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23 November 2016

Chief Executive Officer  
Sydney Olympic Park Authority  
8 Australia Avenue  
Sydney Olympic Park NSW2127

Dear Sir,

## **SUBMISSION TO DRAFT SYDNEY OLYMPIC PARK MASTER PLAN 2030 (2016 REVIEW) AND DRAFT AMENDMENTS TO SEPP (STATE SIGNIFICANT PRECINCTS) 2015 – 4 FIGTREE DRIVE, SYDNEY OLYMPIC PARK (SITE 52)**

This letter has been prepared on behalf of Cambooya Properties owners of the leasehold for the property at 4 Figtree Drive, Sydney Olympic Park (**subject site**), in relation to the draft Sydney Olympic Master Plan 2030 (**2016 Review**) and draft amendments to *State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)*. The site is described in the Sydney Olympic Park Master Plan 2030 (**Master Plan 2030**) as Site 52.

We support the review of Master Plan 2030, and appreciate the opportunity to provide comments on the 2016 Review. The purpose of this submission is to raise concerns in relation to a number of specific amendments proposed. Specific concerns are detailed under separate headings in Section 3 of this letter, and relate to:

- **Floor Space Ratio (FSR) standard**

A greater density on the site that recognises the proximity to the Olympic Park Train Station, and location adjacent to the railway line and Sarah Durrack Drive which is away from existing sensitive residential properties.

- **Height of Buildings standards and controls**

Delete the split maximum height of building standards and replace with a single maximum height of building standard of 74 metres across the site, with the location of tower buildings and lower built form, the subject of competitive design processes required for the site;

- **Building setback controls**

Recommends a performance based approach to building setback controls to ensure that innovative built form solutions are encouraged through competitive design processes that are introduced for this site.

- **Pedestrian/cyclist footbridge**

Greater clarity is required on the location, responsibilities for the construction, ownership and on-going management of the proposed pedestrian/cycle bridge.

- **Developer Contributions**

Greater clarity is required on the scope of works included in the IFC and we request the proposed SIC be placed on public exhibition for comment and this must be the subject of an economic impact assessment.

- **Transfer of Leasehold Title to Freehold title**

Greater clarity and transparency is recommended on the valuation and transfer process so all parties can make informed decisions about investing in the future development of Sydney Olympic Park.

## **1. CAMBOOYA PROPERTIES**

Cambooya Properties have a long term interest in SOP as an investor in commercial office space.

## **2. PREVIOUS CONSULTATION WITH SOPA**

On 28 May 2015, representatives from Cambooya Properties were invited by SOPA to partake in a landowner workshop to inform the 2016 Review. SOPA provided a summary of the points raised, as follows:

- Straight forward formula for valuation to assist with feasibility estimates;
- Valuation team to put together possibly Australian Property Institute;
- Supportive of MP – more focus on community needs including schools, retail, transport (multi modal links);
- Make Master Plan active – small business, High St services;
- support density and height at SOP;
- Local Shuttle; and
- Design excellence – clarify competition bonus.

Following the landowner workshop Cambooya Properties wrote to SOPA providing it's more comprehensive summary of key discussions points made in the meeting, as follows:

- Supporting of the 2016 Review of Master Plan 2030;
- Transparency on Leasehold to Freehold: Providing a transparent formula for conversion cost of leasehold to freehold and determination of marriage value to enable feasibility and planning

- Improving SOP Master Plan residential outcomes through additional amenities, including:
  - Destinal retail – A shopping centre to serve the residential precinct
  - Schools
  - Transport: Ensure a multimodal approach including high quality links to Sydney CBD and Parramatta CBD as well as local shuttles links
  - High street life and services – Encourage smaller business spaces for high street services (e.g. doctors, post office, accountants)
- Density: Increase densities substantially to create sustainable communities that support high street life, retail areas and sufficient local amenities, and support all SOPA outcomes providing a larger gap in leasehold to freehold conversion.
- Green space and building heights: Support for minimising building footprints and a significant increase in building heights to promote increased green space at ground level. Green open space was noted to be consistent with the character of SOP.
- Design Competitions: Support for increasing investment in good design outcomes through planning incentives such as the competitive design processes of the City of Sydney.

