



28th February 2017

Department of Planning and Environment
Level 22, 320 Pitt Street
SYDNEY NSW 2000

**RE: 137a PRINCES HIGHWAY, WOLLI CREEK
SUBMISSION ON THE DRAFT BAYSIDE WEST PRECINCTS (ARNCLIFFE,
BANKSIA & COOKS COVE) LAND USE AND INFRASTRUCTURE STRATEGY**

Reference is made to the exhibition of the draft Land Use and Infrastructure Strategy (the draft Strategy) for the Bayside West Precincts, which outlines the proposed rezoning proposal for the Arncliffe and Banksia Precincts. The following letter provides a formal submission on the draft Strategy, as it relates to the land at 137a Princes Highway, Wolli Creek.

1. EXECUTIVE SUMMARY

This submission accompanies the concept plans and accompanying information prepared by CK design.

This submission is made on behalf of Bayswater Property Group Pty Ltd c/- Legion Cabs.

The purpose of the following submission on the draft Strategy is to draw attention to the development potential of the subject site which is demonstrated by the accompanying architectural plans and subsequently, to ensure that the proposed recommendations are included in future amendments to the Rockdale Local Environmental Plan (LEP) and Rockdale Development Control Plan (DCP), as intended by way of this planning process.

ABC Planning has reviewed the Bayside West Precincts Draft Land Use and Infrastructure Strategy and in particular, the suggested planning control changes for the Arncliffe high density, mixed use development precinct and the implications for the subject site at 137a Princes Highway, Wolli Creek.

In summary, we support the Department of Planning & Environments proposition to increase the land use zone, height and FSR for the site at 137a Princes Highway, Wolli Creek, by way of amending the *Rockdale LEP 2011* and *Rockdale DCP 2011* to reflect the targeted outcomes for the Arncliffe Priority Precinct and the Bayside West Precincts as a whole.

It is noted that under Appendix B: the Draft Land Use and Infrastructure Strategy, the site is zoned for B4 Mixed Use, has a height of 31m and an FSR of 2.5:1.

It is considered that the proposed draft FSR of 2.5:1 would be insufficient to accommodate for a mixed use building with a height limit of 31m. This submission therefore seeks to increase the FSR from 2.5:1 to 4:1 to allow for full utilisation of the maximum building height, being 31m. Such outcome is also consistent with other draft planning strategies whereby an FSR of 4:1 would correlate with a mixed use building of 9 storeys which has floor to floor heights that are compliant with the Apartment Design Guide (ADG).

In summary, this submission seeks to maintain the draft B4 Mixed Use zone and 31m height limit control over the subject site whilst increasing the draft FSR from 2.5:1 to 4:1.

The accompanying documentation along with this submission are considered to provide comprehensive justification to enable the FSR increase on the site.

Importantly, it is noted that the proposed floor space can be accommodated on the subject site within the draft maximum building height of 31m. As demonstrated on the accompanying concept drawings prepared by CK design and as per the draft amendments to the *Rockdale DCP 2011* (Part 7 Special Precincts, sub-section 7.6 Banksia and Arncliffe) the proposed FSR can also be accommodated within a compliant building envelope, in regards to the setbacks and wall height control.

Furthermore, the concept plans also demonstrate that the proposed density would achieve compliance with SEPP65 – Design Quality of Residential Flat Development and the accompanying Apartment Design Guide in regards to apartment sizes and typologies, private open space, storage, solar access (70%), ventilation (100%), communal open space (34%), ceiling heights and car parking.

Given the subject site has a south eastern frontage to Princes Highway (being 6 lanes wide) and is located to the north east of undeveloped / vacant land traversing the entrance to the tunnel, the proposed FSR would not compromise the ability of those properties to the south and west to achieve adequate solar access, in accordance with the requirements of the Apartment Design Guide (ADG).



Figure 1: Aerial photo of subject site



Figure 2: Aerial Context of the subject site

This submission, combined with the accompanying plans prepared by CK Design, demonstrates that the recommendations sought by this submission result in an orderly, economic and sustainable use of the site, which is illustrated by:

- Aerial images;
- Site analysis plan;
- Basement plans showing car park layout and storage areas;
- Ground floor plan showing pedestrian and vehicular access as well as unit layouts, setbacks and communal landscaped open space;
- Ground floor plan illustrating the commercial floor area with frontage to Ann Street, Princes Highway and Allen Street, pedestrian access, driveway access from Allen Street and loading dock,
- Mezzanine commercial level demonstrating flexibility for commercial uses;
- Level 1 plan indicating communal open space, setbacks, separation distances and apartment typologies;
- Typical floor plan of Levels 2-4 and recessed levels 5 -8;
- Elevations and sections confirming compliance with the 31m height control and floor to floor heights;
- Shadow diagrams which demonstrate that the southern neighbours are capable of achieving adequate solar access;
- Cross ventilation diagrams and calculations;
- 3D perspectives; and
- Unit sizes and commercial floor area demonstrating FSR calculation methodology in support of the recommended FSR of 4:1.

It is considered that the above information along with the planning analysis within this report provides a sufficient level of detail to enable Council and the Department of Planning and Environment to support an increased FSR of 4:1 and the associated draft zoning (B4 Mixed Use) and height controls (31m).

2. SUBJECT SITE

The subject site, being lot 700 in DP 845017, forms a total site area of 3,660m², with a 68.61m primary frontage to Princes Highway in the south east, a secondary frontage of 64.7m to Ann Street in the south west and a 42.46m frontage to Allen Street in the north east.

The large and rectangular nature of the site and the site's expansive street frontage's (3 streets) is ideal for a high density mixed-use, commercial and residential development.

The subject site lies 300m to the north east of the Arncliffe Train Station (T4 eastern suburbs and Illawarra train line) and immediately north of the entrance to the M5 tunnel, which therefore provides for a range of highly accessible and convenient transport options, linking the site to the CBD, Bondi, Cronulla, Sydney Airport and western Sydney. Accordingly, the site is located in an ideal position for high density mixed use development.

