



**TOWER 2, LEVEL 23
DARLING PARK, 201 SUSSEX ST
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

22 February 2017

Department of Planning & Environment
GPO Box 39, Sydney NSW 2001

Dear Sir/ Madam

SUBMISSION RE: BAYSIDE WEST PRECINCT DRAFT LAND USE AND INFRASTRUCTURE STRATEGY

INTRODUCTION

I am writing to you on behalf of our client, Legacy Property and in response to the exhibited Bayside West Precinct Draft Land Use and Infrastructure Structure Plan. Legacy Property has amalgamated two adjoining lots being:

- Lot 1 in DP935494 known as 52 Eden Street
- Lot 1 in DP102268 known as 54 Eden Street

These parcels represent an initial amalgamation of properties within the Precinct creating a site of approximately 930sqm, however discussions are ongoing with other adjoining owners about further amalgamation of properties to the south-east of the LAHC site. There is potential to create a consolidated redevelopment opportunity of between 2,000-3,000sqm located within a 5minute walk of Arncliffe Railway station.

Legacy Property would like to acknowledge support to the Department and Council in their actions to facilitate urban renewal in the precinct. Based on our review of the documents we identify the following key issues:

- The proposed uplift in zoning, height of building and floor space ratios are challenged by the significantly fragmented land ownership within the Arncliffe Precinct, particularly on the eastern side of Princes Highway.
- The proposed density cannot be realised without significant amalgamation of land and there appears to be no minimum lot size requirement to promote appropriate land amalgamation.
- The lack of appropriate incentive to promote reasonable land amalgamation has the risk of potentially creating disjointed built form and an undesirable streetscape.
- From an urban planning and built form perspective, there is no compelling logic in the exhibition material that demonstrates why the immediately adjoining proposed built form controls applicable to the Land and Housing Corporation (LaHC) landholdings should not be extended southwards over our client's properties as well as immediately adjoining properties. By doing such we would agree that there is an opportunity to better create a better integrated and more amenable urban environment given the relative positioning of the site to the LaHC precinct.

We therefore submit the following for the Department's consideration.

PROPOSED CONTROLS

The proposed controls for the site is as follows:

- Zone B4
- FSR 2.2:1
- Height 31m (circa 9 storeys assuming 4.5m commercial ground floor plus 8 x residential floors @ 3.1m floor to floor)

NOTE: THERE IS AN ANOMALY IN THE PROPOSED FSR IN THE EXHIBITION MATERIAL AS IT APPLIES TO THE SITE AND OTHER PROPERTIES IN PROXIMITY.

THE DRAFT LEP MAPS DETAIL THAT THE SITE HAS AN FSR OF 2.2:1.

THE PLANNING PROPOSAL DOCUMENT (REFER P.33) ILLUSTRATES THE SITE HAVING AN FSR OF 2.5:1.

FOR THE PURPOSES OF THIS SUBMISSION THE DRAFT LEP MAP FSR OF 2.2:1 HAS BEEN RELIED UPON

PROPOSED PLANNING CONTROLS – GENERAL OBSERVATIONS

The proposed planning controls have been largely informed by the Urban Design Study included in the exhibition material. Based on our review of this document, the following observations are made:

- The site is located immediately to the south adjacent to the LaHC site in Eden Street, where proposed building height and density it at its greatest. Whilst the built form principles contained in the Urban Design Report recognise the renewal opportunity afforded by large well located sites, in our opinion the other principles driving building height can be equally applied to our client's (and immediately adjoining land holdings).

Taller buildings (up to 22 storeys) are proposed to be focussed between the railway line and the Princes Highway, for three key reasons:

In this location they act as a visual marker for the station, the retail core and community open space.

This area is less restricted by the airport-related height limitations than other parts of the Precinct.

There are larger landholdings in the town centre, where towers can be delivered in a way that minimises impacts on neighbours and also results in the delivery of new public domain. (p.42)

- When assessed in isolation the proposed controls as they apply just to the Legacy site suggests that they are incapable of being realised. This is reflected in our modelling in the attached document which indicates that an FSR of only circa 1.5:1 to 1.9:1 can be achieved relative to the an otherwise fully compliant height.

- In the case of the 1.9:1 FSR option, this can only be achieved by adopted a wedding cake approach to envelope massing, which is not an ideal urban design outcome and quite misaligned with the proposed massing shown for the LaHC site in the exhibition material.
- This suggests that there either needs to be incentives to amalgamate sites, or an investigation of opportunities to review the urban design modelling for this precinct. These issues are addressed in turn below.

LAND FRAGMENTATION

The size of both parcels of land reinforces the significant degree of fragmentation across the wider precinct. Whilst it is acknowledged that the draft controls do represent an uplift, based on our modelling suggests that the densities proposed may not be achievable and additional incentive should be implemented to facilitate site consolidation.

