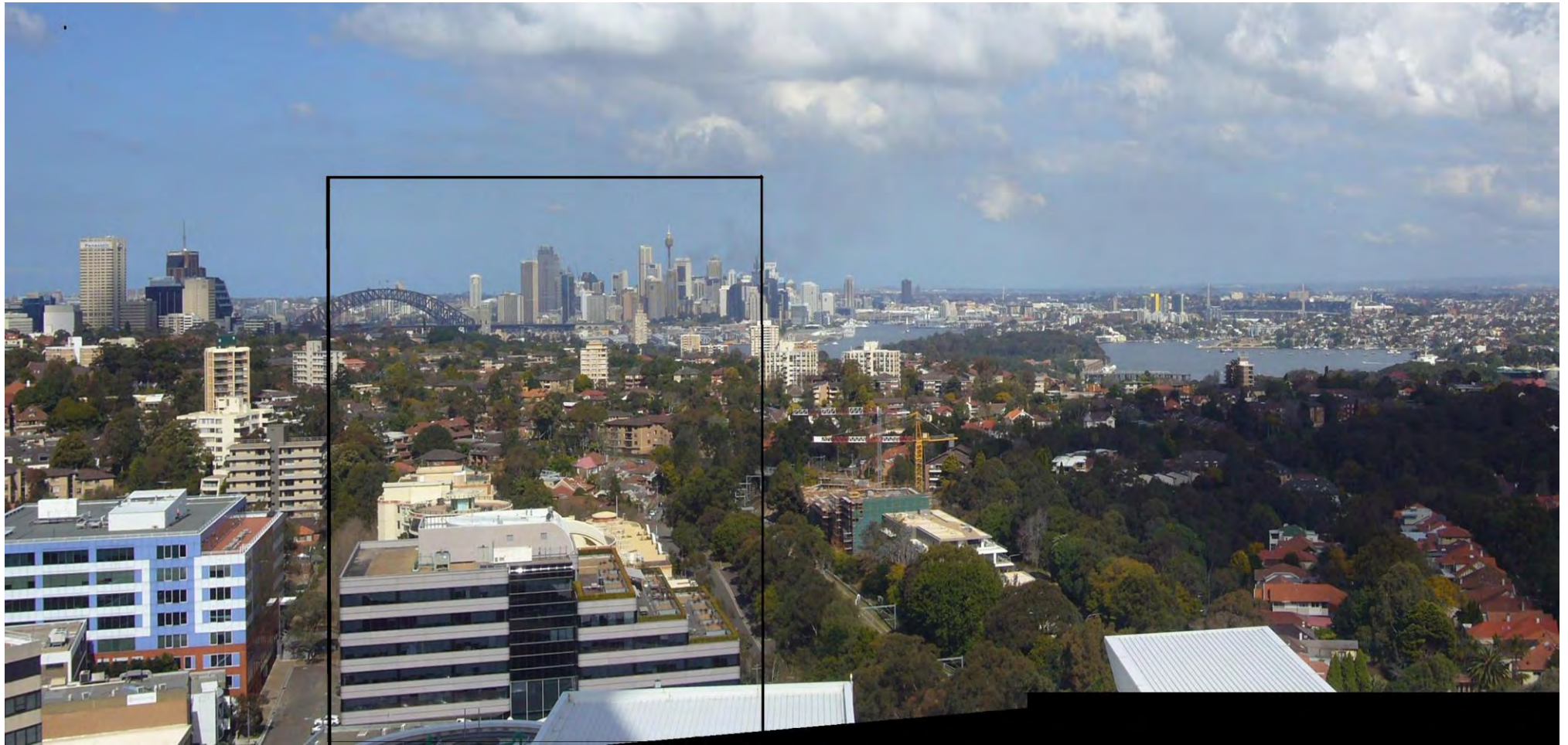
Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

Powered by Internetix Affinity



Amy Watson - Submission of strong oppose. - From Forum Tower Residents

From: [REDACTED]
To: <amy.watson@planning.nsw.gov.au>
Date: 28/08/2010 7:03 PM
Subject: Submission of strong oppose. - From Forum Tower Residents
CC: [REDACTED]

Hi Amy

Regarding development plan application number MP09_0210 at 88 Cristie Street St Leonards, We hereby (about 30 property owners living in Forum Tower)are very strongly oppose and reject, the development plan MP09_0210 Commercial Development submitted by Winten Group.

