

TW/TG
17009
23 January 2017

Caroline McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

**SUBMISSION - ARNCLIFFE AND BANKSIA PRECINCT PROPOSAL
12 ARNCLIFFE STREET, ARNCLIFFE**

JBA has prepared this submission on behalf of Taleb Properties Pty Ltd (Taleb Properties). Taleb Properties is the owner of 12 Arncliffe Street, Arncliffe, which is located within the Arncliffe and Banksia Priority Precinct. A map of the Precinct showing the location of the 12 Arncliffe Street site is provided in **Figure 1**.

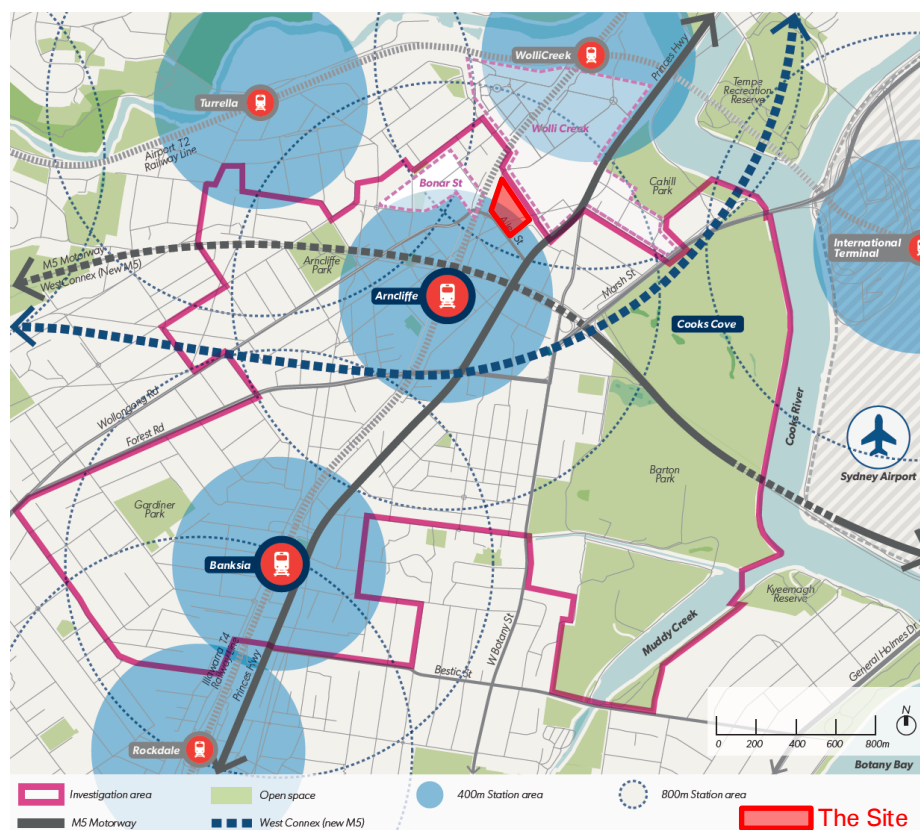


Figure 1 – Location of 12 Arncliffe Street site within Precinct
Source: Arncliffe and Banksia Precinct Proposal (modified by JBA)

The site is approximately 15,000 m² in area, representing a significant single holding within the precinct. It is currently zoned IN2 – Light Industrial and is occupied by a large warehouse used for car parts distribution and vehicle service centres, including for Ford, Mazda and Kia.

1.0 THE PRECINCT PROPOSAL

The Arncliffe and Banksia Precinct Proposal identifies the following changes to the land use framework for the 12 Arncliffe Street site:

- Zoning: B4 – Mixed Use (see **Figure 2**).
- Maximum Building Height: 70m on the southern part of the site and 31m on the northern part of the site (see **Figure 3**).
- Floor Space Ratio (FSR): 2 to 1 (see **Figure 4**).