This issue is recognised in the Economic Report that accompanies the exhibition material. Notably, the Economic Report undertook hypothetical feasibility testing to inform the proposed controls and in the case of low density residential areas made the following observation:

If assembling a number of cottages for development, generic feasibility testing suggests an FSR range of 2.5:1 to 2.75:1 is required for feasible development. This density threshold declines if a development block is in single ownership and thus precluding the need to pay a premium over and above market value. (p.25)

This modelling by the Department assumed a redevelopment site of 1100sqm would be typically required to achieve the above quoted FSRs. In the absence of any incentive to amalgamate, together with the misalignment of height and FSR potentially creates a planning risk of ad hoc site amalgamation and resultant issues of residual land parcels/varying built form preventing the achievement of a cohesive streetscape design outcome.

ALTERNATIVE URBAN DESIGN MODELLING

As an alternative, it is considered that there is opportunity revisit the LaHC masterplan contained in Urban Design Study that better incorporates and provides a better built form relationship between the LaHC site and the “residual precinct” at the corner of Eden/Forest/Princes Highway. This “residual precinct” includes the Legacy landholdings in Eden Street.

In summary, the proposed changes involve:

- A redistribution of proposed maximum envelope heights of the “southern portion” of the LaHC site such that affords better solar penetration into the “residual precinct”. This does not derogate from the FSR / maximum building height that is otherwise proposed for the LaHC site.
- (It is noted that draft masterplan for the LaHC site appears to incorporate building separation distances – not annotated – that fall well below that required by the ADG for buildings greater than 12 storeys adjacent to the Legacy landholdings. Our alternate modelling has included adjustments to reflect ADG separation distance compliance).
- Identification of an opportunity to extend an apply the same 4:1 FSR and maximum 70m building height over the “residual precinct” based on site amalgamation. In other words, a base FSR could

be established with opportunity to achieve the maximum FSR provided amalgamation occurs in the manner depicted. The amalgamated site area is 3,841sqm.

- Arising from this is the opportunity to create a third tower element in the precinct that effectively “anchors” the southern end of the precinct at a prominent corner location by providing a strong street presence.
- The additional massing is oriented in a manner that maximises solar access into the future apartments.

SUMMARY

As highlighted in this letter, our major concern relates to the highly fragmented nature of Arncliffe Precinct and how this may significantly restrict the positive development outcome the Department is attempting to achieve. In its present form, the proposed controls are not achievable unless there is suitable site amalgamations. Whilst this an obvious requirement for orderly urban renewal, in the absence of either mandated minimum allotment sizes / density bonuses, there is the risk that the proposed outcomes for the Precinct are unattainable.

Taking this principle into account, we consider that there is opportunity to review the proposed controls for the “residual precinct” located at the southern end of the LaHC site by incorporating the two areas into a broader masterplan. It is noted that there is the intention to set site specific DCP requirements based on the LaHC masterplan contained in the exhibition material. This submission has proposed an alternate masterplan scenario that could be incorporated into an amended suite of site specific DCP controls.

Despite this, there remains significant uncertainty in the minds of our client over the proposed statutory planning controls for the site as evident by the inconsistencies in the exhibition material on FSR. Given that the FSR anomaly extends over a wide area, I would assume that this issue has been identified in other submissions. We would therefore welcome the opportunity to discuss this issue in detail with the Department as it clearly impacts the development potential of the site.