Contextually, the site is located at the southern end of Wolli Creek and forms part of the Princes Highway commercial corridor. To the east and north east of the subject site, traversing the Cooks River, is the Kogarah Golf Club, St George Rowing Club, Barton Park and Cahill Park which includes tennis courts, cricket fields and BBQ / picnic facilities. The site is also located within proximity to a number of educational establishments, employment opportunities and facilities and services which confirms that the subject site is appropriate for the proposed FSR of 4:1 and that there is sufficient infrastructure in place to accommodate the increased density.

Given the site's existing commercial nature, the site does not contain any natural environmental features nor is it identified as a heritage item. The site is also not encumbered by any easements or the like.



Figure 3: Site context (subject site depicted by red star)

The proximity of the site, via public transport, further justifies the recommended FSR, as illustrated in the below public transport maps.

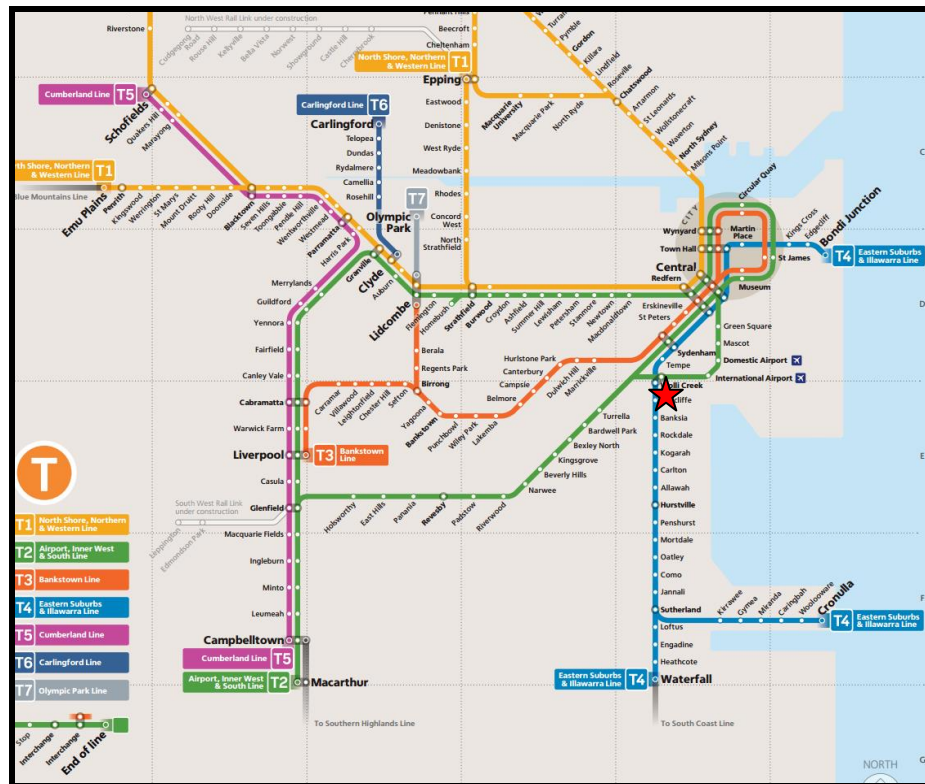


Figure 4: Rail Network Map (site depicted by red star)

3. PROPOSED CONTROLS

3.1 STRATEGIC PLANNING CONTROLS

3.1.1 Land Use Plan

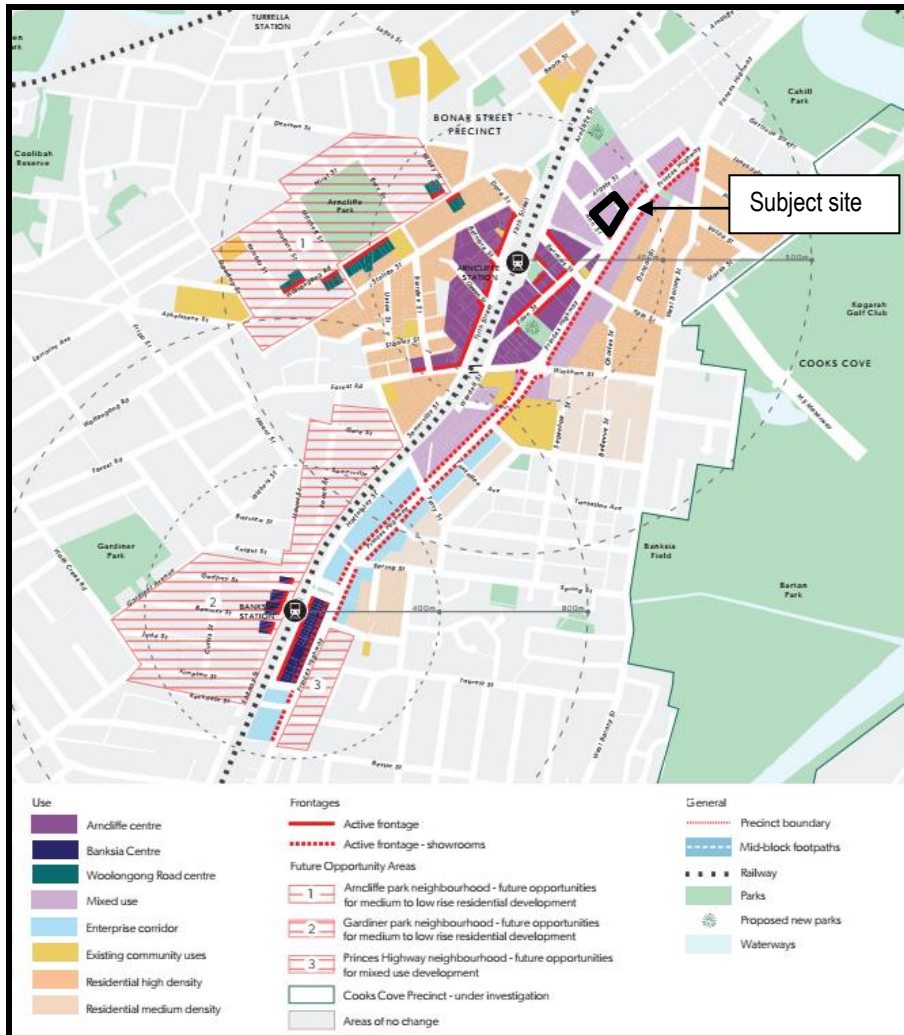


Figure 5: Land Use Plan

As illustrated above, the subject site is located to the north east of the planned Arncliffe Town Centre and is identified as being suitable for mixed use development, with the intent to provide ground floor commercial uses with the provision for showrooms along the Princes Highway frontage.

