

Prepared for:  
City of Canada Bay Council

Date  
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## Planning Proposal

# 1-7 Ramsay Road & 5 and 7 Harrabrook Avenue, Five Dock



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# Executive summary

This Planning Proposal has been prepared by Architectus Australia Pty Ltd on behalf of Croftstar Pty Ltd.

The Planning Proposal seeks Council's support to progress an amendment to the Canada Bay Local Environmental Plan 2013 (CBLEP 2013) to facilitate the renewal of neighbourhood retail services in a current B1 zone, and to provide opportunities for increased housing in close proximity to transport, services and public open space. This site is at one of the main entry points to the Canada Bay Local Government Area (LGA), providing an opportunity for the site to be a visual gateway response into the LGA.

The site is strategically located within 650m of the future Sydney Metro West station at Five Dock and is less than a 10-minute walk to the Five Dock local centre. Additionally, this Proposal presents an opportunity to contribute to boost the local economy and generate employment amidst the COVID-19 pandemic, as well, provide the opportunity for other public benefits.

The proposed amendments to the CBLEP 2013 are:

- **Land zoning** – Amending the *Land Use Zoning Map* to rezone the rear portion of 5 and 7 Harrabrook Avenue from R2 Low Density Residential to B1 Neighbourhood Centre;
- **Height of buildings** – Amending the *Height of Buildings Map* from 8.5m to 10m and 14m;
- **Floor space ratio** – Amending the *Floor Space Ratio Map* from a maximum Floor Space Ratio (FSR) of 0.5:1 and 1:1 to a maximum FSR of 0.5:1 and 1.71:1;
- **Lot size** – Amending the *Minimum Lot Size Map* for 5 and 7 Harrabrook Avenue from 450sqm to 360sqm;
- **Active street frontage** – Amending the *Active Street Frontage Map* to introduce an active street frontage on land with frontage to Ramsay Road and extending 20. metres along Henley Marine Drive;
- **Affordable housing** – Amending Clause 6.12 of the CBLEP 2013 and the *Affordable Housing Contribution Scheme Map* to introduce an affordable housing contribution of 5% affordable housing for the site; and
- **Additional permitted uses** - Amending *Schedule 1 'Additional Permitted Uses'* to allow residential flat buildings on part of the site.

## The site

The Planning Proposal relates to land at 1 and 7 Ramsay Road and 5 and 7 Harrabrook Avenue, Five Dock.

The site is bounded by Harrabrook Avenue to the north, Ramsay Road to the east, Henley Marine Drive and Iron Cove Creek to the south and low density residential housing to the west.

The site comprises four allotments, providing a total site area of approximately 3,300m<sup>2</sup>.

The site currently accommodates the former Roads and Maritime Services (RMS) building and car park on the corner of Ramsay Road and Henley Marine Drive, retail premises at 7 Ramsay Road, and two single storey residential dwellings at 5 and 7 Harrabrook Avenue.

The site is identified in **Figures 1 and 2**.





**Figure 1 Subject site**  
 Site outlined in red  
 Source: Near Maps with Architectus edits (2021)



**Figure 2 Subject site**  
 Site outlined in red  
 Source: Near Maps with Architectus edits (2021)

### Planning context

The CBLEP 2013 is the primary environmental planning instrument applying to the site.

Land at 1 and 7 Ramsay Road is currently zoned B1 Neighbourhood Centre and land at 5 and 7 Harrabrook Avenue is zoned R2 Low Density Residential. The maximum building height currently applying to the B1 zone and R2 zone is 8.5 metres. The maximum FSR control for land zoned B1 is 1:1 and land zoned R2 is 0.5:1.

Refer to **Figure 13 – 17** for CBLEP 2013 maps.

This Planning Proposal seeks to amend the CBLEP 2013 to introduce new planning controls for the subject site.

This Planning Proposal has been drafted in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and “A Guide to Preparing Planning Proposals”, prepared by the NSW Department of Planning and Environment (2018). In line with these documents, this Planning Proposal explains the intended effect of the proposed instrument and sets out the justification for making of the proposed instrument.

### Strategic merit

This Planning Proposal has strategic merit and should be supported for the following reasons:

- It is in accordance with the ***Greater Sydney Region Plan: A Metropolis of Three Cities*** and the ***Eastern Harbour City District Plan***. Renewing centres and creating great places is a key driver of the NSW Government. The site is within a 10-minute walk of the future Five Dock Metro Station, an easy walk of bus services on Parramatta Road, providing services to Sydney and Parramatta CBDs, and is adjacent to significant open space and recreation areas along Iron Cove Creek. Providing more retail, local services and housing in such an accessible location is a priority of the NSW Government and should be encouraged. The Proposal provides housing supply and a renewal of the local neighbourhood centre, that will not compete with the existing Five Dock town centre. The Planning Proposal's consistency with the Greater Sydney Region Plan and the Central City District Plan is further outlined in Section 7 of this document.
- It is in accordance with the ***Canada Bay Local Strategic Planning Statement***. Provide housing supply, choice and affordability in key locations. The Proposal is crucial to assist the estimated population growth, of 32,000 residents by 2036. The site will support the increase in supply and housing choice to a diverse and changing community, providing services and transport through the proposed Five Dock Metro, the recently completed WestConnex and the local Five Dock town centre. The Planning Proposal's consistency with The *Canada Bay Local Strategic Planning Statement* is further outlined in Priority 4, Foster safe, healthy, creative, culturally rich and socially connected communities. The site is located adjacent to the Iron Cove Creek and provides a connection to the Inner West, Bay Run. The Proposal will assist in improving access to recreational and open spaces for residents.
- N.B: The Canada Bay Local Strategic Planning Statement was published before the announcement of the Five Dock Metro Station. Hence, local planning should be revisited by Council to provide more housing supply within the local area. It is also important to note, that the NSW Infrastructure Strategy 2018-2038 calls for an integration of land use and infrastructure planning.
- It is in accordance with the ***Canada Bay Housing Strategy***. Local centres are planned to provide opportunities for alternative low and moderate scale housing, within walking distance. The Proposal provides a 4 storey residential development within walking distance to shops, services and facilities within the Five Dock Town Centre.

- Additionally, the site is 650m from the proposed Five Dock Metro, connecting the site to the Sydney CBD and Greater Sydney area within 30 minutes. In addition, the Proposal is consistent with a key housing priority in the Housing Priority whereby ‘housing diversity and choice to be further addressed by infill development around centres in the form of low rise medium density, to provide a wider range of housing forms whilst being respectful of neighbourhood character’. The Planning Proposal will deliver private residential dwellings within an already established suburb. The architectural and landscape design enhances the surrounding streetscape and domain and links the bulk and scale of the local town centre to fit with the local context.
- **The proposal will deliver more housing in the right location.** The site is located on the doorstep of the future Five Dock Metro Station and Parramatta Road corridor. Located less than 700m from the future metro station and an undulating walk to transport options on Parramatta Road, the renewal of this site supports the NSW Government objective to promote renewal and increased housing in areas supported by infrastructure.
- **The proposal supports the Greater Sydney Commission’s vision of a 30-minute city.** Renewing existing sites to deliver more shops and homes in an established neighbourhood is key to achieving this vision.
- **The renewal of the site will deliver public benefits**, including improved public domain outcomes, improved local shops and the renewal of an existing neighbourhood centre that will benefit the whole community.
- **The Planning Proposal will renew an existing neighbourhood centre.** A large portion of the site comprises the former RMS office and car park – an unused and vacant site in need of renewal. The proposal will provide a renewal of the visual gateway for the LGA, and broadly transform Five Dock into an attractive and vibrant place with new shops and public domain improvements, supported by high-quality apartments that will bring new life and activity to the centre.

Accordingly, the proposal is well justified on strategic planning grounds, and will provide for the redevelopment of the site to deliver a high-quality, attractive and revitalised local neighbourhood centre.

#### Site specific merit test

In preparing the Planning Proposal, significant consideration has been given to the constraints of the site, the relationship with adjoining properties, traffic, and environmental impacts.

Given the site’s highly accessible location, the need to renew a local centre and the ability for all on-site impacts to be appropriately managed, this Planning Proposal is considered to demonstrate site-specific merit.

The Proposal is appropriate for its context and it demonstrates site specific merit for the following reasons:

- The Indicative Concept Design supporting the Proposal, demonstrates that the proposed planning controls and building envelopes will **deliver excellent design outcomes and high amenity apartments** and communal spaces, consistent with the requirements of the Apartment Design Guideline (ADG).
- The site is within a highly walkable, accessible and well-served neighbourhood and has **acceptable traffic impacts**.
- The proposed design and built form **minimises visual, privacy and overshadowing impacts** for neighbouring properties. The proposal will not result in any overshadowing to open space, and maintains excellent levels of solar access to neighbouring properties.
- The proposal **will facilitate the redevelopment of a vacant, largely unused site** to deliver new shops and homes, which will provide significant benefits for the local community.