In this submission we have considered the matters raised by Cambooya Properties in earlier consultation with SOP, having regard to the exhibited draft amendments to the SPP SEPP and the Master Plan 2030.

### **3. REVIEW OF DRAFT AMENDMENTS**

We understand that a review of Master Plan 2030 and the SSP SEPP was undertaken earlier in 2016 by SOPA in partnership with the Department of Planning and Environment. The review seeks to promote more mixed use development, introduce tower building zones, increased densities with changes to floor space ratios (FSR) standards, change building setbacks to encourage active frontages and alter the street layout.

Table 1 compares key changes to planning controls applying to Site 52 under the current Master Plan 2030 and the draft Master Plan, as well as key SPP SEPP amendments.

TABLE 1 – KEY PLANNING CONTROLS AND CONSIDERATIONS

Element	Current Master Plan	Draft Master Plan	Comment
FSR	<p>U=2.5:1</p>	<p>V2=3.2:1</p>	<p>The review supports an increase in FSR from 2.5:1 to 3.2:1. This differs from the surrounding sites, whose FSR varies between 3.6:1 and 6.5:1.</p>
Land Use Zoning	<p>B4 Mixed Use</p>	N/A	<p>The draft review maintains the land B4 Mixed Uses and supports the uses outlined in draft Master Plan 2030.</p>
Height of Buildings	<p>U1=30m</p>	<p>U2=33m AA=74m</p>	<p>The Draft Master Plan seeks to establish a 6-8 storey block edge, with a maximum of 20 storeys of tower above. This results in two maximum height of building zones for the site.</p>

Element	Current Master Plan	Draft Master Plan	Comment
Site Boundaries		N/A	The draft review maintains central precinct site boundaries.
Land Uses	Red=Residential Land Uses 	N/A	The draft review maintains the Central Precinct Land use as residential.

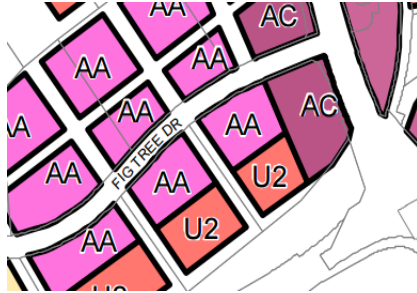
## 4. KEY ISSUES

We wish to highlight our concerns with the following aspects of the SEPP SPP amendments and draft Master Plan in regards to the subject site:

### 4.1. HEIGHT OF BUILDINGS

The SSP SEPP amendment proposes changes to the building height controls in the Central Precinct. Site 52 is now identified as having a split height limit of 33 metres fronting Sarah Durak Avenue and 74 metres to the Figtree Drive frontage, as a transition in scale from north to south. Refer to **Figure 1**.

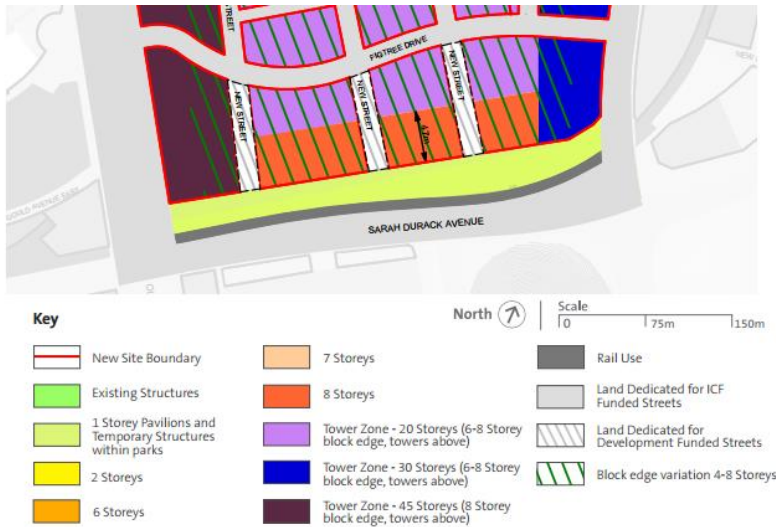
FIGURE 1 – HEIGHT OF BUILDING MAP (SOURCE: SSP SEPP)



Height of Buildings: AA: 74 metres, U2: 33 metres

The split height of building controls are also carried into the draft Master Plan 2030 in controlling the maximum number of storeys. In addition to the split height controls an additional control requiring a block edge variation of 4-8 storeys is also shown on the Building Setbacks Map in the draft Master Plan 2030. Refer to **Figure 2**.