The land use planning strategy seeks to create active and viable economic centres and precincts by way of increasing residential densities to meet the demand for an additional 4,100 new dwellings, in proximity to employment opportunities and public transport routes.

The recommended increase in FSR from 2.5:1 to 4:1 is considered reflect the intent of the land use plan and will assist in reduce the pressures associated with the demand for additional housing.

3.1.2 Built Form Plan

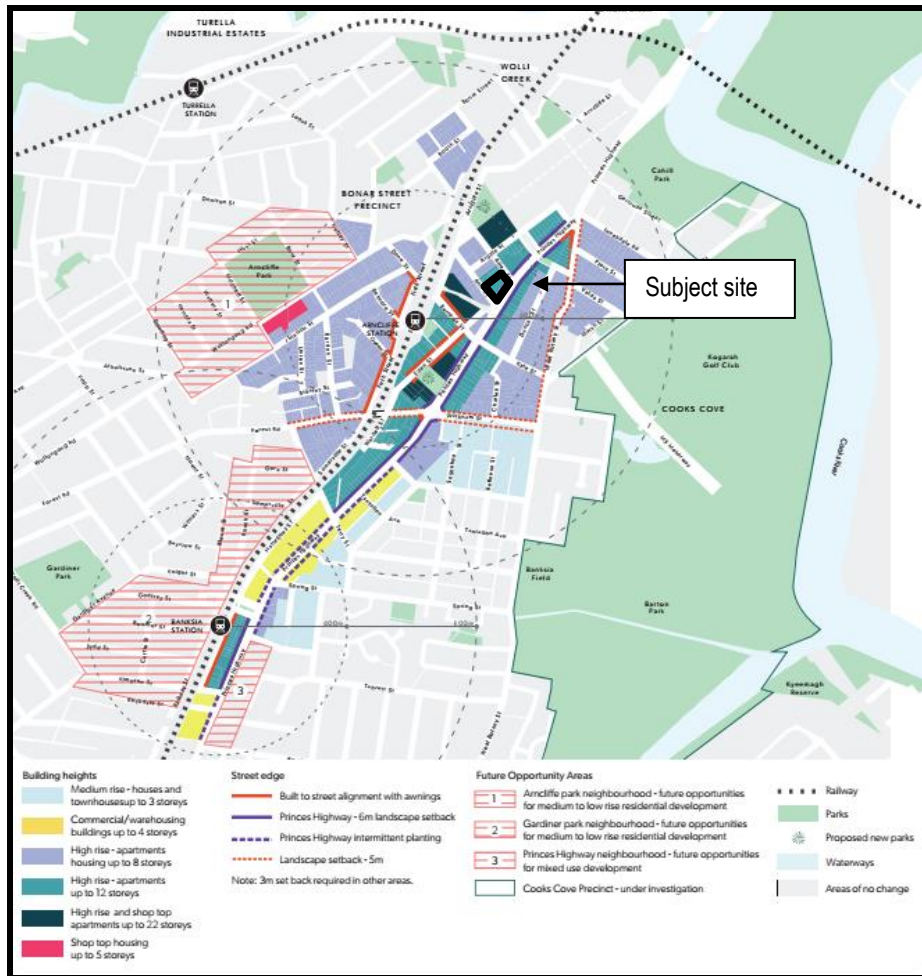


Figure 6: Built Form Plan

In accordance with the built form controls, the subject site is identified as being suitable for high rise apartments of up to 12 storeys, with a 6m landscaped setback to Princes Highway.

The 6m landscaped setback supports a high quality pedestrian environment that co-exists with active commercial uses at the ground floor. The landscaped corridor will present as a boulevard and will provide for increased amenity to both the development site and to Princes Highway itself.

The accompanying concept drawings and photomontage demonstrate that the proposed FSR of 4:1 is capable of being contained within the built form controls, noting that the draft amendments to the LEP include a maximum height of 31m, which equates to 9 storeys with compliant floor to floor heights, as per the ADG.

3.2 AMENDMENTS TO THE ROCKDALE LEP 2011

3.2.1 Land Use Zoning

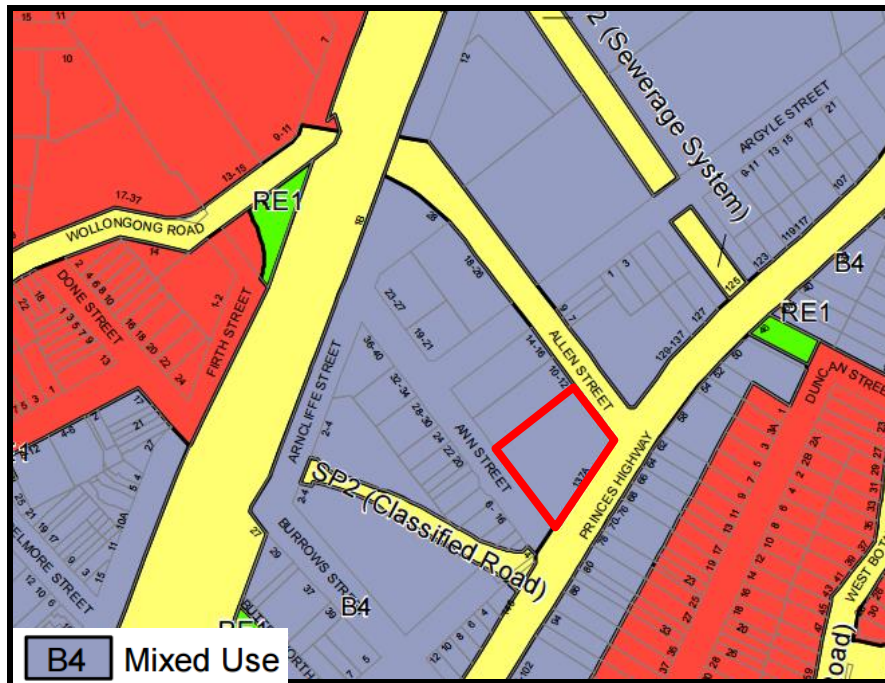


Figure 7: Land Use Zone

In accordance with the draft land use zoning maps, the subject site forms part of the B4 Mixed Use zone.