- The proposal provides **an opportunity to renew a tired and run down precinct**, which will upgrade the arrival experience into Five Dock, through an appropriately scaled 'gateway' architectural design that will provide housing, jobs, natural amenity and improved connectivity in a strategic location with Sydney's Inner West.
- The proposal will activate local streets with well-designed retail and ground floor apartments, that **reconnect the site with the neighbourhood and improve safety, amenity and liveability outcomes**.
- The Proposal is seen to be **consistent with the established local character**, provides an appropriate interface to adjoining properties and does not result in any significant visual impacts from nearby public spaces.
- The Proposal provides **an opportunity to transplant highly significant trees**. As recommended in the Arboricultural Impact Assessment, five (5) high retention value trees (Trees 2, 3, 4 and 5) are recommended to be transplanted either on site or in nearby reserve, and could occur under development proposed in response to the CBLEP 2013 amendment.
- The Proposal provides the opportunity to provide **improvements to the public domain and adjacent open space**, to satisfy the needs of residents and for the enjoyment of the wider neighbourhood. Such improvements may include:
  - Extending the Sydney Water Preliminary Concept Design for Iron Cove Creek, to include the portion of the creek to the west of Ramsay Road;
  - Install a council desired zebra crossing to enhance access to the development and to the Bay Run;
  - Collaborate with council to implement a shared bike path outside the development;
  - Providing 'blisters' within road reservations to accommodate street tree planting;
    - Provide new parking bays with blisters for street tree planting;
    - Provide active recreation opportunities, such as an outdoor gym station; and
    - Provide a children's playground in the open space corridor.

Urban design testing further demonstrates that the proposed amendments to the CBLEP 2013 would result in a desirable urban design outcome for the site. Refer to the Urban Design Study at **Attachment A**.

The Planning Proposal seeks to provide high quality neighbourhood centre and housing that meets the requirements of existing and future residents, Council and the community, in such a way that manages all foreseeable on and off-site impacts. It is therefore considered to have site-specific merit.

The Planning Proposal is consistent with the Greater Sydney Region Plan, Eastern City District Plan, City of Canada Bay Local Strategic Planning Statement and Canada Bay Housing Strategy, which all identify the need to deliver 'more housing in the right location'. The Planning Proposal's strategic merit is further demonstrated in **Section 8** 'Justification' of this report.

#### Assessment

A number of assessments have been undertaken to accompany the Planning Proposal and investigate potential impacts associated with the proposed amendments, including:

- **Urban Design Report**, including the Indicative Concept Design prepared by Squilace and Architectus.
- **Site Survey**, prepared by Veris Australia Pty Ltd
- **Traffic and Transport Assessment**, prepared by Varga Traffic Planning Pty Ltd
- **Arboricultural Impact Assessment**, prepared by New Leaf Arboriculture Pty Ltd

- **Supplementary Arboricultural Assessment**, prepared by New Leaf Arboriculture Pty Ltd
- **Economic Report**, prepared by Hill PDA Consulting
- **Detailed Site Investigation Report**, prepared by Aargus Pty Ltd
- **Independent Justification for Tree Removal Letter**, prepared by Active Green Services (on behalf of Council)

These assessments demonstrate that the site is suitable for the proposed controls and the proposed amendments would therefore have acceptable impacts.

#### Recommendation

The Planning Proposal demonstrates strategic and site-specific merit and is well justified. It is therefore recommended for support to proceed to a Gateway assessment and determination.

# 1. Introduction

## 1.1 Preliminary

This Planning Proposal has been prepared by Architectus Australia Pty Ltd on behalf of Croftstar Pty Ltd.

The Planning Proposal seeks Council support to progress and amendment to the planning controls applicable to the site under the CBLEP 2013.

The Planning Proposal seeks an amendment to the CBLEP 2013 to facilitate redevelopment of the site for new retail space and housing development.

To facilitate development of the site an amendment to the current planning controls is required. The proposed amendments to the CBLEP 2013 are outlined below.

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 10m and 14m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.71:1;
- Reduce the minimum lot size map for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>;
- Amend the *Active Street Frontage Map* to introduce an Active Street frontage on land with frontage to Ramsay Road and extending 20.0 metres along Henley Marine Drive;
- Amend Clause 6.12 of the CBLEP and the Affordable Housing Contribution Scheme Map to introduce an affordable housing contribution of 5% affordable housing for the site; and
- Amend Schedule 1 Additional Permitted uses to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

## 1.2 Indicative Concept Design

An Indicative Concept Design has also been prepared by Squillace to support the Planning Proposal. The Indicative Concept Design demonstrates that a high-quality built form outcome will be achieved under the proposed planning controls. Whilst this Indicative Concept Design indicates the preferred design outcome, flexibility remains to update the final design to accommodate Council's comments. The Indicative Concept Design demonstrates that the proposed amendment to the CBLEP 2013 would provide under a subsequent Development Application:

- Approximately 37 high-amenity apartments that will increase housing supply within walking distance of transport, services and open space;
- Around 580m<sup>2</sup> of ground floor retail space to activate Ramsay Road and reinvigorate the neighbourhood centre;
- Buildings up to 4 storeys, with rooftop communal spaces and gardens, designed to integrate with surrounding development;
- Potential improvements to the public domain and open space adjacent Iron Cove Creek; and
- A built form outcome that provides a visual gateway response, when arriving to this part of Five Dock.

A comprehensive overview of the indicative concept design and design approach is provided in the Urban Design Study at **Attachment A**.

### **1.3 Structure of this report**

This report is prepared in accordance with the NSW Government's 'A Guide to Preparing Planning Proposals', and is set out as follows:

- **Section 2:** The site and context – provides an overview of the site to which the Planning Proposal is intended to apply.
- **Section 3:** The planning proposal history – provides an overview of the history of the planning proposal.
- **Section 4:** The proposal - outlines the vision for the site and development of the reference scheme that has informed the proposed planning controls.
- **Section 5:** Objectives or intended outcomes – provides a concise statement of the proposal objectives and intended outcomes.
- **Section 6:** Explanation of provisions – outlines the proposed amendments to the planning provisions within the CBLP 2013.
- **Section 7:** Assessment – provides an assessment of potential impacts associated with the proposal.
- **Section 8:** Justification: provides the urban planning justification to support the proposal.
- **Section 9:** Mapping – proposed LEP maps.
- **Section 10:** Consultation- outlines consultation with Council to date, and the consultation program that should be undertaken in respect of the proposal.
- **Section 11:** Project Timeline – outlines expectations for timeframe of the progression of the proposal.
- **Section 12:** Conclusion – concludes the report with a summary of findings and recommendations.

### **1.4 Authorship**

The report has been written by Paris Wojcik, Associate Urban Planner and Amy Wilkins, Student Urban Planner. Quality Assurance has been provided by Michael Harrison, Strategic Advisor.



## 2. Site context

### 2.1 Site context

The site is located at 1 and 7 Ramsay Road and 5 and 7 Harrabrook Avenue, Five Dock. The site is bounded by Harrabrook Avenue to the north, Ramsay Road to the east, Henley Marine Drive and Iron Cove Creek to the south and low density residential housing to the west.

The subject site is centrally located within the suburb of Five Dock, in the City of Canada Bay Local Government Area (LGA). The site is a significant entry point to the suburb, and is identified on urban design grounds as a gateway site to this part of Five Dock and the broader Canada Bay LGA.

The site is in close proximity to Five Dock Town Centre, providing a range of services, amenities, community facilities and public transport services, as discussed further below.

The proposed Five Dock metro station is within a 700m catchment from the site. This will provide the site with direct trips to the Sydney CBD and other health, education and employment centres like Strathfield, Sydney Olympic Park, Burwood, Parramatta and Westmead. The metro station will assist the Proposal in providing the opportunity to locate housing and jobs within close proximity to transport infrastructure.

Additionally, the site is 300m from the Westconnex, enabling faster vehicular connections from the site along Parramatta Road and providing motorists with a light motorway network across Sydney.

The site is within easy walking distance to significant open space and recreation areas, including the Bay Run and recreational paths along Iron Cove Creek, Croker Park, Wadim (Bill) Jegorow Reserve and Timbrell Reserve.

Refer to **Figures 3 - 12** for site context.



**Figure 3 Local context plan**

Site is indicated with red dot.

Source: Nearmaps with Architectus edits (2020)

### 2.2 Site details

#### Site dimensions

When all seven (7) lots are amalgamated, the subject site will be approximately 3,300m<sup>2</sup>. It has a frontage of approximately 25m to Ramsay Road and 86m to Henley Marine Drive.



#### Legal description

The subject site consists of seven (7) lots, legally described as Lot D and Lot 5 DP 415618, Lot A DP 415618 and Lot B DP 415618, Lot 1 DP 241337, and Lots 1 and 2 DP 310522.

Please refer to Site Survey at **Attachment B**.