The main reasons are;

1. Winten Group sold all of current Forum Residential Properties with the main marketing of fantastic city and harbour bridge view features ten years ago. We all trusted that Ad and purchased current Forum Tower properties.
2. Now, same Developer Winten Group is planning 65m Residential and commercial building project right in front of the Forum Tower which is developed and sold by them.
3. The Winten Group's current MP09_0210 Commercial Development plan is completely block the harbour bridge and city view of major Forum Tower Residents and it will greatly impact on the value of about 30 main high rise apartments.

We (owners of forum apartment)are taking this matter very seriously and having a continuous meetings these days and decided to act strongly oppose this plan.

We will also send strong request and messages to Winter Group complaining as former customers who purchased their projected properties before from them and ask them to revise current plan.

Even we are thinking of legal fighting and appealing to public media if this project is go ahead.

Plase consider this critical points and strong complaints from the existing residents who put the great amount of money to Winter Group with the trust of their selling ad "city and harbour brige view features".

In order to stop this project, we, all owners will do everything we can do to protect our valuable assets.

[REDACTED]
on behalf of Forum Tower Residents

Amy Watson - Online Submission from [REDACTED] (object)

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 2/09/2010 2:02 PM
Subject: Online Submission from [REDACTED] (object)
CC: <assessments@planning.nsw.gov.au>

I strongly disagree and object to the proposed development: "88 Christie St, St Leonards - St Leonards MP09_0210 Commercial Development - Exhibition" based on the following issues:

1. Financial impact on owners of property in the Forum Tower and Forum West - loss of value and amenity
2. Environment impact on an already troubled/overcrowded space that is shared by owners and residents and commercial entities in the area, and as amazingly as it sounds, we also share this "living" space with the wildlife who access this concrete jungle area as we are not too far from the reserves and national parks. For those with wings it is only a 5 minute flight!
3. Lack of demand for such large scale commercial development - excess floor space. Currently St. Leonards and Crowsnest are flooded with excess floor and vacant commercial/residential buildings. It is an obvious sign that we have overbuilt in this area over the years. All you have to do is look around the vacant and lease signs everywhere on Christie Street and Pacific Highway
4. Height and scale in excess Lane Cove Council building requirements
5. Impact on traffic in the area - until we have come up with a solution to ease the traffic on Pacific Highway, and a solution to improve the train and bus service, until we (YOU!) actually can find business and people to fill up the sad vacant floor space, any building development should be looked at carefully and put on hold!
6. Misleading claims to employment creation (again, you must review existing vacant building and vacant office space - why would building another large scale building boost long term employment in the area?)
7. Misleading claims to traffic management and flow (Unless there is a confirmed plan and finance to double-deck Pacific Highway, to boost train and bus services, redevelopment of roads and services, I don't see how this or any new building development would actually enhance this area)

I understands that under section 75H of the Environmental Planning and Assessment Act 1979, the Director-General is required to provide copies of submissions received during the exhibition period, or a report of the issues raised in those submissions, to the Proponent and other interested public authorities. I understand that it is Departmental policy to also place a copy of my submission on the Department's website.

I declare that I do NOT want my name to be made available to the Proponent, these authorities, or on the Department's website. I do not wish to have my personal details revealed based on Privacy and Personal Information Protection Act 1998 (PPIP Act) in NSW.