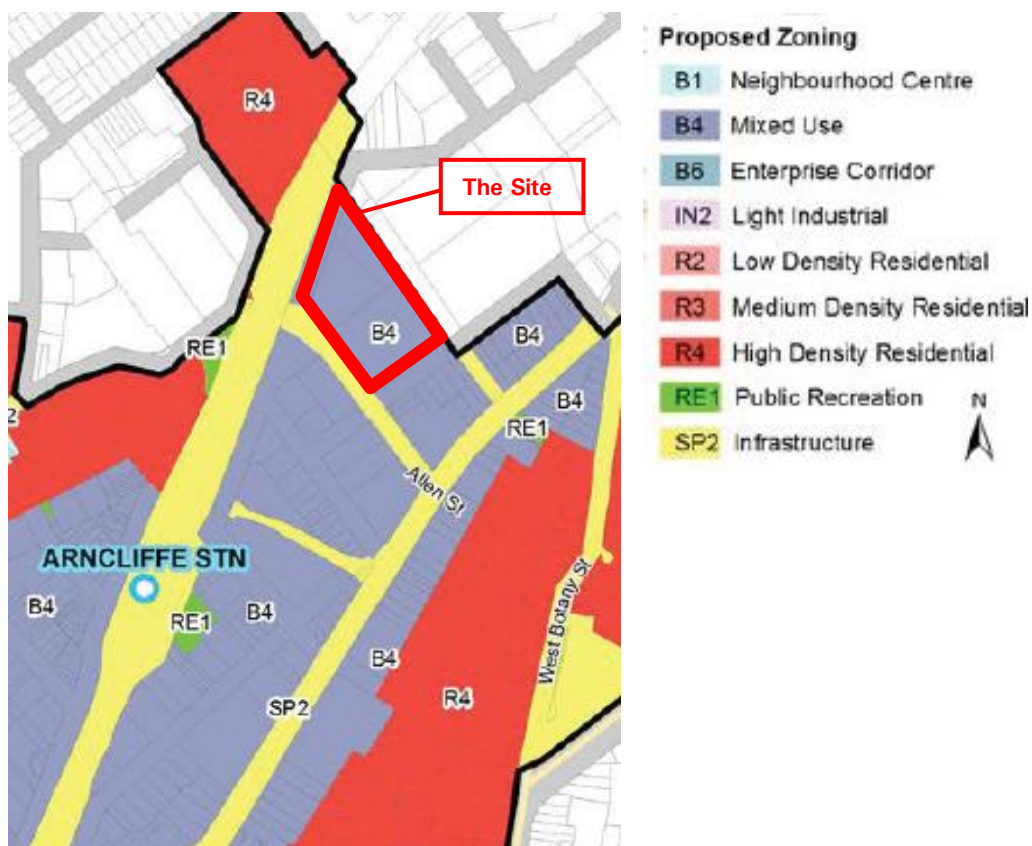


Figure 2 – Proposed future zone for 12 Arncliffe Street site
 Source: Arncliffe and Banksia Precinct Proposal (modified by JBA)