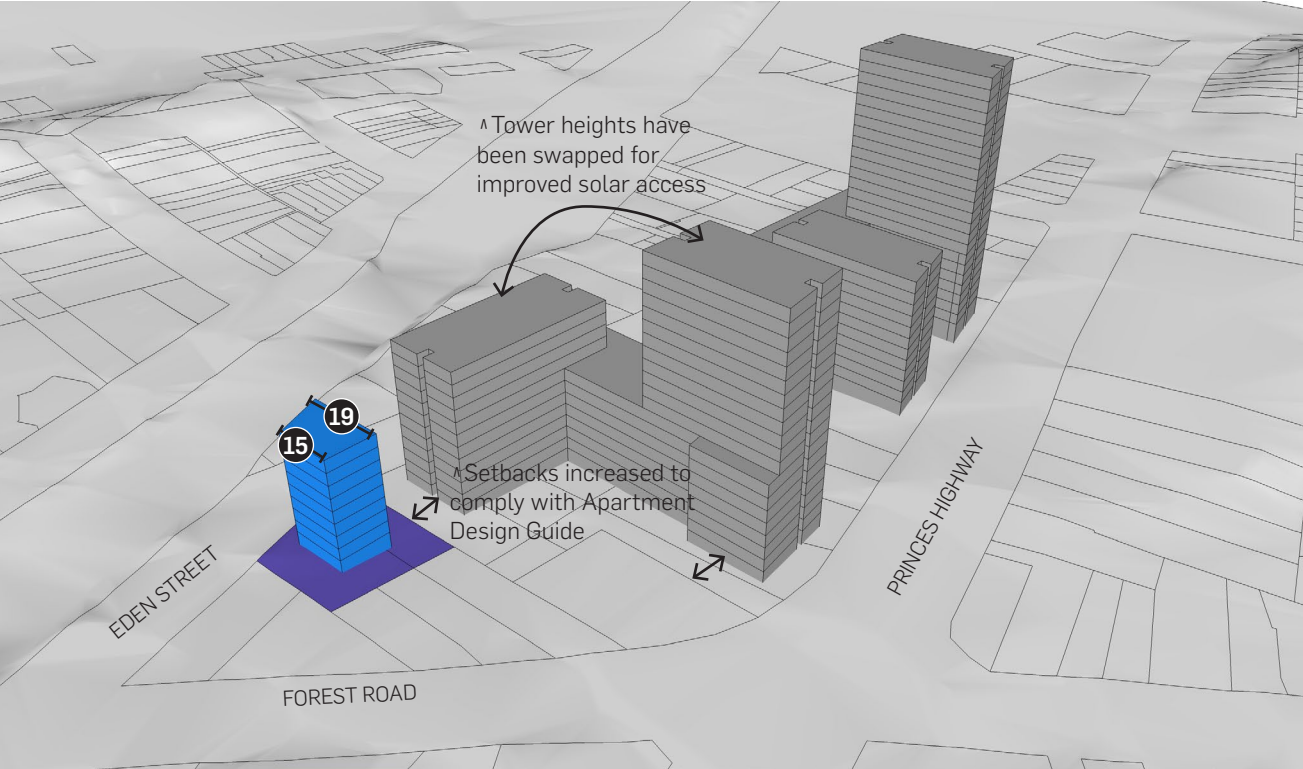
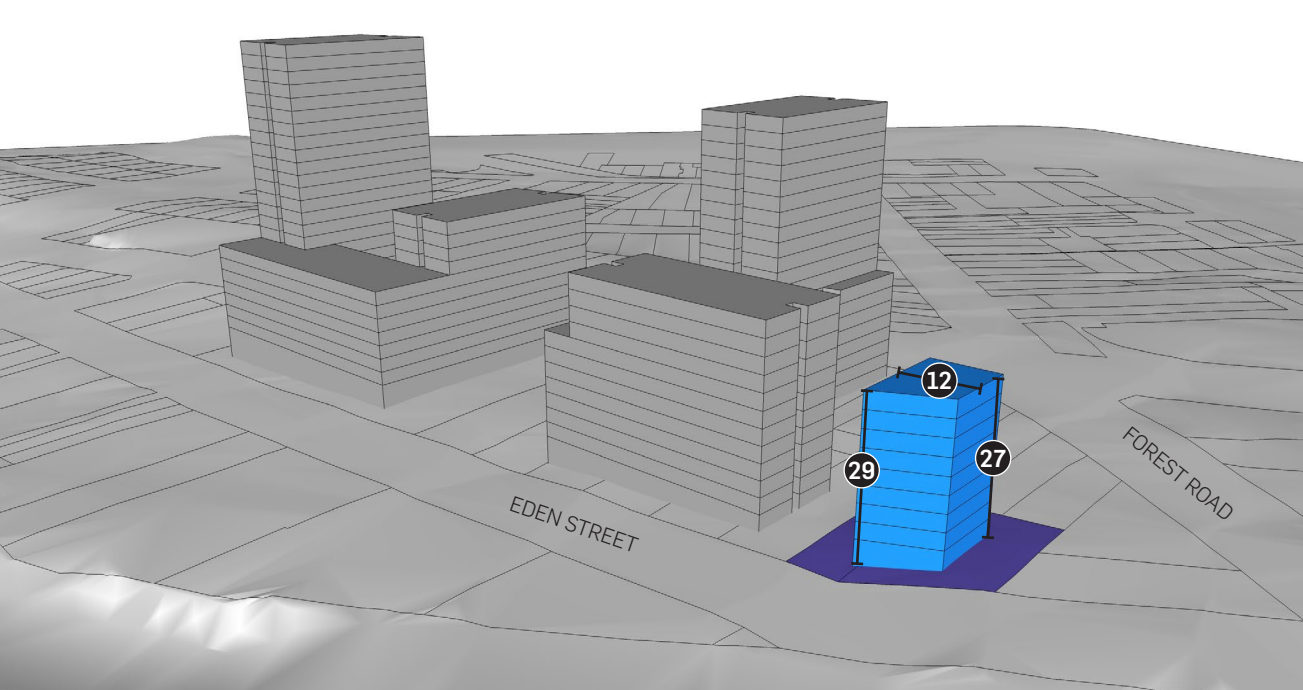
Thank you for this opportunity to provide this submission and I would be happy to discuss the contents of this letter in greater detail as necessary.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Hoy".