#### Land ownership

The Applicant is the land owner of the following properties proposed for rezoning:

- A. 7 Harrabrook Avenue (Lot 1 DP 310552)
- B. 5 Harrabrook Avenue (Lot 2 DP 310552)
- C. 7 Ramsay Road (Lot 1 DP 241337)
- D. 1 Ramsay Road (Lot 5 DP 310522)
- E. 1 Ramsay Road (Lot D DP 415618)
- F. 1 Ramsay Road (Lot A DP 415618)
- G. 1 Ramsay Road (Lot B, DP415618)

Please refer to **Figure 4** below for lot description.



**Figure 4 Local context plan**

Site is indicated with red outline

Source: Nearmaps with Architectus edits (2020)

Note. Throughout the past 3 years, the Applicant has had discussions with landowners of properties. 9 – 17 Ramsay Road and 1 and 3 Harrabrook Avenue regarding potential acquisition, but to date has been unsuccessful. This Planning Proposal therefore seeks to rezone land owned by the Applicant only.

## **2.3 Surrounding local context**

### Existing land uses

The 3,300 sqm site, currently accommodates the former Roads and Maritime Services building on the corner of Ramsay Road and Henley Marine Drive and two residential detached dwellings along Harrabrook Avenue.

The site is bound by Harrabrook Avenue to the north, Ramsay Road to the east, Henley Marine Drive and Iron Cove Creek to the south and residential development to the west.

The site lies on the boundary of Canada Bay LGA, and as noted earlier, acts as a potential gateway site to the entry of the LGA at this location.

To the north of the site, land use contains low density residential housing comprising of 1-2 storey detached homes.

Further north, Five Dock local town centre is located 500m walking distance of the site. Five Dock town centre is a hub of commercial, civic and community life of the Canada Bay LGA. Five Dock town centre is accessible via bus services and the future metro station, connecting the suburb to Sydney CBD and delivering a 30 minute city.

To the east, Ramsay Road, a four lane carriage way, runs along the boundary of the site. Ramsay Road is currently unattractive and does not contribute to the local character of Five Dock, due to the lack of street planting and lighting, pedestrian priority, walkability and active street frontages.

To the south, Henley Marine Drive runs along the boundary of the site. Further south, Iron Cove Creek, also known as Dobroyd Canal, runs east to west. Sydney Water have prepared a final concept plan for public domain improvements and repairs on Iron Cove Creek.

To the west of the site, low density residential buildings, ranging from 1-2 storeys are located along Henley Marine Drive. Additionally, Croker Park is also located 350m from the site. Croker Park includes a children's playground and 2 tennis courts.

Please refer to **Figure 5 – Figure 12** below on existing and surrounding land uses.



**Figure 5 View looking south down Ramsay Road.**  
*The subject site is located to the right. The site and surrounding context has low pedestrian amenity and is need of renewal.*  
 Source: Architectus (2018)



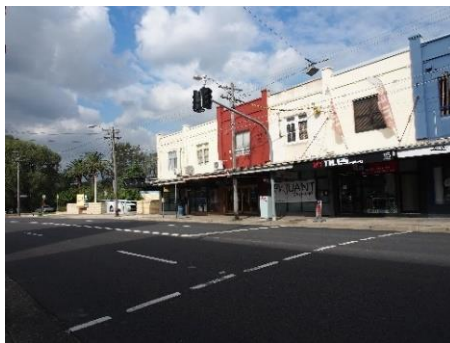
**Figure 6 View looking east down Henley Marine Drive, with Iron Cove Creek on the right.**  
*Iron Cove Creek provides amenity and open space for future residents.*  
 Source: Architectus (2018)



**Figure 7 View from the intersection of 1 and 7 Ramsay Road and Henley Marine Drive.**  
*Photograph identifies the previous Roads and Maritime Services building currently occupying 1 Ramsay Road.*  
 Source: Architectus (2018)



**Figure 8 View of 5 and 7 Harrarbrook Avenue, Five Dock**  
*These two lots currently consist of single storey residential detached dwellings. Both lots are zoned R2 Low Density Residential.*  
 Source: Architectus (2018)



**Figure 9 View of 1 and 7 Ramsay Road**  
*The subject site has a prominent frontage which has the potential to provide an active ground floor to revitalise the neighbourhood centre character.*  
 Source: Architectus (2018)



**Figure 10 View of Iron Cove Creek**  
*This open space provides a green buffer that allows the site to support additional residential capacity without impacting neighbours to the south.*  
 Source: Architectus (2018)



**Figure 11 View of Electircity Sub-Station located north east of 1 Ramsay Road.**  
*The height of the electricity substation matches the height outcome of the control.*

Source: Architectus (2018)



**Figure 12 Photograph of 1 Ramsay Road from the south east corner.**  
*The site is a natural gateway to Five Dock, however the existing form does not contribute to this*

Source: Architectus (2018)



## 2.4 Current planning controls

### Local environmental plan

The Canada Bay Local Environmental Plan 2013 (CBLEP 2013) applies to the site.

### Zoning

The subject site is partially zoned B1 Neighbourhood Centre and R2 Low Density Residential. Refer to **Figure 13**.

Land surrounding the site is zoned B1 Neighbourhood Centre immediately to the north and east, RE1 Public Recreation to the south and then R2 Low Density Residential surrounding.

R2 Low Density Residential, RE1 Public Recreation to the south and B1 Neighbourhood Centre immediately to the north and east.



Land Zoning Map  
Sheet LZN\_005

Zone	
B1	Neighbourhood Centre
B3	Commercial Core
B4	Mixed Use
B6	Enterprise Corridor
B7	Business Park
E2	Environmental Conservation
IN1	General Industrial
R1	General Residential
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
SP2	Infrastructure
SSP	SEPP (State Significant Precincts) 2005
DM	Deferred Matter

**Figure 13 Land Zoning Map**

Site is indicated with red dashed outline.

Source: CBLEP 2013

Height of Buildings

The maximum building height for the subject site is 8.5m. Land surrounding the site also has a maximum building height of 8.5m. Refer to **Figure 14**.



Height of Buildings Map  
Sheet HOB\_005

Maximum Building Height (m)

A	0.0	S1	23.0
T	8.5	S2	24.0
J	9.5	T1	25.0
K1	10.0	T2	26.0
K2	10.5	T3	27.0
L	11.0	T4	28.0
M	12.0	T5	29.0
N	14.0	U1	31.0
O1	15.0	U2	32.0
O2	16.0	V	35.0
P1	17.0	W	41.0
P2	18.0	Y	50.0
Q	20.0	Z	59.0
R1	21.0	AA	63.0
R2	22.0	AB1	82.0
		AB2	84.0

**Figure 14 Height of Buildings Map**  
Site is indicated with red dashed outline.  
Source: CBLEP 2013

## Floor Space Ratio

The site has currently two Floor Space Ratio controls. The north of the site, the land zoned R2 Low Density Residential has a Floor Space Ratio of 0.5:1. This section of the site is pursuant to Clause 4.4 of the CBLEP 2013, which identifies the site as 'Area 1'. This clause identifies the maximum floor space ratio for a dwelling house of semi-detached dwelling on 'Area 1' land. After the amalgamation of the site, the site will be 3,300 sqm.

To the south of the site, land zoned B1 Neighbourhood Centre has a Floor Space Ratio of 1:1. Refer to **Figure 15**.