FIGURE 2 – HEIGHT OF BUILDING MAP



The increased in residential densities on the site and the change to the maximum overall height permitted on the site is supported. Increasing the height of buildings standard provide opportunities for additional green space at ground level which is supported. We are however concerned with splitting the site into two height of building standards. We are also concerned that the introduction of a 74 metre height limit on the northern portion of the site will result in undesirable impacts on the residential amenity of future occupants on the site. Having taller building forms on the northern portion would result in potential self-shadowing of residential buildings in the southern portion of the site (**Figure 3**).

A preferred location for taller buildings is towards the southern part of the site, which will have less overshadowing impacts on residential dwellings on the site and adjoining sites. South of the site is the



railway line, and Sarah Durack Drive, which do not have the same amenity considerations as residential apartments.

We note that the subject site will be required to be subject to a design competition under the 2016 Review. We support the inclusion of the subject site in the list of sites, which will be subject of a design competition, and we consider a design competition process is the best place to determine the most appropriate distribution of built form across the site, having regard to number design alternatives.

FIGURE 3 – TOWN CENTRE PRECINCT ILLUSTRATIVE PLAN



*Recommendation:*

It is requested that SOPA reconsider the split height controls as this approach will not provide good urban design and residential amenity outcomes for the site and future residents. A single height of building standard of 74 metres should be adopted for the site, with the location of tower buildings and lower scaled built form on the site determined through the consideration of design alternatives in a competitive design process.

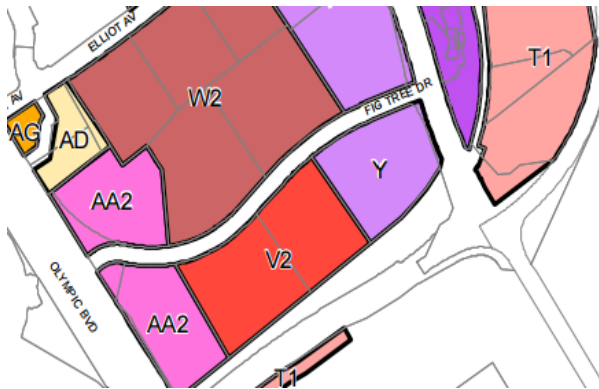
## 4.2. FLOOR SPACE RATIO

While the subject site is proposed to have an increase in FSR from 2.5:1 to 3.2:1, this falls short of surrounding development which sits at 4.5:1 to the east and north east of the site and 3.6:1 to the north and north west of the site (**Figure 4**).

A substantial uplift in density is recommended to create a sustainable community that supports vibrant street life, retail areas and sufficient local amenities, providing a larger gap in leasehold to freehold conversion.

In the absence of built form or urban design justifications preventing consistency of FSR across the precinct it is recommended that the proposed FSR be revised to be consistent with sites 47A and 47B and 46A, 46B, 46C and 46D, to the north of the subject site.

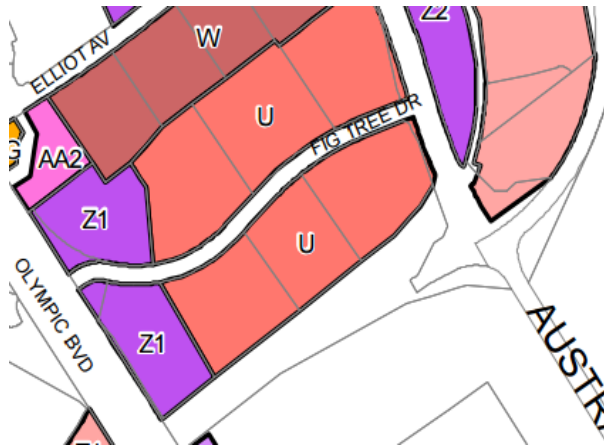
FIGURE 4– PROPOSED FSR MAP (SOURCE: SSP SEPP)



FSRs: W2: 3.6:1, V2: 3.2:1, Y: 4.5:1

This consistent approach to the FSR controls follows the same consistent approach under the current FSR controls, that apply to the centre of the Central Precinct, which are illustrated in **Figure 5**.