Name: [REDACTED]

Address: [REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson - Online Submission from Brent Van Wyk of Boomerang security Group Pty Ltd (object)

From: Brent Van Wyk <brent@boomeranggroup.com.au>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 2/09/2010 11:27 PM
Subject: Online Submission from Brent Van Wyk of Boomerang security Group Pty Ltd (object)
CC: <assessments@planning.nsw.gov.au>

I find it heart breaking that the developer such (Wintern Property Group) can develop and sell property such as the Forum/Forum west at premium prices and then 10 years later, without consideration develop another high rise property directly in front. Unfortunately if this proceeds the financial impact for those who bought property from Wintern will be greatly fell

I urge to reconsider the location and more importantly scale of the property.
All surrounding properties are either low or medium density and to suddenly install a 65meter high rise building is wrong and Misleading.

Name: Brent Van Wyk
Organisation: Boomerang security Group Pty Ltd

Address:
1908/3 Herbert Street, St Leonards

IP Address: 242.001.mega.nsw.iprimus.net.au - 210.50.153.242

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhlive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhlive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from Chung Lee (object)

From: Chung Lee <c.percylee@gmail.com>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 1/09/2010 9:07 PM
Subject: Online Submission from Chung Lee (object)
CC: <assessments@planning.nsw.gov.au>

I submit that the MP09_0210 Commercial Development be NOT approved on the following grounds:

1. The HEIGHT of 69.25m exceeds the Development Standards. This Standard cannot be breached or compromised as it will set a precedent for later applications. Floors 15&16 should be deleted. Winten is requesting the Standards be breached so they can commercially gain an extra 3388msq of lettable area.

2. Page 28 - Table 7: 4 out of 7 items are non-compliant. This is a new development. There is no reason why the proposal cannot comply with the Development Standards. Again new precedents could be set for the future if non-compliant items are approved.

3. TRAFFIC CONGESTION: Winten admits there will be traffic congestion, but they do not offer any solutions. Offering additional 220 parking spaces (page 34) for a projected 2121 new jobs plus traffic brought in by their business associates, visitors, etc. seems hardly adequate.

4. VISUAL PRIVACY - 5.6.2(.3) & VIEW LOSS.

I have been verbally advised that levels 14 - 23 of the Forum will lose their view. Is this correct? The view they lose is of the Sydney Harbour Bridge. No one in the world would call "The Bridge" a "minor" view. (page 41). This is an Australian icon & this is the view this proposal would block from 34 unit owners!!

The proposed development is directly in line with 34 units at eye level and a distance of approx. 100m - 150m. I would hardly call that a "considerable distance" (page 41 2nd para).

Also in that para Winten states that 4% will be affected. This is grossly misleading. There are 44 units in the Forum who have direct views of The Bridge and 20 of these will be blocked i.e. $20/44 = 45.45\%$!! The same increased % would also apply for Forum West.

As far as privacy is concerned, there will be no privacy for the 34 unit owners. They will be staring at the proposed development.

5. ACOUSTIC PRIVACY 5.6.4:

Winten points out there will be a noise problem, but has not offered a report on the noise levels to be emitted by the "Plant level". How can this proposal not include such a report now instead of later?

6. COST & LOSS OF 2 FORUM PROPERTY VALUES.

Winten states this project will cost \$117m.

There are estimates that the 2 Forum properties will lose some \$20m in value. No where has this been considered. Every floor that Winten puts on decreases the value of the Forum.

They want 2 extra floors so they can get extra 3388msq of lettable space, with no consideration of loss of value to the unit owners. To do this they want to breach the Development standard for their profit.

7. MORAL OBLIGATION: Surely Winten must have some moral obligation to the 34 unit owners. Firstly they sold the Forum on the basis of the iconic view, at a high premium and now they propose to block that view for no compensation whatsoever and dismiss the whole matter as "minor".

Name: Chung Lee

Address:

Unit 2408 / 1 Sergeants Lane, St. Leonards. 2065

IP Address: - 120.152.47.224

Submission for Job: #3737 MP09_0210 Commercial Development

https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards

https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from Rossi Lee (object)

From: Rossi Lee <rossi.lee@telstra.com>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 31/08/2010 8:46 PM
Subject: Online Submission from Rossi Lee (object)
CC: <assessments@planning.nsw.gov.au>

building blocking my view to the north, reduce value of my existing property and

Name: Rossi Lee

Address:
1806/1 Sergeants lane
St Leonards NSW 2065

IP Address: 27-32-81-24.static.tpgi.com.au - 27.32.81.24

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from Tim Mooney of Resident (object)

From: Tim Mooney <tim@sydco.com.au>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 31/08/2010 9:26 AM
Subject: Online Submission from Tim Mooney of Resident (object)
CC: <assessments@planning.nsw.gov.au>

Dear Sir/Madam,

I am writing to object to the proposed development of a 16 level, office tower at 88 Christie Street, St Leonards.