The objective of the B4 Mixed Use zone is to provide for a mix of compatible land uses in accessible locations so as to maximum public transport patronage.

The proposed land use zone allows for a range of ground floor retail and commercial land uses at the ground floor whilst supporting residential accommodation on the upper levels, in the form of a shop top housing.

Given that the subject site is located within 400m walking distance of the Arncliffe train station, the proposed rezoning is considered to result in a sustainable, orderly and economic use of the site. The proposed rezoning also accords with Goal 2 of *A Plan for Growing Sydney* which seeks to accelerate urban renewal by way of increasing the housing supply and provides jobs closer to homes.

The proposed rezoning of the subject site from B6 Enterprise Corridor to B4 Mixed Use is therefore supported.

3.2.2 Height

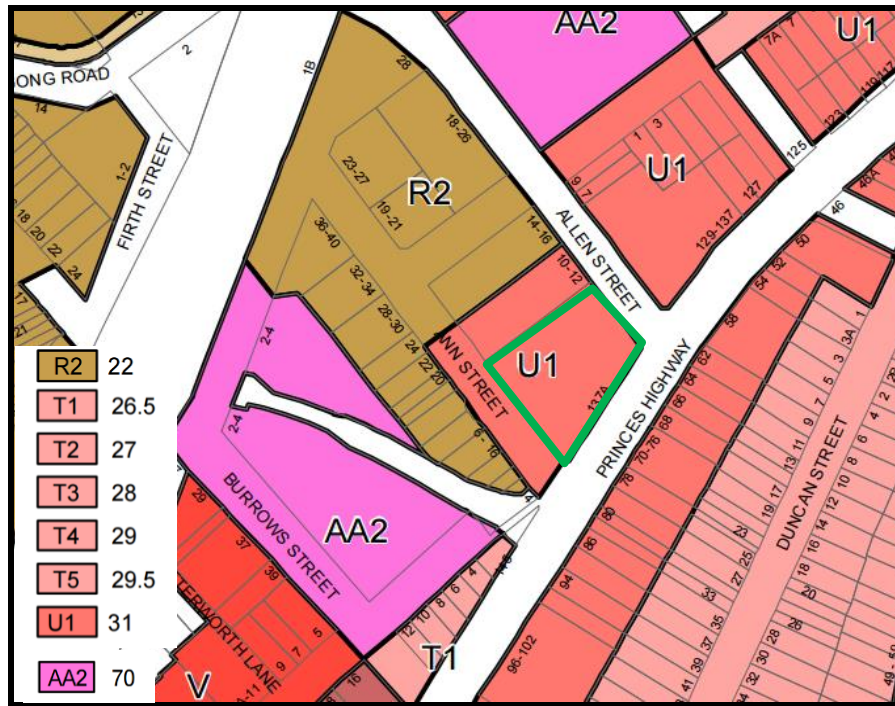


Figure 8: Height of buildings map

In accordance with the draft building height map, the subject site is mapped as having an allowable height limit of 31m.

The proposed draft height control of 31m will support a height, bulk and density which is commensurate with the State Governments *A Plan for Growing Sydney* which seeks to provide for increased heights and densities within planned urban centres and in proximity to established public transport routes. Specifically, it is intended that, by way of the proposed amendments to the *Rockdale LEP 2011*, the Arncliffe Precinct will provide for an additional 4,100 dwellings by 2036.

The subject site is considered ideal for the increase in height, with the draft height limit allowing for a mixed use building of 9 storeys, which supports floor to floor heights that achieve compliance with SEPP65 and the accompanying Apartment Design Guide.

The draft height of buildings, as illustrated on the above map, is supported on the subject site.

3.2.3 Floor Space Ratio

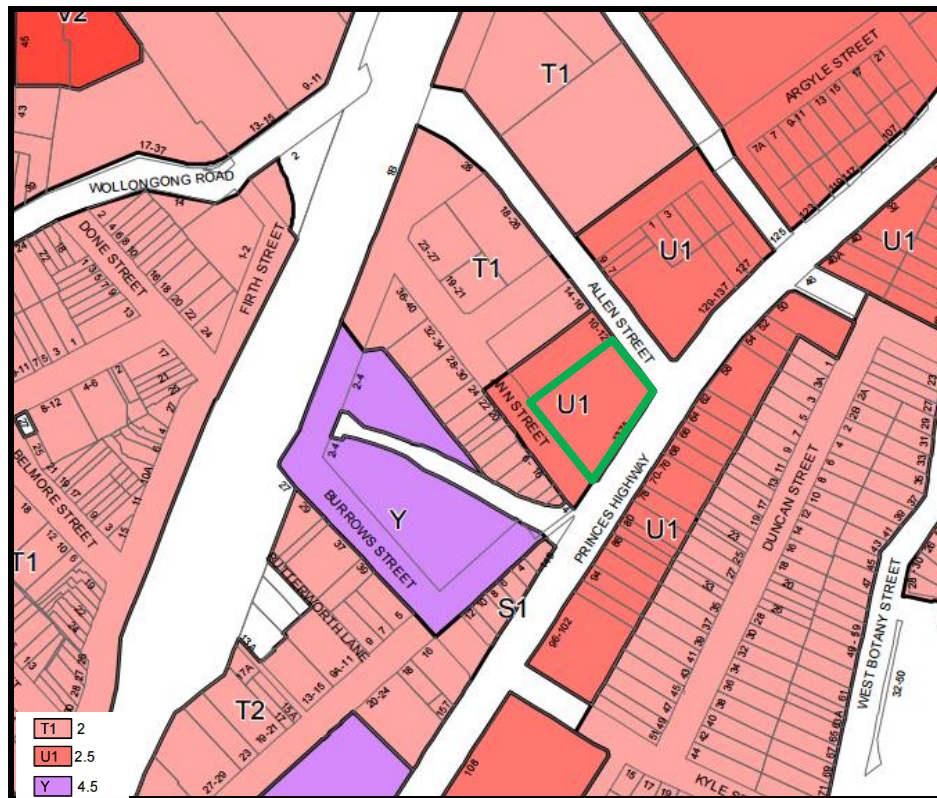


Figure 9: Floor Space Ratio Map

In accordance with the draft Floor Space Ratio (FSR) map, the subject site is encumbered by a 2.5:1 FSR control.

