



NSW Planning & Environment

Ref AT-17-046
27 February 2017

Attention: Anne Marie Carruthers
(Director Urban Renewal)
Good-afternoon Ann- Marie

Re: - **Draft Priority Activation Precinct Plans**
Bayside West Arncliffe, Banksia Cooks & Cove

Firstly, Congratulations on your progression of the PAP Plans.

As to the subject matter we seek a meeting with you to discuss various opportunities identified in part within the PAP Plans as you are aware my client has a large parcel composing 9 sites with an area of 6,290m² with a PAP proposed zoning of B4 Mixed Use with a height recommendation of 31.0m and nominated FSR of 2.5:1.0.

We have undertaken extensive submissions in response to NSW Government Policies within **"A Plan for Growing Sydney"** instigated by direction from Rockdale / Bayside City Council and NSW Planning Directions however no progress has been made due to the continued change directions from NSW Planning and interpretation by Council and NSW Planning refusal to act on the Planning Proposal.

Also, interpretation of Council Refusal to act on the Planning Proposal and a Pre-Gateway Application because of the pending PAP and GSC District Planning Process may effectively satisfy the Proponent Application for Development.

All Prior submissions are within Pre-Gateway Application 18 October 2015 Ref AT-1578

Response to draft PAP (Bayside Council, Arncliffe, Banksia, Cooks Cove)

1. I should firstly state that I consider that there are numerous meritorious elements of the draft PAP, however, my primary concern is the proposed application of a 2.5:1 FSR Control applied to proposed B4 mixed use zoning for the abovementioned properties.
2. As I read the draft Planning Controls, the subject site is proposed to have a 2.5:1 FSR Control with a 31m height control. In my view the application of a 2.5:1 FSR Control for the subject properties (and other similarly zoned adjoining properties) is inappropriate and unreasonable especially when existing building elements are currently approximately 2.1:1.0 as such any future re-development is non-viable unless improvement in outcome is provided by the PAP for the following reasons.
3. Firstly, a FSR Control is not the most effective planning control to achieve the desired building envelopes for the subject properties. On this point, I note the previous advice of the NSW Planning which describes an FSR Control as a "Crude Planning Control".

4. I professionally endorse there are far more desirable and effective Planning Controls (e.g. Bulk, Scale, uses in response Community needs, and Balance outcomes) to achieve **Functional Building Envelope Objectives**. Whilst NSW Planning has recently encouraged FSR Controls within various environmental plans, the FSR control should not be against the other Building Envelope Controls and the State Overall Desired Outcomes.
5. For the reasons cited, I consider that the 2.5:1 FSR Control proposed for the subject properties is at odds with the other Building Envelope Controls under the PAP and the draft Central District Planning Objectives progressed from “**A Plan for Growing Sydney**”.
6. The subject properties will have a height control of 31metres however NSW Planning in Consultation with Council via the “Princess Highway Corridor Study” undertaken by Consultants JBA with Commercial Assessment by JLL and the various submissions via workshops/ community forums clearly established and adopted by council, the following building form should prevail;

*“Ground and First level of building redevelopment to be commercial - display type mixed users with a at grade active street frontage and upper levels **for residential with affordable housing content.**”*
7. On that basis, extensive off street car parking will be required at an expense, the parking will be a nil return on investment unless substantial upper levels of residential is facilitated by the PAP to invigorate the locality and support transport to work and play by rail and reduce vehicle movement use.
8. The PAP objective to promote construction of 12 Storeys building on a 50% building plate conflicts with much of objectives sort throughout the PAP and the draft Central District Plan.
9. To demonstrate same, we have undertaken a detailed assessment applied to 127 Princes Highway which is a consolidation of 4 vacant warehouses **1,690m²**.

Example Project Control

The draft district plan building footprint control of 800m² site will be impaired by Building Element of approximately 170m² of common service areas (Lifts Stairs, Garbage Room, Corridors, Columns and Services Ducts) per level of construction, this format will only result in production of 6 units per level at 3.0m center per level.

Example Building Form

Commercial - Display Corridor Study	Ceiling heights
Motor Vehicle Ground Level Ceiling height	6.0 m
1st level Commercial	4.0 m
Balance available for Residential 21m = 7 Level x 3 m	21.0m
District Plan Control Height	Total 31.0 meters

Development Cost Assessment - Excluding Interest and Land / Overheads

Commercial

Lettable area 1200 m2	\$4.2ml
Commercial Cars Spaces required 30 Car spaces	2.4ml
% Consultants, Council ,Services, Section 94 Fees, Marketing costs	1.8ml

Total Commercial Content Development Excluding Land and Interest \$8.4 ml

Lease @5 % - \$669,000pa. net \$557.50m²

This is \$300.00m² over any market indicators for locality and we have not included Interest and Land Content Result **Non-Viable**

Residential

42 Units Construction	\$16.8ml
Residential 60 Car spaces	4.8ml
Consultants,Council ,Services, Section 94 Fees, Marketing costs	3.0ml

Total Residential Excluding land and Interest \$24.6ml

Over \$585,000 per unit before land current site are \$200,000@unit = \$785,000

Therefore, Units would be for sale at \$785,000 + interest 7 % and profit 15 %

Total Sale price \$957,000 for 2 bedroom units this sum is over \$200,000 above the market and \$350,000 above the Affordable Housing Assessment Criteria set by PM/C Affordable Housing Committee. Nov 2016 **Result Non-Viable**

10. Simply put, if the PAP is applied in the current format Development will not happen due to the total **unviability** set by the controls within the draft PAP and draft Central district plans the math's is clear, the use of only half a site (800m²) x 12 storeys = Gross Building Area of 9,600m² Result FSR 6.0:1.0

Thus, a 2.5:1 FSR Control GBA 4,000m² would result in a very slender building occupying only 50% of the site which is not viable with the requirement for basement parking which does not produce an income it is only a support for the commercial content,

11. Even if the FSR Control was increased to 4.0:1(as proposed for some larger sites under the draft district would not achieve a14 to 22 levels as sought by the PAP plans because as you INCREASE IN HEIGHT and further separation and articulation as required under SEPP 65 with the 50% footprint controls and increases in construction cost will override any benefit's in values within the property market for at least a decade.

Furthermore, the PAP conflicts with itself and the Central Draft District Plans to encourage then discourage by applying a ridged setback control of 6 .0m This approach is a contra control to promote viability and activity with landscape public domain edge.

To date the draft PAP and the draft Central district plan contemplates building envelopes which may suppress quality urban designer to contribute to new life streetscape fabric and balance functions of buildings.

The principal's objectives within "**A Plan for Growing Sydney**" is to increased residential development within the locality which has existing public infrastructure so as per local adopted policies can be meet in the short term.

Council Policy Statement 2015

“Rockdale Council encourages a range of uses within its local Centre’s. These Centre’s serve a vital role in the fabric of the city, as they provide local Mixed Use Hubs and provide additional Residential Density in well served areas as they are generally close to public transport nodes.”

Summary

The limitation imposed by the FSR Control under the draft PAP and the draft CENTRAL District Plan will inhibit additional development within the locality with the consequential effect that the desired objectives will not be achieved.

It is my professional view NSW Planning should not impose its proposed FSR Control pending within the draft PAP and GSC draft CENTRAL District Plan.

We submit an alternative merit based evaluation of quality building designs should be applied for development applications without overly constrictive numerical constraints which may stifle performance of the PAP and Central District Plan Objectives.

Thank you for your consideration this submission please do not hesitate to contact me to clarify any matter within and we look forward to your confirmation of date and time for us to be part of the progression of the PAP process

Yours sincerely


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