Floor Space Ratio Map  
Sheet FSR\_005

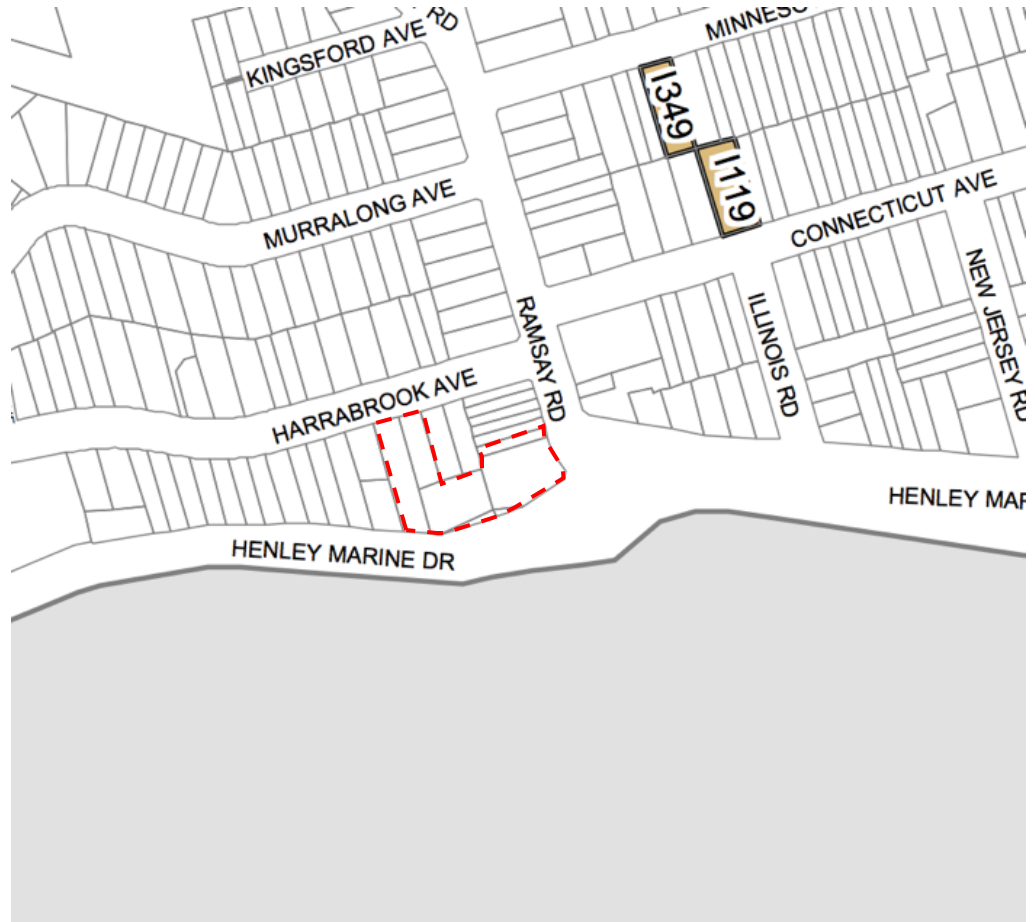
Maximum Floor Space Ratio (n:1)	
A	0.00
D	0.50
F	0.60
H	0.70
I	0.75
L	0.90
N	1.00
O	1.10
P	1.20
Q1	1.30
Q2	1.35
R	1.40
S1	1.50
S2	1.60
S3	1.75
S4	1.80
S5	1.83
S6	1.90
T1	2.00
T2	2.10
T3	2.25
T4	2.30
U1	2.50
U2	2.80
U3	2.90
Y	3.30
Y	4.50

Refer to Clauses 4.4 (2A), (2B), (2F)

**Figure 15 Floor Space Ratio Map**  
Site is indicated with red dashed outline.  
Source: CBLEP 2013

### Heritage

There are no heritage items located within or surrounding the subject site. Refer to **Figure 16**.



### Heritage Map Sheet HER\_005

#### Heritage

 Conservation Area

#### Figure 16 Heritage Map

Site is indicated with red dashed outline.

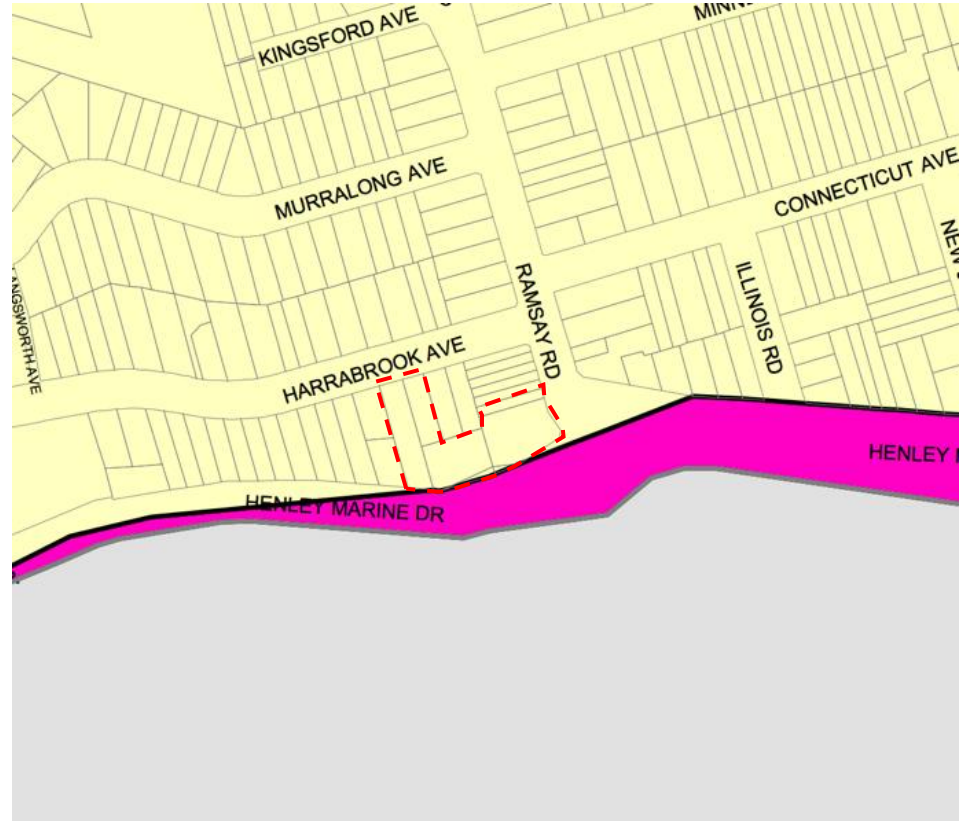
Source: CBLEP 2013



### Acid Sulfate Soils

The site contains Class 5 Acid Sulfate Soils. Areas classified as 'Class 5' Acid Sulfate Soils are located within 500 metres on adjacent class 1,2,3 or 4 land.

South of the site, along Henley Marine Drive and Iron Cove Creek, contains Class 2 Acid Sulfate Soils. Refer to **Figure 17**.



Acid Sulfate Soils Map -  
Sheet ASS\_005

#### Acid Sulfate Soils

2	Class 2
3	Class 3
4	Class 4
5	Class 5

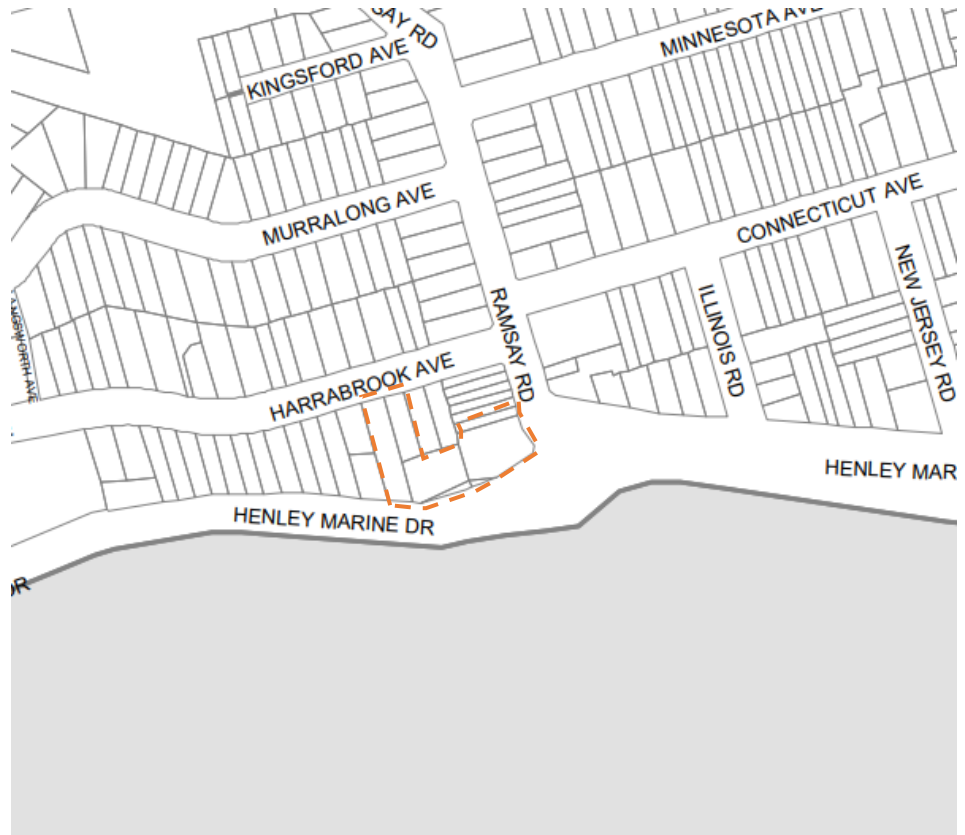
#### **Figure 17 Acid Sulfate Soils Map**

Site is indicated with red dashed outline.

Source: CBLEP 2013

### Active Street Frontages

The site and its surrounding area are not currently identified as an active street frontage. Refer to **Figure 18**.