David Hoy
Regional Director

Attach – Preliminary Urban Design Modelling



FLOOR SPACE RATIOS & HEIGHTS

FOR 52-54 EDEN STREET

- Current
- FSR is 1:1
 - Height limit is 14.5m
- Proposed
- FSR is **2.2:1**
 - Height limit is **31m**

AREAS

APPLYING THE PROPOSED FSR FOR 52-54 EDEN ST:

Subject site area = 931 sqm

Maximum gross floor area (FSR 2.2:1) = 2,047sqm

Maximum building envelope (@ 75% efficiency) = 2,729 sqm



Building	Area/floor (sqm)	# of floors	Max height (m)	Building Envelope (sqm)	Gross Floor Area* (sqm)	FSR (n:1)
Building	210	9	29	1,892	1,419	1.5
Maximum permitted (based on subject site)			31	2,729	2,047	2.2

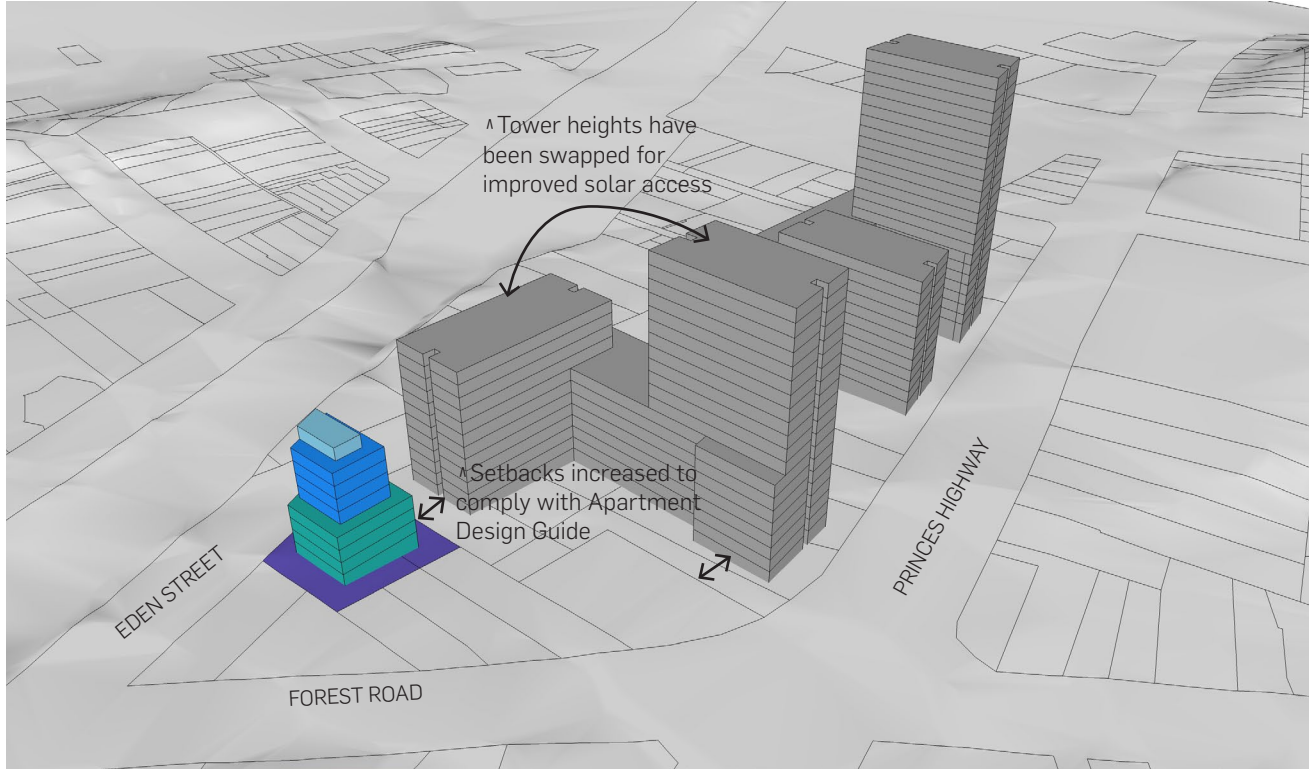
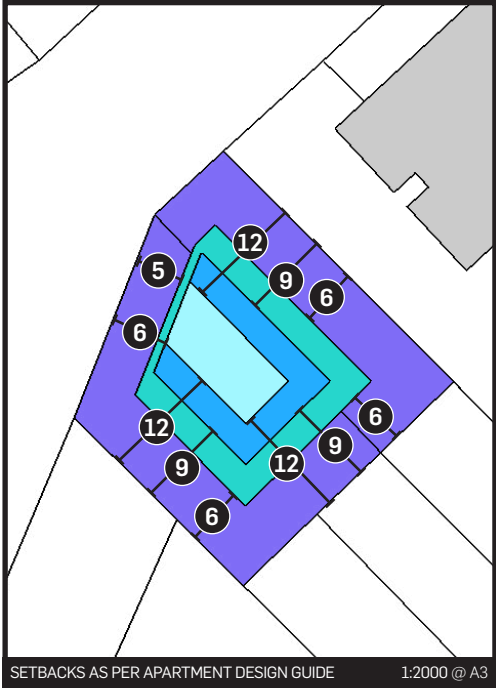
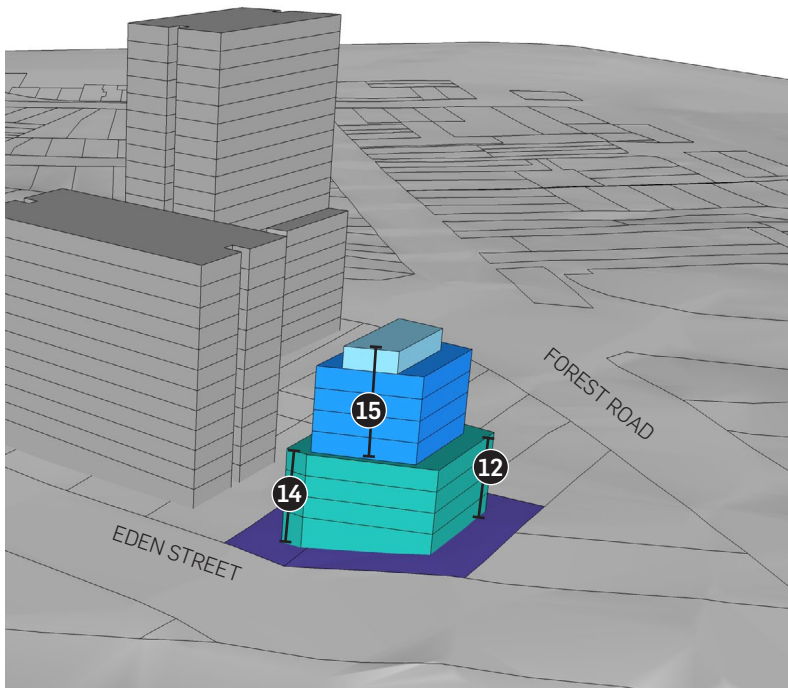
* Assuming 75% efficiency