I am the owner of apartment 1620/1 Sergeants Lane, St Leonards and I would be directly affected if this office tower was built.

The proposed building will totally block my existing views of the Harbour Bridge and Sydney CBD skyline.

My apartment faces directly towards the Sydney CBD skyline and would lose significant value if these views were obstructed.

These specific views of the Harbour Bridge and City Skyline were the main reason why I purchased this apartment!

The increase in traffic that will occur on both sides of the Pacific Highway if this office tower is built is also a concern.

There are already long delays for vehicles trying to access the Pacific Highway and this problem will only get worse with this proposed development.

Thank you for your consideration of these concerns and my objection to this proposed development.

Regards,

Tim Mooney
0425 277 211

Name: Tim Mooney
Organisation: Resident

Address:
1/32 May Lane, Neutral Bay, NSW, 2089

IP Address: cpe-144-137-65-203.inse5.cht.bigpond.net.au - 144.137.65.203

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson - Online Submission from Wan Cheung Danny Cheng (object)

From: Wan Cheung Danny Cheng <danny_w_cheng@yahoo.com>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 2/09/2010 3:25 PM
Subject: Online Submission from Wan Cheung Danny Cheng (object)
CC: <assessments@planning.nsw.gov.au>

I am the owner of 2301, Forum West, 3 Herbert Street, St Leonards, 2065 NSW. I strongly oppose to the development proposal on 88 Christie Street, St Leonards. The reason is because the new development will block our views to the City and Harbour Bridge. Such view loss will cause significant financial impact on owners of property in the Forum Tower and West ? loss of value and amenity.

Name: Wan Cheung Danny Cheng

Address:
2301/ 3 Herbert Street, St Leonards, 2065 NSW

IP Address: pcd687078.netvigator.com - 218.102.219.78

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - 88 Christie St St Leonards (MP09-0210)

From: Alan Richard <arichard@westpac.com.au>
To: <amy.watson@planning.nsw.gov.au>
Date: 1/09/2010 5:55 PM
Subject: 88 Christie St St Leonards (MP09-0210)

Amy

I am the Chairman of Body Corporate SP 69455, the owners of 69 Christie St St Leonards.

Our registered address is C/- Body Corporate Services, Locked Bag 22 Haymarket NSW 1238

The Body Corporate wishes to object to the proposed development at 88 Christie St St Leonards, Ref MP09-0210.

We object to the height and bulk of the development being completely out of character with development on the southern side of the Pacific Hwy in the St Leonards CBD. Our building is 6 storey and currently one of the tallest on the Southern side of the Highway.

Lane Cove Council have exhibited a Draft Environmental Plan for St Leonards CBD with the tallest buildings, up to 70 metres, being on the Pacific Hwy frontage and tapering down to the residential areas, to the South. We are largely in agreement with this Draft LEP as providing a "gateway" to St Leonards and redeveloping the old low rise mixed retail, currently fronting the Highway.

The proposed building is one block to the south of Highway, in an area proposed for a 36 metre height limit. To my knowledge this would be about a 10-11 storey building, not the 18 storeys of the proposed development.

Our owners fear that such a large scale development will overshadow surrounding development, block light and view corridors from our building and greatly increase traffic in an area with no main road infrastructure and only limited access to the Pacific Highway. The only current access to the Highway is circuitous via Christie St, Nicholson St and Oxley St, all narrow, residential type roads.

In summary, we are not opposed to development in the area, as some of the existing office stock is now getting quite old. However, we believe the proposal is an over-development for the area.