FIGURE 5 – CURRENT FSR MAP (SOURCE: SSP SEPP)



FSR: U: 2.5:1

Recommendation:

It is recommended the proposed FSR for the site be amended to be consistent with the FSR on land to the north



### **4.3. SETBACKS**

The 2016 Review of the Master Plan 2030 proposes an 8 metre setback along the southern side of Figtree Drive, and 5m building setbacks along the eastern and western boundaries with the new streets either side of Site 52.

The proposed setback controls are a constraint on alternative designs, which demonstrate an appropriate design response to the site being achieved through a competitive design process. It is noted that the 2016 Review includes the subject site, in the list of sites which will be subject to competitive design processes. Competitive design processes are supported, to promote urban design and planning innovation at SOP. In the event that a design seeks to vary the building setback controls, a performance based approach to archiving high quality urban design and architectural design is supported.

Recommendation:

To prevent innovative built form solutions for sites that are subject to design competitions from being overlooked due to a strict application of numerical controls, the following statement in the Master Plan 2030 in relation to building setbacks is recommended:

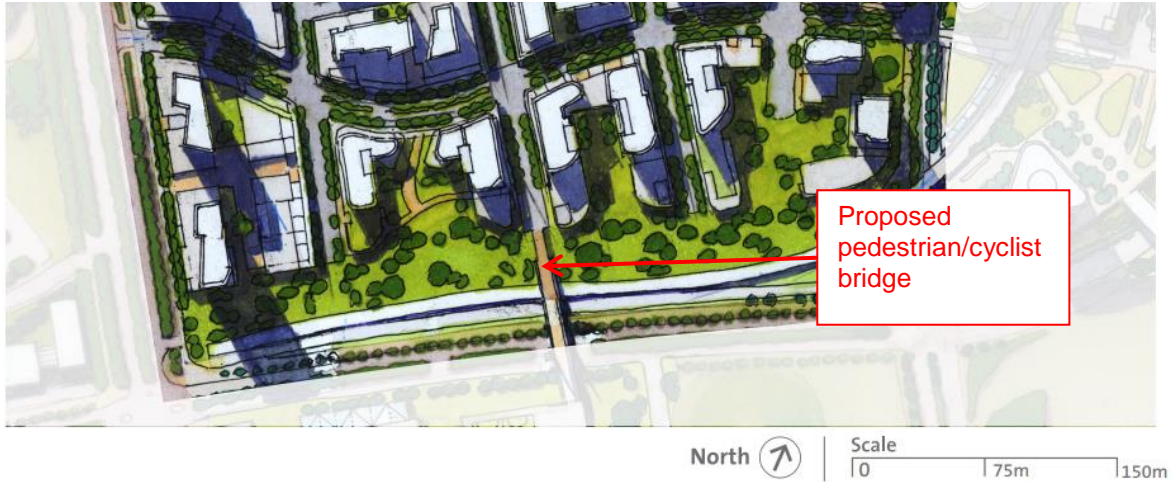
*“Building setbacks may be varied subject to meeting acceptable performance based solutions”.*

### **4.4. PEDESTRIAN/CYCLIST FOOTBRIDGE**

A pedestrian/cycle bridge is shown from the end of the new north/south street on the subject site across the railway Line and Sarah Durack Avenue in Figure 5.4 Town Centre Precinct Illustrative Plan.

Clarification is required on the responsibility for construction of the identified pedestrian and cyclist bridge over the rail line and road. If the developer is required to fund and construct the bridge it would be considered onerous and an inequitable impost on any one developer. If this is the expectation any cost must be offset from the local development contributions they are obligated to pay under the ICF associated with the site’s redevelopment.