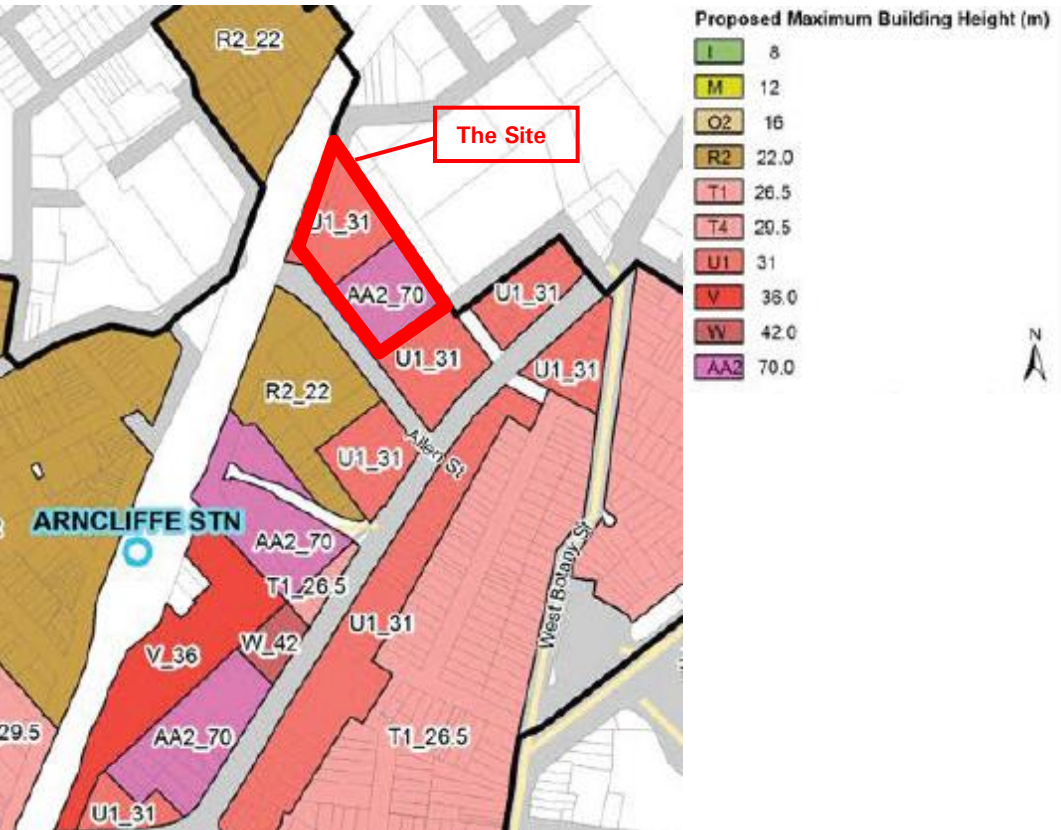


Figure 3 – Proposed future maximum building heights for 12 Arncliffe Street site
Source: Arncliffe and Banksia Precinct Proposal (modified by JBA)

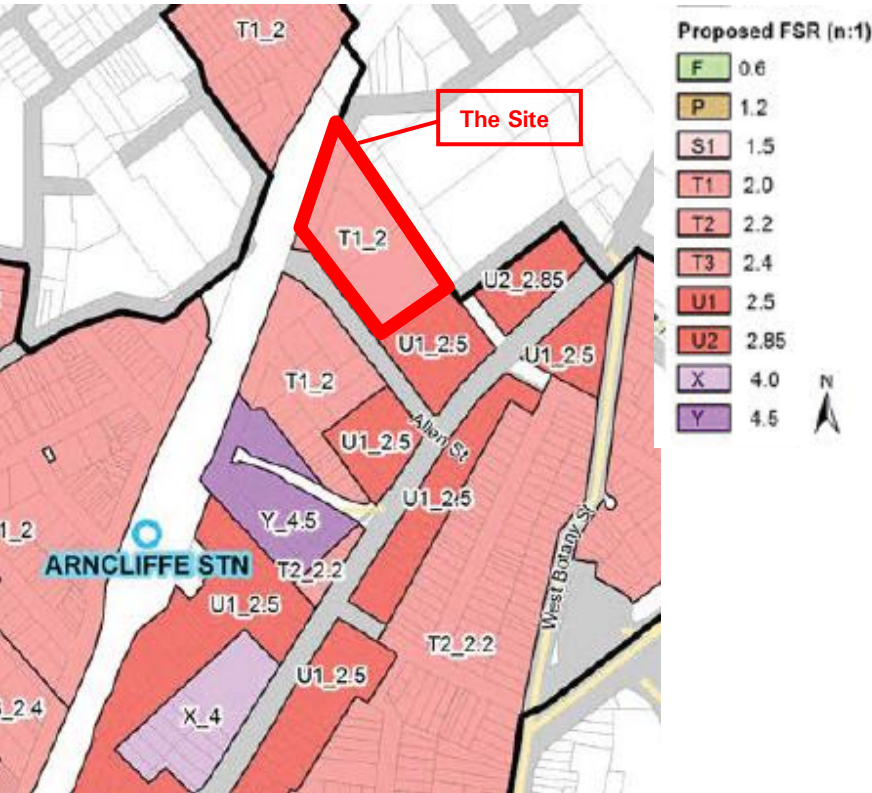


Figure 4 – Proposed future Floor Space Ratio (FSR) for 12 Arncliffe Street site
Source: Arncliffe and Banksia Precinct Proposal (modified by JBA)

Notwithstanding the proposed planning controls, as shown in the Priority Precinct Land Use Plan (see **Figure 5**), the northern part of the site is proposed to be a new park of approximately 5,000 m² and the southern part of the site is proposed to be mixed use. Whilst it has not been incorporated as part of the rezoning, the Draft Rockdale Development Control Plan (Draft DCP) which is being exhibited alongside the Precinct Proposal states that any redevelopment of the site will need to include the new public park with a minimum area of 5,000 m².