Regards

Alan Richard
Chairman SP 69455

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Amy Watson - Online Submission from [REDACTED] (object)

From: [REDACTED]
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 3/09/2010 12:08 AM
Subject: Online Submission from [REDACTED] (object)
CC: <assessments@planning.nsw.gov.au>

Thursday 2nd of September 2010 [REDACTED]
[REDACTED]
[REDACTED]

To Whom It may Concern,

Letter of Objection ? St Leonards Commercial Centre Development Application: MP09_0210 Attention Amy Watson

I am the owner and resident of the above mentioned address which has an outlook over the South over the proposed development. After reading the Environmental Assessment Report Concept Plan by the Winten Property Group and JBA planning, which can be found at this internet website <http://majorprojects.planning.nsw.gov.au/files/55585/Environmental%20Assessment%20Report.pdf> . I would like to raise an objection to this development based on the following: -

The proposed development will obstruct my view of the iconic Sydney Harbour Bridge as well as part of the harbour and possibly the city sky line.

As I understand from the assessment report from above the development proposal has already exceeded the height limit. With the current proposal my view of the harbour bridge and city would be obstructed without a further height and possible size increase. A view in which I paid a hefty premium for. In the proposal it is stated in section 5.6.3 View Loss that the "The proposed tower envelope will have a minor impact on the views experienced from some units within the residential towers" I object to this statement as it will obstruct the view of the centrepiece of the view, the Sydney Harbour Bridge. In my mind this is not a minor impact on the view, but a major one. I did not pay a large premium to have views of another building nor did I pay a premium for views of the sky, I paid it for views of the Sydney Harbour Bridge and the city, which will be blocked out with this development proposal.

Reasons stated for the overall height non-compliance is stated to be due to the sloping landscape. I do not think that it is justified in it's account in raising it to a higher point do to one side having to be lower due to the natural decline. Should it not be the maximal height in the highest point, not its lowest? Any further height would only further disrupt the view that is already being taken obstructed.

Also I do not believe it is a fair figure that the proposal uses to justify the 'minimal' impact on the residents of the forum complex. As only a small number of units are able to see it in the first place the "20 units in the Forum and 14 from the Forum West" that are affected are in fact a much larger percentage of houses that will be affected.

Also for the justification of the extra floor space that the two top levels will bring I will direct you to this article from the SMH <http://www.smh.com.au/business/norths-vacancies-inching-upward-20100806-11oh1.html> . Also figures in the surrounding area might show that the vacancy rate is high and that there is not a need for this "extra" office space.

From these points, I raise an objection to this development proposal, at least in its current form, and I do hope that these objections have been given the appropriate thought and consideration.

Sincerely,

[REDACTED]

Under section 75H of the Environmental Planning and Assessment Act 1979 I would NOT like my name and address to be made available to the Proponent, these authorities, or on the Department's website.

Name: [REDACTED]

Address:
[REDACTED]

IP Address: [REDACTED]

Submission for Job: #3737 MP09__0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view__job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view__site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from Patricia Quirke-Parry (object)

From: Patricia Quirke-Parry <billparry@pacific.net.au>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 3/09/2010 2:45 PM
Subject: Online Submission from Patricia Quirke-Parry (object)
CC: <assessments@planning.nsw.gov.au>

Exceeds recommended LEP height (Clause 4.3 of LEP 2009 sets a maximum building height of 65m for the site). Interferes with residential building views particularly The Abode at 599 Pacific Highway St Leonards. Future developers can be expected to use such a departure from recommended height to use this as a precedent for greater excess.