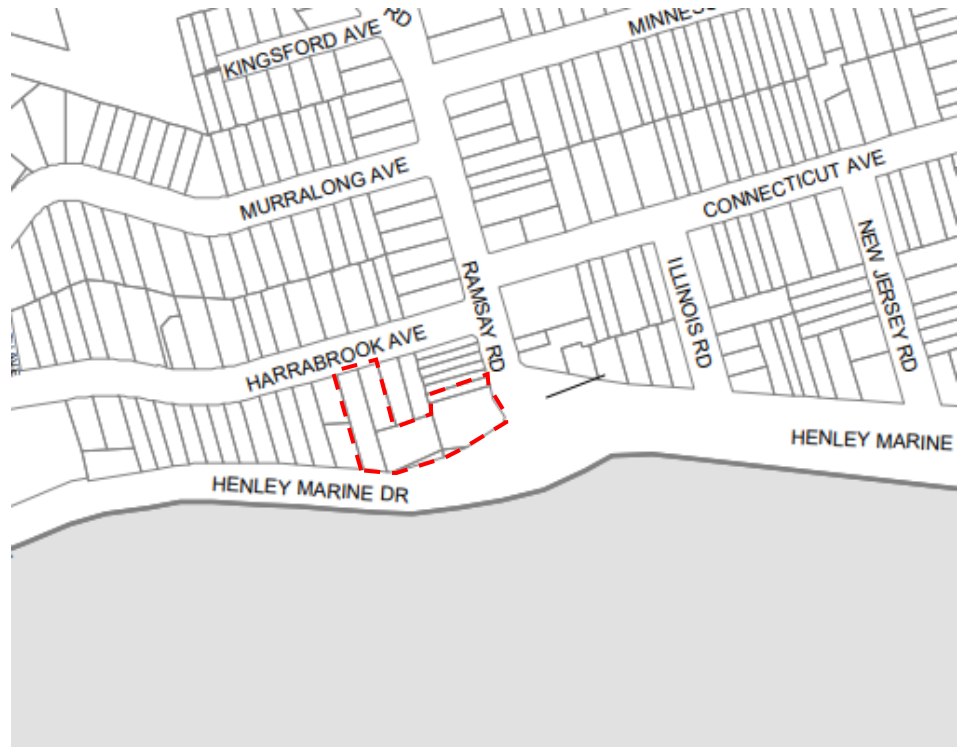
Active Street Frontages Map -  
Sheet ASF\_005

Active Street Frontage

**Figure 18 Active Street Frontages Map**  
Site is indicated with orange dashed outline.  
Source: CBLEP 2013

### Affordable Housing Contribution Scheme

The site and its surrounding area are not currently identified as an area dedicated for affordable housing. Refer to **Figure 19**.



Affordable Housing Contribution  
Scheme Map Sheet AHCS\_005

Affordable Housing Contribution Area

 Affordable Housing Contribution Area

**Figure 19 Affordable Housing Contribution Scheme Map**

Site is indicated with red dashed outline.

Source: CBLEP 2013

# 3. Planning Proposal History

Since 2018, the Applicant has engaged with the City of Canada Bay Council on a number of occasions. A summary of formal engagement is set out in **Section 10** of this report.

Council has recognised that the existing development on 1 Ramsay Road contributes little to the quality of the neighbourhood centre and to activity along Ramsay Road. A change in development controls and a modest increase in the maximum height and FSR could be supported, as a way to strengthen the neighbourhood centre that is well serviced by surrounding amenities and public transport.

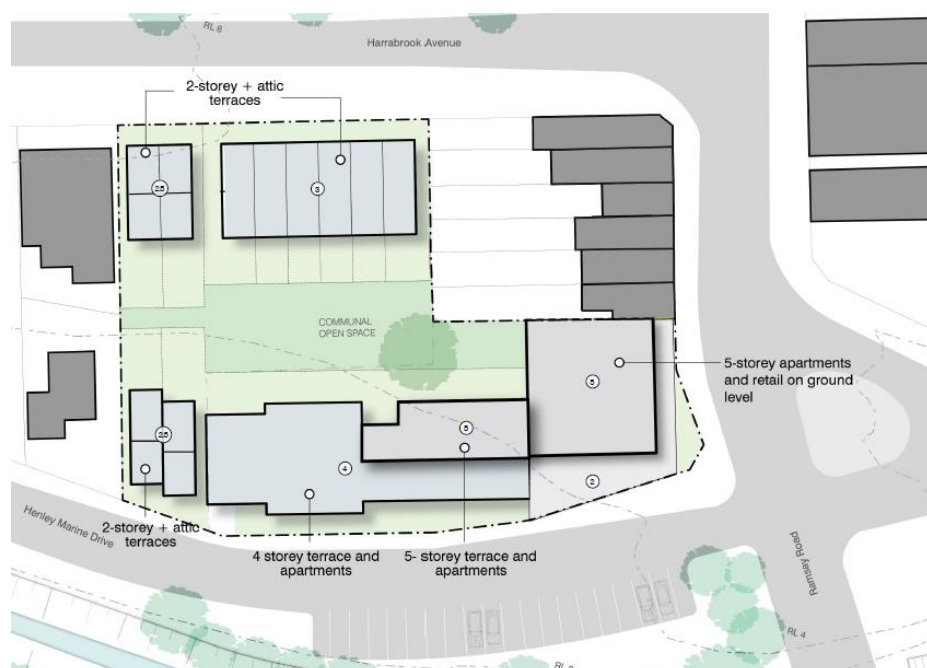
Information below provides an overview of how the Indicative Concept Design (as a basis for this Planning Proposal) has evolved overtime.

## Indicative Concept Design – May 2018

In May 2018, the Applicant met with Council to present and seek feedback on an early design concept for the site. Key features of the 2018 concept design included:

- A mix of terrace housing along Harrabrook Avenue and mix of maisonette townhouses and apartments along Henley Marine and Ramsay Road;
- An indicative dwelling yield of 45 dwellings including 10 terraces, 8 maisonette townhouses and 27 apartments;
- Approximate residential GFA of 6,134 square metres;
- Approximate retail GFA of 493 square metres; and
- Heights ranging between 2.5 and 5 storeys (equivalent to 10m and 17m).

Refer to **Figure 20** below showing previous proposed site plan.



**Figure 20 Site plan of indicative concept design (May 2018)**

Source: Architectus 2018

### Indicative Concept Design – May 2019

In May 2019, the Applicant met with Council to present and seek feedback on an updated architectural design concept for the site. Key features of the 2019 concept design included:

- A mix of terrace housing along Harrabrook Avenue and apartments along Henley Marine and Ramsay Road;
- An indicative dwelling yield of 39 apartments and 13 terraces;
- Approximate residential GFA of 5,810 square metres (equivalent to a FSR of 2:1); and
- Heights ranging between 2 and 5 storeys (equivalent to 10m and 17m).

Refer to **Figures 21 and 22** below showing previous proposed site plan and photomontage.



**Figure 21 Site plan of indicative concept design (May 2019)**

Source: Squillace 2019



**Figure 22 Photomontage of indicative concept design (May 2019)**

Source: Squillace Architects, 2019

In March 2020, the Applicant met with Council to present and seek feedback on a further updated architectural design concept. Key design changes of the 2020 concept design included:

- As noted earlier in this report, the Applicant is the owner of No.5 and 7 Harrabrook Avenue, and No.1 and No.7 Ramsay Road. Over the past three years, the Applicant has had discussions with landowners of properties 1 and 3 Harrabrook Avenue regarding potential acquisition, but to date has been unsuccessful and therefore led to the removal of proposed terraces along Harrabrook Avenue and instead seeks to retain the existing low density residential housing along Harrabrook Avenue.

Refer to **Figures 23** and **24** below showing previous proposed site plan and photomontage.



Planning Proposal | 1-7 Ramsay Road &amp; 5 and 7 Harrabrook Avenue, Five Dock | Architectus 23





**Figure 24 Photomontage of indicative concept design (March 2020)**

Source: Squillace Architects, 2020

#### Lodgement of the Planning Proposal (December 2020)

On 18 December 2020, Architectus on behalf of the Applicant lodged a Planning Proposal to Canada Bay Council which sought to:

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 15.5m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.73:1;
- Reduce the minimum lot size map for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>; and
- Amend Schedule 1 Additional Permitted uses to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

On 11 February 2021, the Applicant met with Council to discuss some of Council's concerns raised in the report prepared for the Local Planning Panel (LPP) including the following items:

- 10m height plane proposed to the west of the right of way;
- Setback to Unit 301 and visual impact to neighbouring residential properties;
- 14m height plane proposed to the east of the right of way;
- Affordable housing provision; and
- Retention & Protection of Tree 1 (Lilly Pilly).