This submission seeks to amend the draft FSR map to allow for a maximum FSR of 4:1.

It is considered that the proposed mixed use concept design is consistent with Council's intention for increased densities on the site. However, as illustrated throughout this report and by the accompanying architectural plans, the subject site is capable of supporting a mixed use commercial and residential building with a maximum FSR of 4:1, which is commensurate with the 31m height control, as applied to the site under the proposed amendments to the *Rockdale LEP 2011*.

As illustrated below, the recommended FSR of 4:1 is also consistent with the Draft Planning Strategy for the Kensington and Kingsford town centre which has a similar land use context to that of the subject site. In this regard, the land is zoned for mixed use, commercial and residential purposes, is located along a main arterial road and is located within walking distance of accessible public transport (i.e. light rail, train station, frequent bus services).



Site	Proposed FSR
Sites accommodating 9 storey buildings	4:1
Precinct sites	5:1

Table 8: Proposed FSRs
Source: Randwick City Council 2016

Figure 10: Excerpt from Draft Planning Strategy Kensington and Kingsford town centres, demonstrating that a 31m height limit correlates with an FSR of 4:1

The provision of a building with a 9 storey height control (30m – 31m) and an FSR of 4:1 is also evident in other Standard Planning Instruments such as the *Hurstville Local Environmental Plan 2012*, whereby land governed by the B4 Mixed Use zoning (Sheet 008A of the Hurstville LEP 2012) has a height of 30m and an FSR of 4:1.

The built form modelling that has been undertaken and applied in various other town centres and within a similar context to that of the subject site, reconfirms that the recommended FSR of 4:1 would be consistent with a building that has a maximum height limit of 31m.

It is therefore considered that the draft FSR of 2.5:1 does not correlate with the proposed building height standard of 31m and as such, fails to achieve the outcomes for *A Plan for Growing Sydney*, which seeks to increase densities in proximity to town centres, employment opportunities and public transport corridors.

As illustrated on the accompanying plans, the subject site is capable of accommodating a mixed use, commercial and residential building that has a height of 31m and 9 storeys and an FSR of 4:1, which achieves full compliance with the ADG, particularly in regards to floor to floor heights, apartment sizes, unit typologies, private open space, storage, solar access, natural ventilation, separation distances and car parking.

In addition to achieving compliance with the ADG and draft height control, the recommended FSR of 4:1 can be accommodated in a built form that complies with the draft building setback controls, as identified in the built form plan (section 3.1.2) and within the draft amendment to the *Rockdale DCP 2011* (RDCP 2011) pertaining to the Arncliffe and Banskia Precincts (Part 7 Special Precincts, sub-section 7.6). Such setbacks include a 6m landscaped setback to Princes Highway and 3m setbacks to Allen Street and Ann Street. Furthermore, the draft amendment to the RDCP 2011 includes a street wall height of 6 storeys, with the levels above to be setback an additional 3m.

Furthermore, the site is well suited for an FSR of 4:1 given that it has three (3) street frontages and is located on the north eastern side of Princes Highway, which is 6 lanes wide. To the south west of the site is vacant / undeveloped land that traverses the entrance to the M5 tunnel. As such, the provision of a mixed use building with a 31m height limit and an FSR of 4:1 has limited external amenity impacts, particularly in regards to overshadowing, loss of outlook or privacy.

The recommended FSR of 4:1 therefore results in the efficient, sustainable and orderly use of the subject site and achieves the development intent for the subject site.

Conversely, the draft FSR of 2.5:1 is considered to be insufficient and results in the underutilisation of the subject site, noting that such FSR is commensurate with a typical 6 storey built form, which is well below that anticipated on the site by the suite of planning controls.

Importantly, Arncliffe and Banksia have been identified in the *Plan for Growing Sydney* as priority precincts that will, through revitalisation, emerge as new town centres given their strategic location at the southern end of the global economic corridor, existing commercial core and proximity to their respective train stations. Accordingly, a key outcome for the Arncliffe Precinct is the delivery of 4,100 new dwellings by 2036 which will support the economic viability of the town centre.

The draft FSR of 2.5:1 therefore results in an unsustainable use of the site and fails to promote higher order planning principles, such as those set out in *A Plan for Growing Sydney* and the Draft Central District Plan, which

seeks to provide for increased densities within close proximity to employment opportunities, public transport and local centres.

It is reiterated that the subject site has a substantial site area of 3,660m², with three (3) street frontages, including a south eastern primary frontage to Princes Highway. Accordingly, the proposed concept plans demonstrate that the recommended FSR of 4:1 is well suited to the site and results in limited external amenity impacts in regards to overshadowing, loss of outlook, visual privacy and overlooking, noting that the proposal demonstrates a high degree of compliance with the ADG.

This submission therefore seeks to amend the draft FSR map to provide for an FSR of 4:1 which is consistent with the 31m height control, as demonstrated within various other Local Environment Plans.

3.3 AMENDMENTS TO THE ROCKDALE DCP 2011

As part of the draft Land Use and Infrastructure Strategy for the Bayside West Precinct Area, the Rockdale DCP 2011 will be required to be amended to reflect the desired outcomes and guide development within this area.

Accordingly, Section 7 Special Precincts of the Rockdale DCP 2011 will be amended to include sub-section 7.6 Banksia and Arncliffe.

The draft Banksia and Arncliffe special precincts DCP includes specific objectives and controls for the subject site, which align with the strategic planning intent and associated amendments to the Rockdale LEP 2011.

Such objectives include those pertaining to building setbacks, street wall heights, landscape setbacks and residential streets.

In this regard, the subject site is required to provide a landscaped setback of 6m to Princes Highway and 3m setbacks to Allen Street and Ann Street. Additionally, the built form is to include a 6 storey wall height, with the levels above required to be setback an additional 3m, beyond the aforementioned setbacks.