The Precinct Proposal specifically states that the higher 70m height limit has been applied to large sites within the Precinct that have the potential to provide new areas of public open space as part of their redevelopment. The 12 Arncliffe Street site is clearly one of these sites and has accordingly been provided with a higher maximum building height.

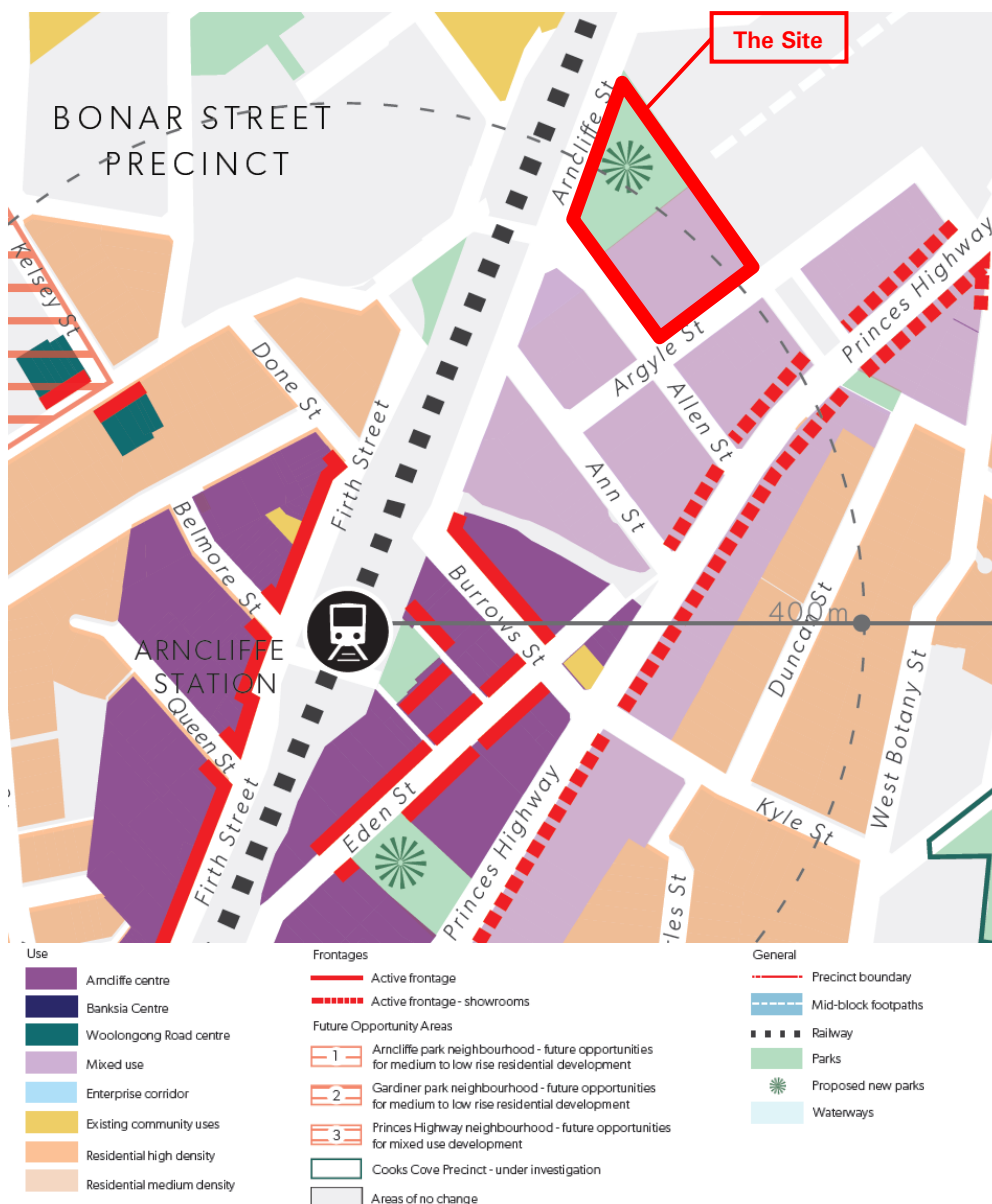


Figure 5 – Precinct Proposal for 12 Arncliffe Street site
 Source: Arncliffe and Banksia Precinct Proposal (modified by JBA)