On 18 February 2021, the Planning Proposal was reviewed by the LPP. The LPP agreed with assessment undertaken by staff and noted that whilst the centre is small, it is well located to accommodate an increase in density that is compatible with the character of the surrounding area. The following advice was provided:

- *The Proposal is considered to have merit subject to the following amendments:*
  - a) *Provide a maximum building height fronting Ramsay Road to 14.0m and a maximum building height to the west of the right of way of 10.0m;*
  - b) *Ensure the retention and protection of tree identified as Tree 1, Lilly Pilly – Syzygium sp in the Aboricultural Impact Assessment prepared by NewLeaf Aboriculture;*

- c) *Introduce an Active Street frontage on the land with a frontage to Ramsay Road and extending around the corner along Henley Marine Drive; and*
  - d) *Include a Detailed Contaminated Site Investigation.*
- *Council update the draft Canada Bay Affordable Housing contribution Scheme to apply to the subject site and map the land on the Affordable Housing Contribution Scheme Map under the Canada Bay Local Environmental Plan 2013;*
- *Negotiation with the applicant on the terms of a Planning Agreement prior to submission of the Planning Proposal for a Gateway Determination;*
- *A draft Development Control Plan be prepared by Council to guide the future development of the site that includes but is not limited to, the following controls:*
  - a) *Building envelope;*
  - b) *Ground level setbacks;*
  - c) *Upper level setbacks; and*
  - d) *Tree retention and landscaping requirements expressed as a percentage;*
- *The Planning proposal could be submitted to the Department of Planning Industry and Environment for a Gateway Determination, once the above matters have been addressed.*

On 16 March 2021 Council resolved that the Planning Proposal be submitted to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination and provided the following recommendations:

1. *THAT the advice of the Local Planning Panel in relation to the Planning Proposal is noted.*
2. *THAT prior to the planning proposal being submitted to the Department of Planning, Industry and Environment for a Gateway Determination, the applicant be invited to negotiate a planning agreement with Council.*
3. *THAT the Planning Proposal be submitted to the Department of Planning, Industry and Environment for a Gateway Determination.*
4. *THAT prior to the Planning Proposal being submitted to the Department of Planning, Industry and Environment, the Planning Proposal be updated to:*
  - a) *provide a maximum building height fronting Ramsay Road of 14.0m and a maximum building height to the west of the right of way of 10.0m.*
  - b) *revise the maximum floor space ratio to reflect the reduction in building height specified in (a) above.*
  - c) *ensure, subject to further investigation, the retention and protection of the tree identified as Tree 1, Lilly Pilly - Syzgium sp in the Aboricultural Impact Assessment prepared by NewLeaf Aboriculture.*
  - d) *introduce an Active Street frontage on the land with a frontage to Ramsay Road and extending 20.0 metres along Henley Marine Drive.*
  - e) *include a Detailed Environmental Site Investigation.*
5. *THAT draft amendments be prepared to the Canada Bay Affordable Housing Contribution Scheme and Canada Bay LEP 2013 to require an affordable housing contribution with a target of 5% affordable housing, subject to feasibility.*
6. *THAT the draft amendments to the Canada Bay Development Control Plan be prepared by Council to guide the future development of the site that includes, but not be limited to:*
  - a) *building envelope;*



- b) ground and upper level setbacks;
  - c) tree and landscaping controls.
7. THAT, should a Gateway Determination be received, the Planning Proposal, draft Development Control Plan and draft Affordable Housing Contribution Scheme be placed on public exhibition.
  8. THAT delegation be requested from the Department of Planning, Industry and Environment to manage the plan making process.
  9. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt a Gateway Determination.
  10. THAT Council note should the Planning Proposal proceed to exhibition, following consideration of any submissions, the Planning Proposal will be reported back to Council.

On 31 May, Council wrote to the applicant to request additional information to enable the Planning Proposal to be progressed for a Gateway Determination.

**Table 1** below provides a response to the additional information requested by Council.

**Table 1 Response to Council's Additional Information Request**

Council comment	Applicant response
The submitted planning proposal needs to be updated to: a) identify a maximum building height fronting Ramsay Road of 14.0m and a maximum building height to the west of the right of way of 10.0m;	The Planning Proposal has been updated in accordance with Council's recommendation in relation to building height. Refer to Section 6 and Section 9 of this report.
b) revise the maximum floor space ratio to reflect the reduction in building height specified in a) above;	The Planning Proposal seeks to reduce the FSR to 1.71:1 by relocating floor space from the top of the building to accommodate larger unit areas, resulting in more 3 bedroom units than what was previously proposed.  Refer to GFA and FSR calculation in the Urban Design Study at <b>Attachment A</b> .
c) introduce an Active Street frontage on land with frontage to Ramsay Road and extending 20.0 metres along Henley Marine Drive;	The Planning Proposal has been updated in accordance with Council's recommendations in relation to active street frontages. Refer to Section 6 and Section 9 of this report.
d) include a Detailed Environmental Site Investigation to address potential contamination;	The Planning Proposal has been updated to include a Detailed Site Investigation, which has been prepared by Aargus Pty Ltd, provided at <b>Attachment G</b> .  A summary of the assessment is provided at Section 7.7. of this report.
e) amend clause 6.12 of the Canada Bay LEP 2013 to require an affordable housing contribution of 5% affordable housing and include an update to the Affordable Housing Contribution Scheme Map to identify the subject site;	The Planning Proposal has been updated in accordance with Council's recommendations in relation to affordable housing. Refer to Section 6 and Section 9 of this report.  It should be noted that it is the Applicant's preference for a monetary contribution to be made to Council in lieu of the on-site dedication of completed dwellings. This is in accordance with Section 2.3 of Council's Affordable Housing Contribution Scheme.
f) reference the 8 lots affected by the Proposal, as per the survey plan submitted;	There are seven (7) lots affected by the Planning Proposal which include: Lot 1 DP 241337 (7 Ramsay Rd)

	Lot D DP 415618 (1 Ramsay Rd) Lot A DP 415618 (1 Ramsay Rd) Lot B, DP415618 (1 Ramsay Rd) Lot 5 DP 310552 (1 Ramsay Rd) Lot 1 DP 310552 (7 Harrabrook Ave) Lot 2 DP 310552 (5 Harrabrook Ave) These lots are reflected on the updated Survey Plan, prepared by Veris Australia Pty Ltd.
g) address all Ministerial Directions in particular 2.6 in relation to Contaminated land;	The Planning Proposal has been updated to include a Detailed Site Investigation, which has been prepared by Aargus Pty Ltd, provided at <b>Attachment G</b> . A response to Ministerial Direction 2.6 has been summary of the assessment is provided at Section 8.2. of this report.

Following the advice of the LPP and Council's recommendations, as outlined in the table above, the Applicant and Project Team has amended the Planning Proposal and prepared an updated Indicative Concept Design and Urban Design Study that forms the basis of this refined Planning Proposal. Refer to **Attachment A**.

Primarily, the amendments include:

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 10m and 14m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.71:1;
- Reduce the minimum lot size for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>;
- Introduce an active street frontage on land with frontage to Ramsay Road and extending 20 metres along Henley Marine Drive;
- Introduce an affordable housing contribution of 5% affordable housing for the site; and
- Introduce an additional permitted use for the site to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

These amendments are reflected in the updated reference design as detailed in **Section 4** of this report and in the Urban Design Study at **Attachment A**.

# 4. The Proposal

## 4.1 Vision

There is a real opportunity for the site to support both renewal of the current local neighbourhood centre, whilst also providing a visual gateway point when arriving into this part of Five Dock.

The Proposal will support to improve the appearance of the neighbourhood centre by encouraging new mixed use built form with ground level retail. In addition, it will upgrade the arrival experience into Five Dock, through an appropriately scaled gateway architectural design that will provide housing and jobs in a strategic location with Sydney's Inner West.

Additionally, the site provides strong connections to the regionally important Iron Cove Creek and its associated parkland.

The vision for the development at Ramsay Road is to provide:

### Gateway building

- Provide a high quality architectural statement on the corner of Ramsay Road and Henley Marine Drive and will renew the existing dilapidated neighbourhood centre. The Gateway Building will upgrade the arrival experience into this part of Five Dock.

### Natural Amenity

- Capitalises on the amenity of the adjacent open space corridor, and enhance existing connections along Iron Cove to the Bay Run as well as nearby open space, including Croker Park, Wadim (Bill) Jegrow Reserve and Timbrell Park.

### Diverse housing typology

- Creates a mix of high quality, well designed dwelling types for emerging lifestyles with excellent access to public amenity and transport infrastructure. The Proposal includes a number of 3 and 4 bedroom units, encouraging owner occupiers rather than potential investors.

### A new mixed use neighbourhood and bespoke lifestyle

- Supports renewal of the neighbourhood centre and contributes to the local population by serving a boutique retail offer in a way that does not compete with the retail offering in the adjacent Five Dock Town Centre and provides a positive interface with the public domain.

The overview of the proposed LEP amendments is summarised below at **Table 2**.

**Table 2 Proposed LEP Controls**

<b>Land Use Zoning</b>	Zone B1 - Neighbourhood Centre Zone R2 - Low Density Residential
<b>Maximum Height of Buildings</b>	Part 10 and part 14m / Part 3 and part 4 storeys
<b>Floor Space Ratio</b>	1.71:1
<b>Active Street Frontage</b>	Introduce an active street frontage on land with frontage to Ramsay Road and extending 20.0 metres along Henley Marine Drive
<b>Affordable Housing</b>	5% affordable housing contribution
<b>Schedule 1 Amendment</b>	Introduce 'residential flat buildings' as an additional permitted use under the Zone B1 – Neighbourhood Centre.