As illustrated on the photomontage and north west elevation below and on the accompanying concept architectural plans, the proposed built form has been designed to achieve compliance with the objectives and provisions, as set out within sub-section 7.6 draft Banksia and Arncliffe Precinct of the *Rockdale DCP 2011*.



Figure 11: Photomontage, as viewed from Princes Highway demonstrating compliance with the draft built form controls

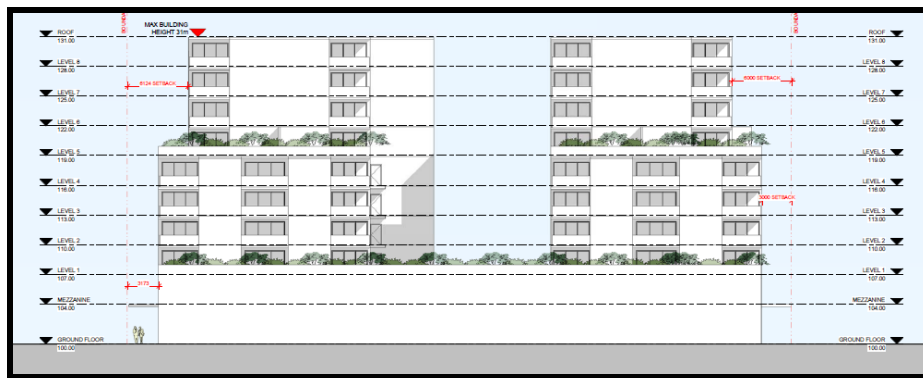


Figure 12: North western elevation, demonstrating compliance with the draft built form controls

4. RELATIONSHIP TO OTHER PLANNING INSTRUMENTS

4.1 SEPP 32 – URBAN CONSOLIDATION (REDEVELOPMENT OF URBAN LAND)

The aims of this policy seek:

- a) *to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and*
- b) *to implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling:*
 - i. *the location of housing in areas where there are existing public infrastructure, transport and community facilities, and*
 - ii. *increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and*
 - iii. *the reduction in the rate at which land is released for development on the fringe of existing urban areas.*

Assessment: It is considered that the proposed building design and overall layout achieves the aims of this policy by way of redeveloping urban land for mixed use development that is located within walking distant of an emerging local centre, thereby achieving an orderly and economic use of that land.

This submission seeks to redevelop underutilised land in proximity to employment opportunities, educational establishments and existing public transport routes. Specifically, it is considered that the draft FSR of 2.5:1 which encumbers the site at 137a Princes Highway, does not sufficiently achieve the aims of this policy. Therefore, **this submission seeks to increase the FSR from 2.5:1 to 4:1**, as illustrated on the accompany architectural plans. The proposed FSR is justified on the basis that the substantial site area of 3,660m² and the site's context results in minimal external amenity impacts whilst the location of the subject site is capable of supporting increased commercial and residential floor space, beyond the draft FSR of 2.5:1.

It is considered that the draft FSR results in an unsustainable and inefficient use of this urban land.

The objectives of this policy are:

- a) *to ensure that urban land suitable for multi-unit housing and related development is made available for that development in a timely manner, and*
- b) *to ensure that any redevelopment of urban land for multi-unit housing and related development will result in:*
 - i. *an increase in the availability of housing within a particular locality, or*
 - ii. *a greater diversity of housing types within a particular locality to meet the demand generated by changing demographic and household needs.*

Assessment: In accordance with the draft Land Use and Infrastructure Strategy for the Bayside West Precincts, the subject site is identified as being suitable for mixed use development due to its strategic location within the commercial corridor of the Princes Highway and proximity to the emerging Arncliffe town centre and Arncliffe train station.

The proposed concept design for mixed use development provides for an appropriate and desirable redevelopment option that will result in the increased availability of commercial floor space, housing stock and housing typologies to meet the increasing demand for residential options within proximity to town centres, public infrastructure, employment options and educational establishments. The proposed design and density therefore provides for the orderly, sustainable and economic use of viable land that is currently underutilized and in need of revitalisation.

4.2 SEPP 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

The subject site has three (3) street frontages ranging from 42.46m – 68.6m and resulting in a substantial site area of 3,660m². Unrestrained by any heritage or environmental features, the subject site represents a viable and attractive option for the redevelopment of underutilised urban land to the proposed intensification, as sought by this submission.

Accordingly, proposed design appropriately addresses the 9 Design Quality Principles as stipulated by Schedule 1 the SEPP65 and the accompanying 80 objectives contained in the Apartment Design Guide (ADG). Compliance with the Design Quality Principles and objectives of the ADG is illustrated by the accompanying architectural plans prepared by CK Design.

In particular, the proposed building design satisfies the following SEPP65 design principles and ADG objectives:

- Compliance with internal solar access requirements (70%);
- Compliance with apartment sizes and layouts;
- Compliance with storage spaces;
- Compliance with cross-ventilation requirements (100%);
- Provision of generous and usable private open space areas;
- Compliance with communal open space (34%);
- Compliant floor to ceiling heights and floor to floor heights for mixed use developments;
- Compliance with the RMS parking rates for both the residential and commercial land uses;
- Limited shadow impacts to surrounding neighbours and evidence of solar compliance to neighbouring properties;

- Adequate separation distances to the north western residential flat building at 10-12 Allen Street;
- Reduced bulk and scale by way of high level of articulation;
- Integrated of privacy measures; and
- Changing façade materials to define the base, middle and top of the building.

Based upon the high degree of compliance with SEPP 65 principles and the ADG objectives, it is considered that there is sufficient planning justification to amend the draft Bayside West Precincts Land Use and Infrastructure Strategy by way of increasing the draft maximum floor space ratio from 2.5:1 to 4:1, as outlined within this submission.

Each of these aforementioned design principles are discussed in-depth within Section 5 of this submission.

4.3 DRAFT CENTRAL DISTRICT PLAN

The subject site forms part of the draft Central District Plan which has been developed by the Great Sydney Commission and introduced as a whole-of-government approach which is aimed at delivery *A Plan for Growing Sydney*. The *Plan for Growing Sydney* seeks to deliver housing, employment, infrastructure and open space.

It is considered that this submission fulfils the aims sought by Goal Two: Sydney's Housing Choices and more specifically, *Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs*.