2.0 THE ISSUES

2.1 Floor Space Ratio

The proposed future FSR for the site is 2:1. With the distribution of the floor space from the northern part of the site (future park) onto the southern part of the site, this would result in a total allowable Gross Floor Area (GFA) of 30,000m², calculated as follows:

- Floor space allocated to northern part of the site = 5,000m² x 2 = 10,000 m² GFA
- Floor space allocated to southern part of the site = 10,000m² x 2 = 20,000m² GFA
- Total floor space = 30,000m² GFA

This would result in a FSR on the 10,000m² southern part of the site that is commensurate with the adjoining land in the order of 3:1.

The Precinct Proposal sets out principles that the height and FSR controls are intended to encourage regeneration and investment in the precinct as well as allowing for financially viable development. We support this principle.

The Precinct Proposal also states that the proposed FSR for the site has been determined to ensure that if maximum heights are achieved then a sufficient site area is left for the provision of open space. However, we note that the two other sites within the Precinct with a maximum height limit of 70m are provided a FSR of between 4:1 and 4.5:1 (see **Figure 3** and **Figure 4**) indicating that the FSR limitation at the 12 Arncliffe Street site may prevent the development of the southern part site towards its maximum building height. If this is the case, then the imposition of the lower FSR could impact on the financial viability of site redevelopment, undermining the principles of encouraging regeneration and investment in the precinct.

In relation to the 12 Arncliffe Street site, the development yield arising by the rezoning should also compensate for the loss of developable land (i.e. the land to be used for the new park), as well as the additional costs associated with the construction of higher buildings. With consideration of these matters, the proposed future FSR does not appear to take into account the cost of land associated with the future park or the additional cost of development. The proposed development yield is therefore not likely to be substantive enough to trigger the intended land use change meaning that the park may not be constructed in a timely manner in relation to the revitalisation of the precinct.

It is requested that the Department reconsider the proposed FSR control for the 12 Arncliffe Street site, in particular that a FSR in the order of 2.7:1 to 3:1 be considered (which would result in a FSR on the southern part of the site of at least 4:1 up to 4.5:1).

2.2 Setbacks

Part 7.6 of the Draft DCP sets out site-specific requirements for the 12 Arncliffe Street site in relation to:

- Setbacks – the lower 6 storeys to be set back 6m from Allen Street and Argyle Street frontages), and;
- Maximum floor plates – of 800m² for buildings 8 storeys or higher (to promote slender buildings).

The effect of these provisions is to enforce urban design outcomes on the site by way of taller slender buildings with appropriate interactions with the public domain of the new park. Taken together with the specified FSR, these requirements further contribute to the costs of site redevelopment, thus further undermining the Precinct Proposal's principles of encouraging regeneration and investment in the precinct.

2.3 Delivery of the New Park

The Precinct Proposal does not rezone the proposed new park, indicating that the compulsory land acquisition process is not triggered. Further, the Draft DCP states that any redevelopment of the site will need to include the new public park, indicating that the intention is for the developer to deliver the park and either provide for its ongoing maintenance and management, or transfer it to Council, potentially in accordance with a planning agreement.

Taleb Properties have several queries relating to the expectations of the Council and the Department in terms of delivery of the new public park, as well as ongoing ownership and maintenance arrangements for the park.

3.0 CONCLUSION

Whilst we are generally supportive of the overall approach adopted within the Precinct Proposal, there are several matters raised above which require clarification or further information, including:

- Confirmation of the assumed intention of the proposed planning controls in relation to the distribution of floor space from the (northern part of the site (i.e. the new park area) to the developable southern parts of the site.
- Consideration of a higher FSR control commensurate with the 70m height limit – in the order of 3:1 (which would result in a FSR on the southern part of the site of 4.5:1).
- Clarification of expectations in relation to delivery of the new public park, as well as ongoing ownership and maintenance arrangements for the park.

We would like to request a meeting between the Department and Taleb Properties to discuss these issues and ensure that the final rezoning achieves an outcome that sufficiently incentivises redevelopment of the site and results in the best outcome for the Arncliffe centre through the timely delivery of the new public park.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4962 or tward@jbaurban.com.au.

Yours faithfully

Tim Ward
Associate