Name: Patricia Quirke-Parry

Address:
1803/599, Pacific Highway
St Leonards

IP Address: ppp57b5.dsl.pacific.net.au - 125.255.23.181

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhivve.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhivve.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Amy Watson - Online Submission from luhong sun (object)

From: luhong sun <sydluke@me.com>
To: Amy Watson <amy.watson@planning.nsw.gov.au>
Date: 1/09/2010 4:10 PM
Subject: Online Submission from luhong sun (object)
CC: <assessments@planning.nsw.gov.au>
Attachments: Objection - Winten Development.pdf

objection for this plan. Find the attachment. *(neighbour's submission)*

Name: luhong sun

Address:
2008 1 Sergeants Ln St Leonards

IP Address: - 202.124.75.72

Submission for Job: #3737 MP09_0210 Commercial Development
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3737

Site: #2180 88 Christie St, St Leonards
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2180

Amy Watson

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

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Monday, 30 August 2010

The Minister
NSW Department of Planning
C/- Development Assessment & Systems Performance
Metropolitan Projects
23-33 Bridge Street
Sydney NSW 2001

Dear Minister

**Letter of Objection – St Leonards Commercial Centre
Development Application: MP09_0210
Attention Amy Watson**

I am the owner of the above property which has an outlook to the south over the proposed development.

I wish to lodge an objection to this development based on the following:-

The height and scale of the development will effectively block my outlook to much of the city and almost all of the Sydney Harbour Bridge.

This perspective to the city and the bridge is the centre piece of my property and its value. The Sydney Harbour Bridge is a globally recognised icon and the loss of this outlook will significantly reduce the value of not only my property but others in the block. The proposal is already in excess of the Lane Cove Council LEP.

Section 5.6.3 of the Winten Property / JBA Planning - Concept plan (July 2010) grossly understates the loss of views.

This is No *“minor impact on the views experienced from some units in the residential towers”* as stated in the Environmental Assessment Report.

This section grossly understates the impact on views on two counts:

- 1) Of the 483 units in the Forum Tower, only 38 have the premier southern/harbour views. The vast majority of units in the Forum Tower do not and never will have this outlook. It is appropriate therefore to measure the impact as a percentage of the properties that have the views in the first place. On this basis the proposal impacts more than 50% of units and not 4% as stated. It also fails to acknowledge the indirect views enjoyed by units on the eastern side that will also be affected.

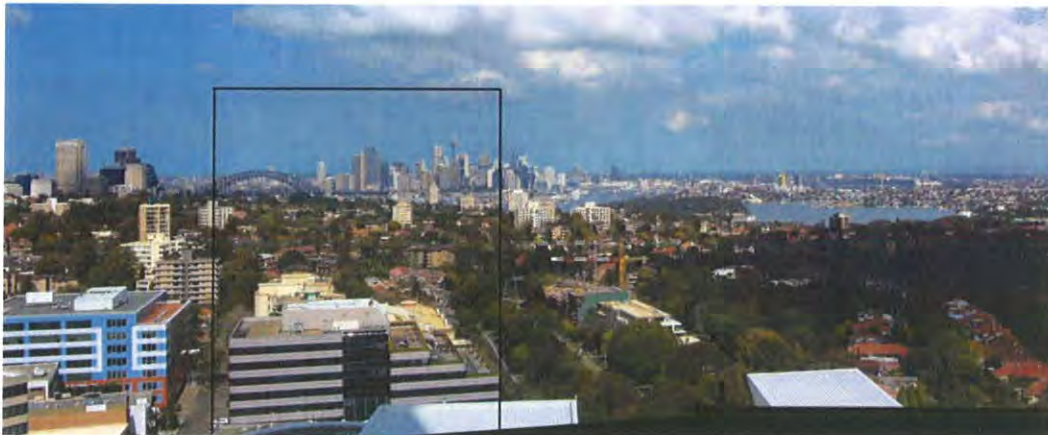
2) The section also states:-

*“The analysis demonstrates that the level of affection will be **minor**, as the units are a considerable distance from the proposed development and the affected view is **small** in comparison with the panoramic views enjoyed by the buildings”*

This is a misrepresentation as it fails to acknowledge the quality of the bridge and city outlook that this development will block as per the photo below.

This is like asking someone to view the famous Mona Lisa painting while covering a “**small**” area of the picture that just happens to be the face.

Yours Sincerely



This photo indicates the impact of the proposed development on my outlook to the City. The width of the proposal has been referenced to the building frontages on Christie and Lithgow Street.

Ps. I do not want my name or address made available under section 75H of the Environmental Planning and Assessment Act 1979.