Specifically, the proposed concept plan provides for 106 dwelling units above 3,925m² of commercial floor space, whilst also being located at the north east periphery of the emerging Arncliffe town centre. The redevelopment of the subject site in accordance with the accompanying concept plans, is considered to provide for an orderly, economic and sustainable use of the site, given that it provides for new housing that will be complemented by additional jobs and social infrastructure and therefore will help stimulate the emerging Arncliffe town centre.

It is noted that the draft Central District Plan seeks to accommodate an additional 10,150 dwellings within the Bayside Local Government Area between 2016-2021. The draft FSR of 2.5:1 is significantly below that capable of being accommodated on the subject site and therefore results in an inefficient and unsustainable use of this substantial allotment size and significant infill urban redevelopment opportunity.

It is therefore justified that **this submission, which seeks to increase the FSR to 4:1** is appropriate and reasonable in achieving the projected targets, which ultimately seeks to relief the housing demand pressure off the central Sydney area.

5. CONSIDERATION IN DEMONSTRATING THAT AN INCREASED DENSITY IS SUITABLE

5.1 CONSISTENCY WITH THE OBJECTIVES OF THE FSR STANDARD

(1) *The objectives of the floor space ratio clause adopted by Rockdale LEP 2011 are:*

- a) to establish the maximum development density and intensity of land use, accounting for the availability of infrastructure and generation of vehicular and pedestrian traffic, in order to achieve the desired future character of Rockdale,*
- b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties,*
- c) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing or likely to undergo a substantial transformation.*

It is considered that this report and the accompanying plans prepared by CK Design suitably demonstrates that the recommended FSR of 4:1 (an increase from 2.5:1) maintains consistency with the objectives of the FSR standard.

The proposed height, bulk and scale of the development, would be consistent with the desired future character as sought by objective (a), with the intensity of development aligning with the strategic intent to deliver an additional 4,1000 dwellings within the Arncliffe precinct by 2036. The appropriate transition and relationship to the adjoining north western residential flat building would align with objective (b), noting that the subject site has three (3) primary frontages. The undeveloped / vacant land to the south west would remain unaffected by the proposal so to would the hard stand car park located on the north eastern neighbouring site, at 129-137 Princes Highway.

As such, it is considered that the recommended FSR of 4:1, combined with the draft B4 Mixed Use zone and draft 31m height limit, would not hinder the ability to achieve compliance with the objectives of the floor space ratio clause.

5.2 BULK AND SCALE

It is considered that the accompanying plans demonstrate that the proposed FSR, bulk, height and scale are compliant with the overarching design principles and development parameters as stipulated by the SEPP65 /ADG. These include the overall positioning of the building, which provides for a 6m landscaped setback to Princes Highway and 3m landscaped setbacks to Ann Street and Allen Street, with an additional 3m setback for those levels beyond 6 storeys.

The proposed concept design demonstrates an appropriate urban outcome and relationship between the intended B4 Mixed Use zone for the subject site and the existing established residential flat building that adjoins the north western boundary (also zoned B4 Mixed Use). This is demonstrated by the proposed 6.055m setback from levels 1 -4 and 9.055m setback from levels 6-8, which result in a separation distance of will provide for separation distances of 14.5m at the upper levels. The proposal also provides for internal separation distances which range between 11.8m – 18.3m.

As demonstrated on the accompanying plans, the provision of two built forms on the site and the proposed internal and external separation distances not only reduces the scale of the building, but will ensure that the existing residential flat building to the north west will continue to maintain an appropriate degree of visual privacy commensurate with a high density area. This will be achieved through the provision of privacy screens, placement of windows, orientation of apartments and incorporation of landscaped planters, which will provide for a pleasant outlook. Given that the site is located to the south of the existing residential flat building, these apartments will remain unaffected by overshadowing whilst the separation distances will allow for an adequate degree of natural ventilation to be maintained.

The combination of these aspects is considered to result in a high quality urban outcome which demonstrates that the proposed mixed use concept design and associated FSR is appropriate for the subject site.

Furthermore, the provision of balconies along each of the façades contributes to the articulation of the built form whilst also providing opportunities for casual surveillance of the surrounding streetscapes.

Overall, it is considered that the building, being a 5 storey development with 4 recessed levels and an internal separation distance of 11.8m – 18.3m between the two built forms, combined with the landscaped setbacks, ground floor active commercial uses, high degree of articulation, and integration of both north-east- and south-west orientated units with usable private open space areas, provides for a reasonable and desirable form of development.

The provision of 34% of the site area being landscaped communal open space further softens the appearance of the built form when viewed from neighbouring properties, as well as providing for an appropriate relationship between natural and built elements.

This report and the accompanying plans also demonstrate that the proposed B4 Mixed Use zoning, 31m building height and recommended FSR of 4:1 can be accommodated on the site as confirmed by compliance with and outperformance of the required, setback, parking, and private open space and communal open space requirements.

No landscape features would be affected by the additional FSR whilst adequate infrastructure is available to service the increased density recommended for the site.

The 3D perspectives, elevations and sections indicate that the proposed FSR can easily be provided within the associated recommended 31m height control and proposed building envelope without resulting in an overdevelopment of the subject site.

5.3 SETBACKS

Front- A 6m landscaped setback is provided to Princes Highway, as per the draft built form plan and draft Banksia and Arncliffe DCP controls.

North eastern side / Allen Street & South western side / Ann Street- The proposed concept design incorporates a 3m landscaped setback as per the Residential Streets section of the draft Banksia and Arncliffe DCP controls.

Rear/ northern western- the concept proposal includes a zero metre rear setback at the ground and first floor, with a 6.055m rear setback provided up to level 4. This is then increased to 9.05m for levels 5-8. The above setbacks and proposed concept design provides for adequate separation distances between the residential uses on the subject site and the existing residential flat building at 10-12 Allen Street.

The combination of the above setbacks and overall positioning of the building envelope, demonstrates that the recommended FSR is provided well within a potentially compliant development envelope.

5.4 SOLAR ACCESS/ DAYLIGHT/ OVERSHADOWING

The diagrams show that 70% of the apartments will receive at least 2 hours of solar access between 9am and 3pm on June 21, which complies with the requirements, as per the ADG.