These proposed controls are discussed further under Section 5 and 6 of this report, and have been developed by the Indicative Concept Design and Urban Design Study, as outlined in detailed below.

#### 4.2 Indicative Concept Design

An indicative concept design presented in the Urban Design Study at **Attachment A** has been prepared by Squillace to support the Planning Proposal. This indicative concept design has evolved over several years as outlined earlier in **Section 3** of this report. The indicative concept design set demonstrates how the site is intended to be developed under the proposed planning controls.

The Indicative Concept Design responds to the site's strategic location, which is seen as a Gateway to this part of Five Dock and within walking distance to the planned Five Dock Metro Station (located less than 700m from the site). The design takes advantage of the natural amenity provided by its location along Iron Cove Creek, which forms part of Sydney's Greater Green Grid corridor and ultimately seeks to give 'new life' an existing, B1 neighbourhood centre that is run-down and in need of renewal.

#### 4.3 Built Form outcome under the Indicative Concept Design

##### Built form

The Indicative Concept Design illustrates that under the proposed controls there would be a built form outcome that wraps around Ramsay Road and Henley Marine Drive frontages, with a nil setback to Ramsay Road which is consistent with the prevailing set back of the adjoining shops. A varied setback would be applied to Henley Marine Drive, to activate the corner of the site and allow for outdoor dining opportunities. The setback would then be reduced to zero, further west along Henley Marine Drive, where ground floor residential uses are proposed, activated with front courtyards and gardens.

A 3-storey street wall height would be achieved under the proposed controls, which has been established by the existing datum line of the heritage substation building, located opposite on the eastern side of Ramsay Road. The resulting street wall height can be seen in the CGI prepared by Architectus in the supporting Urban Design Study at **Attachment A** and **Figure 25** below.



**Figure 25 Resulting street wall height looking north facing from Ramsay Road**  
Source: Squillace 2021

A 4-storey component (with maximum building height of 14m) is proposed along the Ramsay Road street frontage that wraps around the corner to part of Henley Marine Drive. It is noted that the fourth storey is also proposed to be set back by 3m above the

3-storey street wall height, to reduce visual prominence and to ensure the built form outcome is read as a predominate 3-storey building from the street level.

The building then steps down further along Henley Marine to ensure future development is limited to 3-storeys (with a maximum building height of 10m), west of the right of way.

Minimum setbacks of 9m to the west and northern boundaries of the site are compliant with the Canada Bay DCP 2020 and ensure an appropriate transition is provided to adjacent residential dwellings along Harrabrook Avenue and Henley Marine Drive to the west.

Residential vehicle access to the site would be via Henley Marine Drive, with basement access at the western end of the site.

Landscaping and public domain improvements would be on the southern side of Henley Marine Drive, along Iron Cove Creek. These improvements may include:

- Landscaping and embellishment to existing green space;
- Street tree planting between existing 90-degree parking; and
- Opportunities for outdoor fitness, play equipment.

The proposed ground level floor plan and perspectives of the proposed Indicative Concept Design is provided below in **Figures 26 – 28**.



**Figure 26 Floor Plan Ground Level**  
Source: Squillace 2021



**Figure 27 Proposed Built form outcome – looking north west from Ramsay Road**  
Source: Squillace 2021



**Figure 28 Proposed Built Form Outcome - looking north from Henley Marine Drive**  
Source: Squillace 2021

### Land use

The Planning Proposal seeks to retain the B1 neighbourhood zoning for No. 1 and No.7 Ramsay Road, which will allow a range of permissible uses including shop top housing and neighbourhood shops.

It is anticipated that under the proposed controls, around 37 residential dwellings and up to 580 square metres of retail floor space could be achieved. With respect to retail, a café or food and beverage space could be located to the corner of Ramsay Road and Henley Marine Drive, which would service needs of the local community and take advantage of the sites natural amenities located along the Iron Cove Creek Bay Run.

The B1 neighbourhood zone is proposed to continue along the southern edge of the site to maintain a consistent land use zoning and provide an active street frontage. However, as the Indicative Concept Design proposes residential uses at ground level along Henley Marine Drive, this will require an Additional Permitted Use under Schedule 1, to allow residential flat buildings along this frontage.

The residential density on the site and provision of a ground floor neighbourhood shop would have the effect of activating the neighbourhood centre and give 'new life' to the local community.

The key numerical details of the Indicative Concept Design set are summarised in **Table 3** below.

**Table 3 Key numerical details of Proposal**

<b>Land use activity</b>	Residential accommodation (residential flat apartments, shop top housing) Neighbourhood shops
<b>Height</b>	Part 10 and part 14m / Part 3 and part 4 storeys
<b>FSR</b>	1.71:1
<b>Indicative apartment yield</b>	37 apartments including a mix of bedroom types: 1 bedroom = 8 apartments (22%) 2 bedroom = 15 apartments (41%) 3 bedroom = 14 apartments (38%)  The apartment mix applies with Clause 6.11 of CBLEP 2013.
<b>Car parking</b>	54 car parking spaces: 1 bedroom = 4 spaces 2 bedroom = 15 spaces 3 bedroom = 28 spaces Visitor = 7 spaces  Car parking provision exceeds minimum ADG / RMS car parking rates.

#### 4.4 Public benefits

This planning proposal provides the opportunity to deliver a number of public benefit items, which include:

- A five (5) percent affordable housing contribution delivered to Council in the form of an equivalent monetary contribution, in accordance with Clause 6.12 of the CB LEP 2013 and Section 2.3 of Council's Affordable Housing Contribution Scheme;
- Opportunity to upgrade the immediate surrounding context through public domain improvements, including:
  - Extending the Sydney Water Preliminary Concept Design for Iron Cove Creek to include the portion of the creek to the west of Ramsay Road;
  - Install a council desired zebra crossing to enhance access to the development and to the Bay Run;
  - Collaborate with council to implement a shared bike path outside the development;
  - Providing blisters to accommodate street tree planting;
  - Provide new parking bays with blisters for street tree planting;
  - Provide active recreation opportunities, such as outdoor gym stations; and
  - Provide a children's playground in the open space corridor.
- Improve the existing run down character of the immediate context;
- Retail at the ground floor will encourage and support retailers within the area; and
- Monetary contribution in accordance with Council's Section 7.11 Contributions Plan.

Following a Gateway Determination, further discussions will be held with the City of Canada Bay Council to determine the right level of public domain improvements and their delivery arrangements (for example, via a Voluntary Planning Agreement).

Please refer to **Figure 29-33** below for public benefit infrastructure that will be implemented throughout the proposal.





**Figure 29 Public Domain Improvements**  
*Opportunity to support rehabilitation of Iron Cove Creek*  
 Source: Architectus (2020)



**Figure 30 Public Domain Improvements**  
*Opportunity to work with council to upgrade the footpath on the northern side of Henley Marine Drive and include street trees.*  
 Source: Architectus (2020)



**Figure 31 Public Domain Improvements**  
*Opportunity to retain and upgrade the perpendicular parking and associated landscaping on the south side of Henley Marine Drive*  
 Source: Architectus (2020)



**Figure 32 Public Domain Improvements**  
*Opportunity to provide for a landscaped gateway on the eastern side of Ramsay Road*  
 Source: Architectus (2020)



**Figure 33 Public Domain Improvements**  
*Opportunity to provide active fitness opportunities for the community*  
 Source: Architectus (2020)



#### **4.5 Urban Design Study**

An Urban Design Study has been prepared by Squillace and Architectus, to support and to be read in conjunction with the Planning Proposal. Please refer to **Attachment A** for further detail.

The Urban Design Study provides a detailed urban design analysis and a justification of the proposal, in particular context, adequate building separation, and assessment of solar and visual impacts.

The report focuses on a renewal of the 'gateway site' to improve the arrival experience to the LGA through an appropriate scaled and well considered gateway building. This design will revive the tired and run down neighbourhood centre and provide residential housing and employment in a key strategic area of Sydney's inner west.

# 5. Objectives and intended outcomes

## 5.1 Objectives

The objectives of this Planning Proposal are:

- To introduce new planning controls for the site under the CBLEP 2013;
- To deliver increased housing, shops and services in a highly accessible location that maximise the NSW Government's investment in infrastructure;
- To deliver a high-quality, mixed-use development with a range of housing and retail uses, that will renew the existing neighbourhood centre and contribute to local character;
- To facilitate development that responds to its context, including appropriate scale and achieves a high level of amenity to neighbouring properties and open space; and
- To deliver streetscape and public domain improvements that will reconnect the site to the neighbourhood and celebrate the site's location adjacent to significant open space and recreation areas.

The proposed amendments to the CBLEP 2013 will facilitate the renewal of an existing centre in a manner that integrates well with the character of the surrounding area, whilst responding to the strategic location of the site; as demonstrated by the supporting Indicative concept design in **Attachment A**.