52-54 EDEN STREET, ARNCLIFFE
BUILDING MASSING CONCEPT - SUBJECT SITE UNIFORM OPTION

DATE: 28/02/17
JOB NO: SA####
DWG NO: -
REV: -





FLOOR SPACE RATIOS & HEIGHTS

FOR 52-54 EDEN STREET

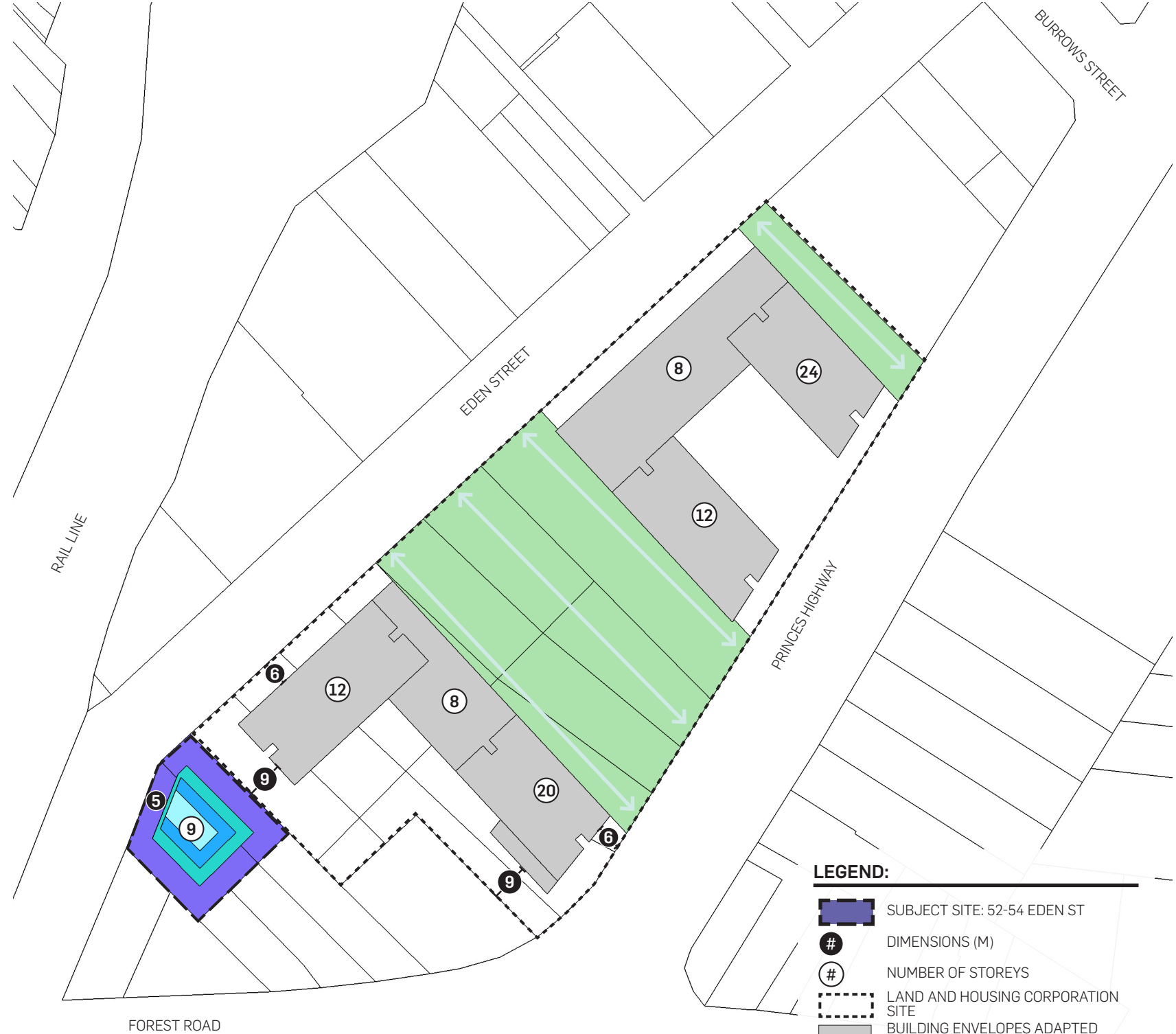
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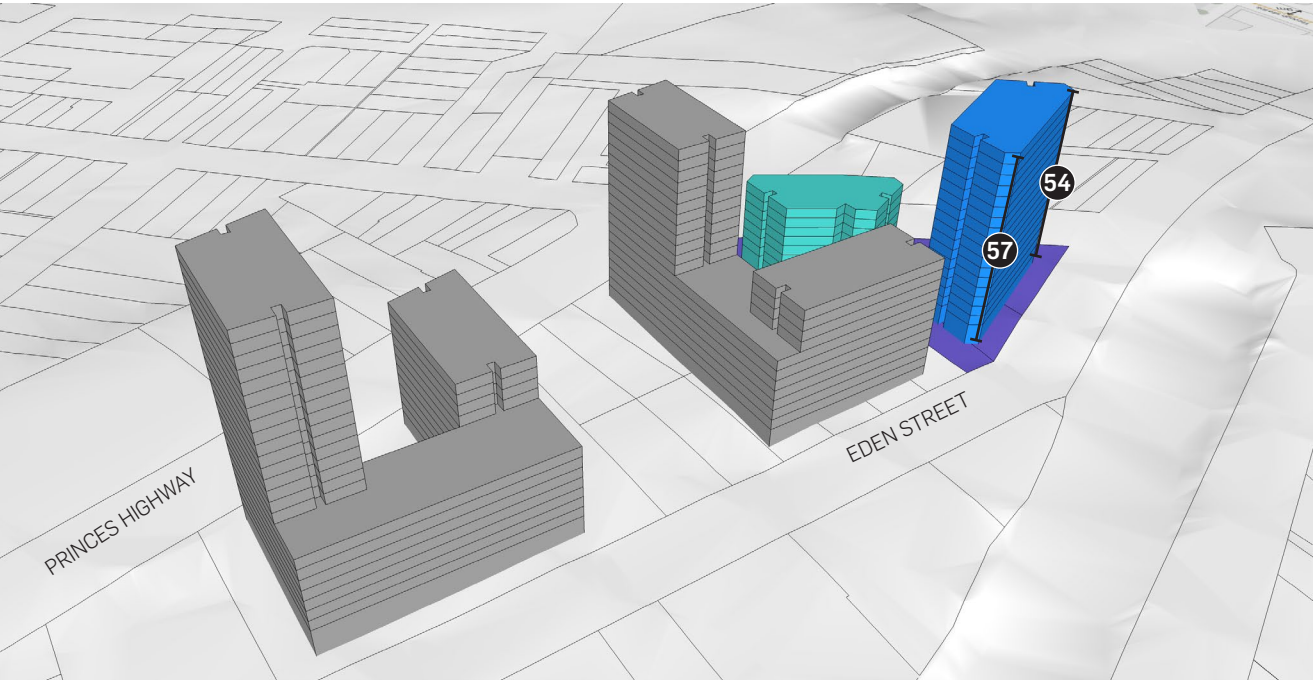
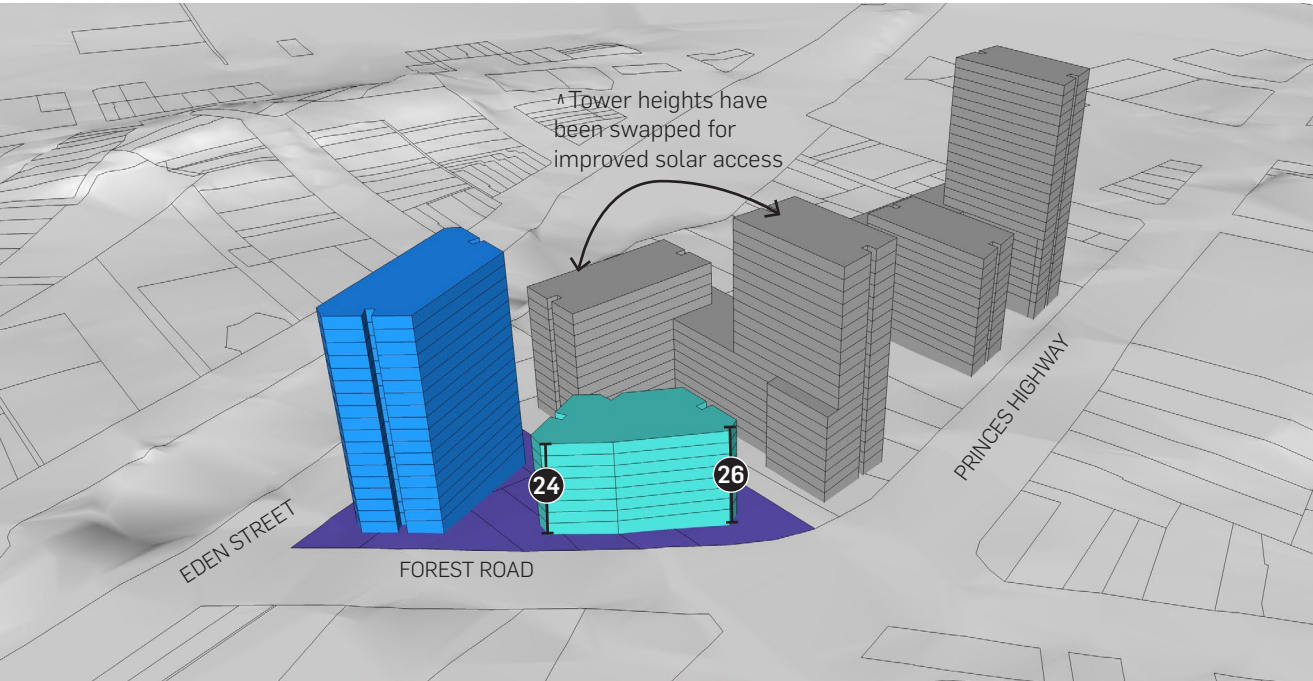
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Building portions	Area/floor (sqm)	# of floors	Max height (m)	Building Envelope (sqm)	Gross Floor Area* (sqm)	FSR (n:1)
Top	82	1	3	82	62	
Tower	210	4	12	841	631	
Podium	366	4	14	1,464	1,098	
Total for building		9	29	2,387	1,790	1.9
Maximum permitted (based on subject site)			31	2,729	2,047	2.2