It is considered that the orientation of the site, scale of the development, setbacks and layout of the proposed units, reduces the degree of overshadowing onto adjoining properties, as confirmed by the accompanying shadow diagrams.

Furthermore, the sites orientation further reiterates that the predominant shadow from the concept design will be cast over Princes Highway and therefore in those locations which do not result in loss of overshadowing to private open space or main living areas.

It is noted that the provision of the additional FSR is contained within a compliant 9 storey building envelope / 31m height limit and therefore generates the same scale of overshadowing as what would be expected by a 9 storey building envelope with an FSR of 2.5:1, which should be looked upon favourable.

5.5 VENTILATION

100% of the units are naturally cross ventilated which significantly outperforms the 60% requirement as per the ADG. This further reiterates the high quality nature of the internal living environment, as proposed by the accompanying concept plans.

5.6 UNIT SIZES

The proposed concept layout provides for a variety of unit typologies including adaptable units and 1, 2 and 3 bedroom units. The unit sizes comply with SEPP65/ADG requirements and are considered to be of a suitable size and layout, providing for a high level of internal amenity.

5.7 PRIVATE OPEN SPACE

The balconies as shown are each directly accessible from the primary living areas. Each balcony has a minimum depth of 2m and an area of at least 8m² which achieves compliance with that required by the ADG and DCP controls. It is also reiterated that the private open space areas will enjoy attractive outlooks to either the landscaped internal courtyard or to the landscaped areas to the north east and south west of the site, with the apartments orientated to avoid a primary outlook over Princes Highway.

5.8 COMMUNAL OPEN SPACE

The plans demonstrate that the proposal would comply with the communal open space requirements with 34% (1,146m²) of the site area dedicated to communal open space, which outperforms the 25% ADG requirement. The communal open space area is located within the centre of the site, separating the built forms and providing for a pleasant internal outlook whilst also providing for softening of the built form, when viewed from surrounding properties and from Princes Highway.

5.9 VISUAL AND ACOUSTIC PRIVACY

The multi-aspect layout of the overall building and corner, cross-through layout of the individual apartments and placement of balconies have been carefully designed to reduce the potential for visual and acoustic impacts both internally and externally. Given the subject site fronts Princes Highway, specific noise attenuation measures will be incorporated into the detailed design to ensure acoustic compliance is achieved with the relevant Australia Standards.

5.10 CEILING HEIGHTS

The proposed concept development includes ground floor, floor to floor heights of 4m and 3.1metre floor to floor heights for each of the residential levels above. Such floor to floor levels are compliant with the requirements of the ADG and are adequate in achieving compliant floor to ceiling heights of 3.3m. for the ground floor commercial and 2.7m for the residential above.

It is noted that the proposal includes a mezzanine level above the ground floor which allows for flexibility of future commercial uses.

5.11 APARTMENT MIX

The proposed model includes 106 units, containing mix of 1 bedroom (48 units), 2 bedroom (60 units) and 3 bedroom (8 units) apartments, with 10% of apartments capable of being adaptable, thereby confirming that the proposed FSR does not compromise the ability to achieve an appropriate housing mix.

5.12 CAR PARKING

The subject site is located within 400m of the Arncliffe train station and therefore, in accordance with SEPP65, the RMS parking rates apply to the proposed development. In this regard, the proposal is required to provide a total of 236 spaces which will service the commercial component, residential component and requirement for visitor parking.

The proposed concept development includes three (3) levels of basement parking which is capable of accommodating 247 car spaces, thus outperforming the parking requirements.

The vehicular access is also provided in a satisfactory manner as vehicular access to the site is located in the northern corner, off Allen Street. In accordance with the draft Land Use and Infrastructure Strategy, the

intersection of Allen Street and Princes Highway will be upgraded which aligns with the intended vehicular movements from the subject site.

The landscaped communal open space area will extent over the vehicular access to reduce any external amenity impacts to the north western neighbour, which is considered to result in a desirable design outcome.

A loading dock is also proposed along the Allen Street frontage, adjacent to the driveway.

6. CONCLUSION

It is considered that the above assessment has provided sufficient justification to enable Council to increase the FSR from 2.5:1 to 4:1, as outlined within this submission.

The proposed FSR will facilitate the provision of additional housing stock and commercial floor space within the walking distance of the planned Arncliffe town centre and existing Arncliffe train station, as well as being in a location close to frequent public transport, schools, recreation areas and shops, which accords with State Governments *A Plan for Growing Sydney* and the Draft Central District Plan, which seeks to provide an additional 4,100 dwellings within Arncliffe by 2036.

The above assessment has demonstrated that the **recommended FSR of 4:1** can be suitably accommodated on the site. The accompanying concept proposal prepared by CK Design demonstrates that the recommended FSR can be provided within a building envelope that conforms to the desired future character of the area and introduces limited adversity on the existing neighbouring properties, in terms of, overshadowing, privacy, loss of outlook and visual bulk.

The recommended FSR can also be provided in a manner which provides for a high level of internal and external amenity whilst appropriately balancing the elements of the natural and built environment.

The setbacks associated with the proposed building envelope are consistent with that contemplated by the draft planning controls and the SEPP65/ADG controls whilst the proposal can also comply, if not outperform the requirements for solar access, ventilation, unit size, private open space, communal open space and parking.

Such density/FSR is commensurate with a high density mixed use living environment and in particular, a site that is located in such close proximity to a local town centre and frequent, established public transport routes. It is therefore reiterated that the subject site can accommodate the recommended FSR increase from 2.5:1 to 4:1 within the anticipated 31, height limit, as illustrated by the accompanying plans and within this submission.

It is also noted that such FSR is commensurate with other draft planning strategies and existing, established Local Environmental Plans, as discussed within section 3.2.3 *Floor Space Ratio* of this report.

We would be happy to discuss this submission and the accompanying plans with the Department of Planning and Environment at any stage of the Draft process.

If you require clarification of any of the above aspects or require additional information, please do not hesitate to contact the undersigned at sophy@abcplan.com.au or (02)9310 4979.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sophy Purton', with a long horizontal stroke extending to the left.

Sophy Purton
Senior Planner
ABC Planning Pty Ltd