FIGURE 6 – PEDESTRIAN/CYCLIST BRIDGE (SOURCE: DRAFT MASTER PLAN 2030)



Recommendation:

We seek clarity on the responsibilities for the construction, ownership and management of the proposed pedestrian/cycle bridge. If the works are to be undertaken by the developer of Site 52, we recommend that all costs incurred by the developer are offset from the development contributions payable under the ICF.

Clarification is sought on what local infrastructure works are included in the IFC. It is unclear what infrastructure works the development contributions will go towards. A schedule of works attached to the ICF so there is transparency and accountability in the delivery of infrastructure funded by development contributions.

## 4.5. CONTRIBUTIONS

### SIC Framework

As the draft SIC framework has not been finalised at the time of the release of the Draft Master Plan 2030 and is due for public exhibition at the end of 2016, Cambooya Properties reserves the right to make a submission when the framework is released to the public for exhibition.

Recommendation:

Cambooya Properties requests that the SIC framework outline the rationale and feasibility behind the contribution, as well as consideration be given to the economic impacts caused by the additional contribution and how the contribution may impact the development potential of the site.

## ICF Framework

As noted above in relation to the proposed pedestrian/cycle bridge it is not clear who's responsibility it is to build, own and maintain this new infrastructure. It is also recommended that a list of all local infrastructure works is required in the ICF for transparency and accountability.

## 4.6. LEASEHOLD AND FREEHOLD STATUS

The 2016 Review does not propose to change the current arrangements in place for the conversion of Leasehold to Freehold title. Providing a transparent formula for the conversion cost of Leasehold to Freehold will enable developers to determine the marriage value for feasibilities and planning new developments.

It is known that financial institutions have some issues with the current land tenure arrangements and there is a preference to lend to developers when the land is Freehold. This may have had an influence the pipeline of development projects at SOP and delayed the realisation of SOPA's vision for the locality.

Without an open and transparent process for converting Leasehold to Freehold title the market may only able to respond in a conservative way, which may lead to sites remaining undeveloped for long periods. Many of the sites in the Central Precinct have tenants on medium to long term leases and many of the existing buildings are 20-25 years old which is a long way off reaching the end of their usable lives as commercial offices.

There needs to be a sufficient increase in densities for long term investors to consider a redevelopment for residential use and equally important there needs to be transparency on the conversion costs from Leasehold to Freehold land to give investors and developers greater clarity for all parties in considering a potential redevelopment.

## 5. CONCLUSION

This submission has identified a number of concerns with the proposed amendment to SSP SEPP and the draft Master Plan 2030. We recognise the overall vision as the amendments have the potential to activate and revitalise SOP. However, we recommend the following:

- Increase FSR in recognition that development of the site would not have significant adverse overshadowing impacts on neighbouring properties and to create a sustainable community that support a vibrant street life, retail areas and sufficient local amenities, providing a larger gap in leasehold to freehold conversion.
- Delete the requirement for a split height of building standards and replace with a single height of building standard of 74 metres across the site, with the location of tower buildings and lower built form, the subject of competitive design processes required for the site;
- Allow the flexible application of building setback controls, subject to the complete design processes required for the site;



- Clarification around the responsibility for construction, ownership and on-going management of the proposed pedestrian/cyclist bridge;
- Clarification is sought on the list of infrastructure works that the development contributions under the ICF are to go towards. This will provide the necessary for transparency and accountability for the on-going management of the ICF;
- When the SIC framework is released for public comment it must outline the rational and feasibility behind the contribution, as well as consideration be given to the economic impacts caused by the additional contribution and how the contribution may impact on development potential.
- Provide a transparent formula for the conversion cost of leasehold to freehold and determination of the marriage value to enable feasibility and planning; and

We welcome the opportunity to further outline and discuss these important concerns raised in this submission. If you have any questions please don't hesitate to contact me on 8233 9953.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Murray Donaldson".

Murray Donaldson  
Director, Planning