* Assuming 75% efficiency



FLOOR SPACE RATIOS & HEIGHTS
FOR ADJACENT LAND AND HOUSING CORPORATION (LAHC) SITE

Current

- FSR is 2.5:1
- Height limit is 28m

Proposed

- FSR is **4:1**
- Proposed height limit is **70m**

AREAS
APPLYING THE PROPOSED FSR FOR THE LAHC SITE TO AN EXPANDED SITE

Subject site area + additional properties =
Expanded site area of 3,841 sqm

Maximum gross floor area (FSR 4:1) = 15,365 sqm

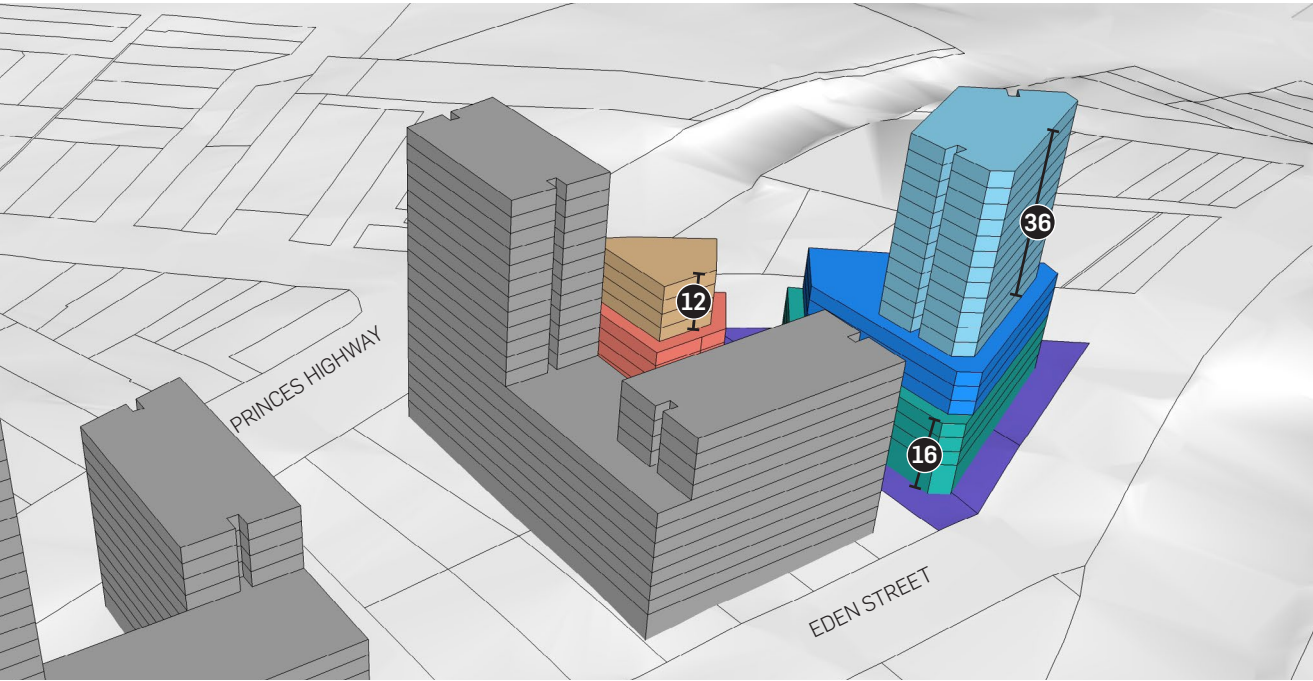
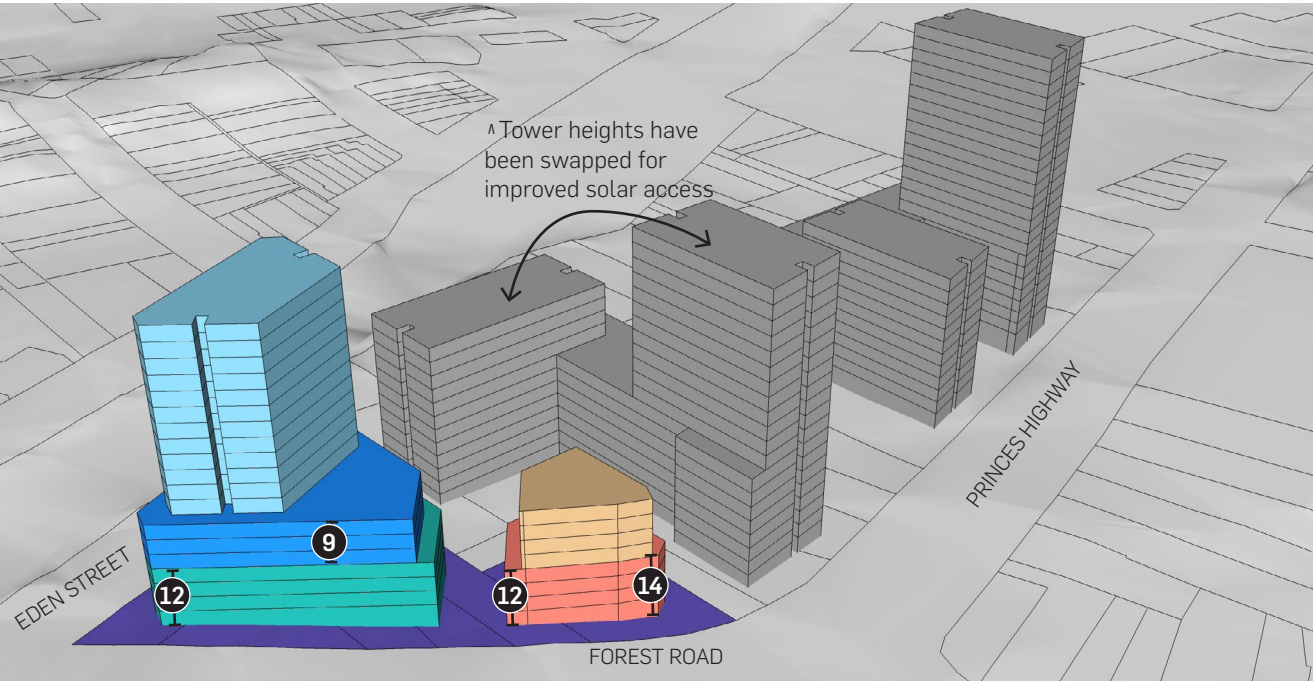
Maximum building envelope (@ 75% efficiency) = 20,487 sqm



^ Side setbacks increased to 9m where noted

Building	Area/floor (sqm)	# of floors	Max height (m)	Building Envelope (sqm)	Gross Floor Area* (sqm)	FSR (n:1)
West tower	826	18	57	14,863	11,147	
East tower	713	8	26	5,706	4,280	
Total all buildings				20,569	15,427	4.0
Maximum permitted (based on LAHC site)			70	20,487	15,365	4.0

* Assuming 75% efficiency



FLOOR SPACE RATIOS & HEIGHTS
FOR ADJACENT LAND AND HOUSING CORPORATION (LAHC) SITE

Current

- FSR is 2.5:1
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Proposed

- FSR is **4:1**
- Proposed height limit is **70m**

AREAS
APPLYING THE PROPOSED FSR FOR THE LAHC SITE TO AN EXPANDED SITE

Subject site area + additional properties = Expanded site area of 3,841 sqm

Maximum gross floor area (FSR 4:1) = 15,365 sqm

Maximum building envelope (@ 75% efficiency) = 20,487 sqm



Building portions	Area/floor (sqm)	# of floors	Max height (m)	Building Envelope (sqm)	Gross Floor Area* (sqm)	FSR (n:1)
Smaller building - upper	309	4	12	1,238	928	
Smaller building - lower	466	4	14	1,864	1,398	
Total for smaller building		8	26	3,101	2,326	
Large building - tower	629	12	36	7,549	5,662	
Large building - upper podium	1,321	3	9	3,962	2,972	
Large building - lower podium	1,496	4	16	5,982	4,487	
Total for larger building		19	61	17,494	13,120	
Total all buildings				20,595	15,446	4.0
Maximum permitted (based on LAHC site)			70	20,487	15,365	4.0

* Assuming 75% efficiency