## 5.2 Intended Outcomes

The Planning Proposal is a response to the need to renew the site by delivering a new mixed-use development that will revitalise the Ramsay Road neighbourhood centre, as well as provide a built form scale that supports its gateway location to the suburb of Five Dock.

The intended outcome facilitates the redevelopment of the site to provide increased housing, shops and services, in a highly accessible and well-served location, consistent with the aims of the *Greater Sydney Region Plan* and *Eastern Harbour City District Plan*. Additionally, the intended outcomes, as demonstrated in the Indicative Concept Design at **Attachment A** and the provisions are intended to work in a coherent and coordinated fashion.

The Planning Proposal seeks to amend the CBLEP 2013 to:

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 10m and 14m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.71:1;
- Reduce the minimum lot size for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>;
- Introduce an active street frontage on land with frontage to Ramsay Road and extending 20 metres along Henley Marine Drive;
- Introduce an affordable housing contribution of 5% affordable housing for the site; and

- Introduce an additional permitted use for the site to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

The requested amendments are outlined in further detail in **Section 6** of the report.

The proposed extension of the B1 Neighbourhood Centre zone will allow for a full redevelopment of the site. The proposed redevelopment of the site is a design led approach that will deliver a high-quality mixed-use development, and provide opportunity for significant public domain improvements that will improve the amenity, walkability and liveability of the local area. Additionally, due to COVID-19, the redevelopment of the site will generate employment and support the local economy.

Expanding the B1 zone will protect and enhance employment land – providing for more jobs and services within walking distance of people's homes. The B1 zoning will also provide flexibility for a range of non-residential uses to support future residents on site, and in broader neighbourhood.

The proposed FSR and height controls provide a building envelope, of a bulk and scale that is responsive to its context, including its gateway location, as well deliver excellent amenity, and ensures no impacts on surrounding properties.

# 6. Explanation of provisions

## 6.1 Outline of proposed amendments

This Planning Proposal seeks the following amendments to CBLEP 2013:

- Amendment to Land Zoning Map;
- Amendment to the Height of Buildings Map;
- Amendment to the Floor Space Ratio Map;
- Amendment to the Minimum Lot Size Map;
- Amendment to the Active Street Frontage Map;
- Amendment to Clause 6.12 and the Affordable Housing Contribution Scheme Map;
- Amendment to Schedule 1 'Additional Permitted Uses'.

An overview of the proposed amendments is provided below and also further in **Section 9** of this report.

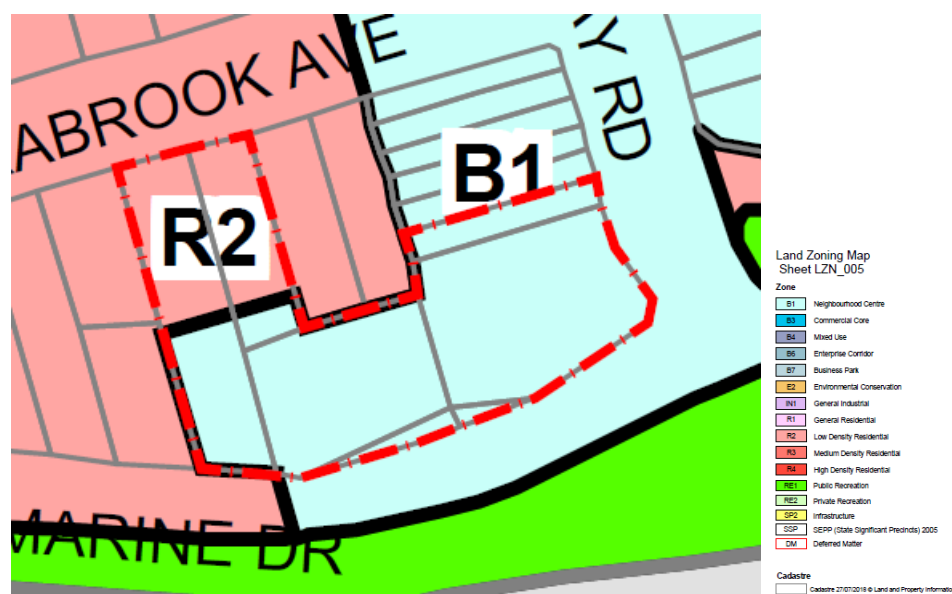
### Land Zoning

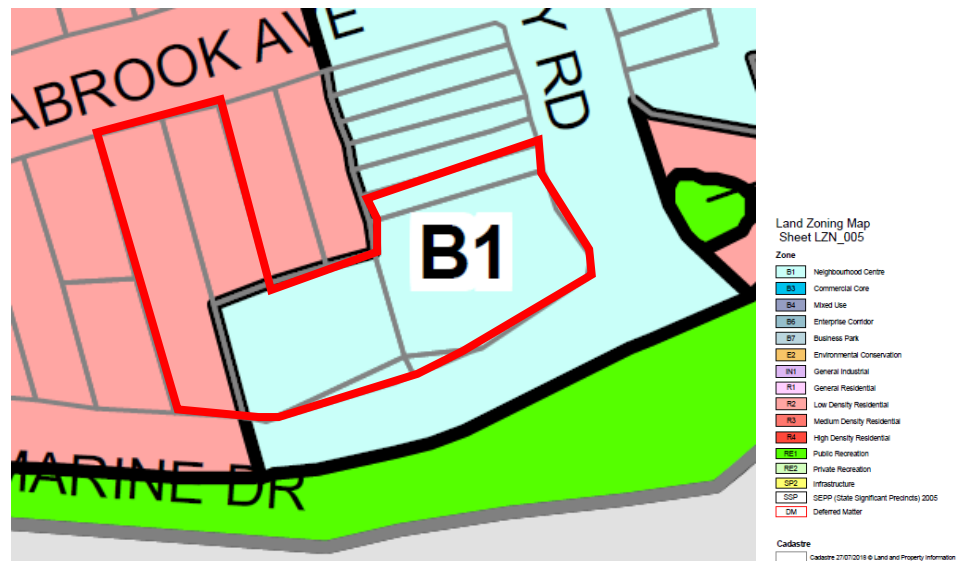
The Planning Proposal seeks to amend the CBLEP 2013 Land Zoning Map to extend the B1 Neighbourhood Centre zone to include a portion of 5 and 7 Harrabrook Avenue. It is proposed to retain the R2 Low Density Residential zone for the remaining portion of 5 and 7 Harrabrook Avenue. Refer to the proposed zoning in **Figure 34**.

If supported, it is proposed to consolidate all land zoned B1 Neighbourhood Centre into one lot.

The current zoning of the site is B1 Neighbourhood Centre and R2 Low Density Residential under the CBLEP 2013, as shown in **Figure 35**.

The proposed extension of the B1 zone to a portion of 5 and 7 Harrabrook Avenue will allow for a coordinated master planned outcome for the site, consolidation of the B1 zone, and a design led approach for the renewal of the site, as demonstrated by the Indicative Concept Design at **Attachment A** and discussed under **Section 4** earlier.





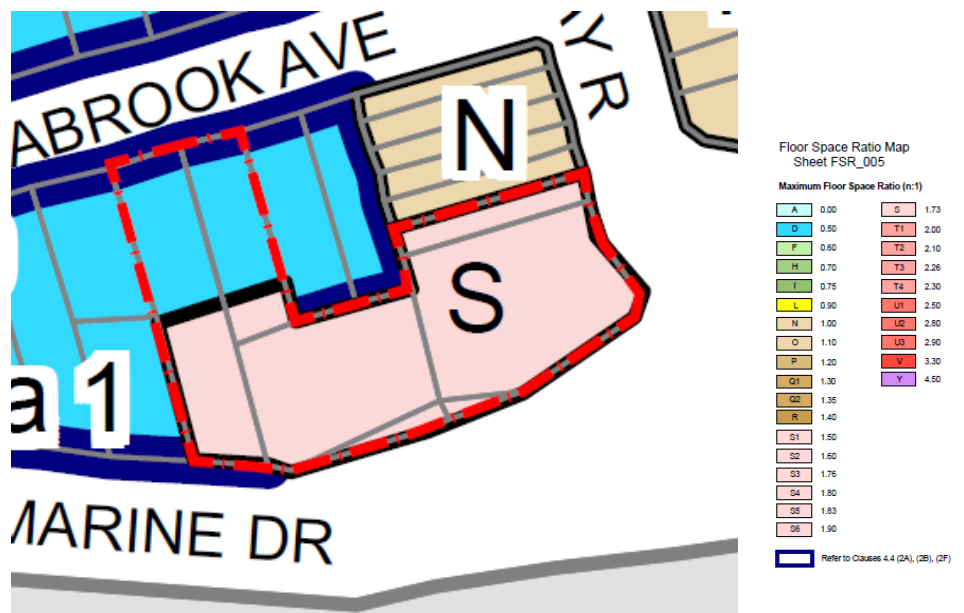
**Figure 35 Existing Land Use Zoning**  
Source: Architectus and CBLEP 2013

#### Maximum Floor Space Ratio

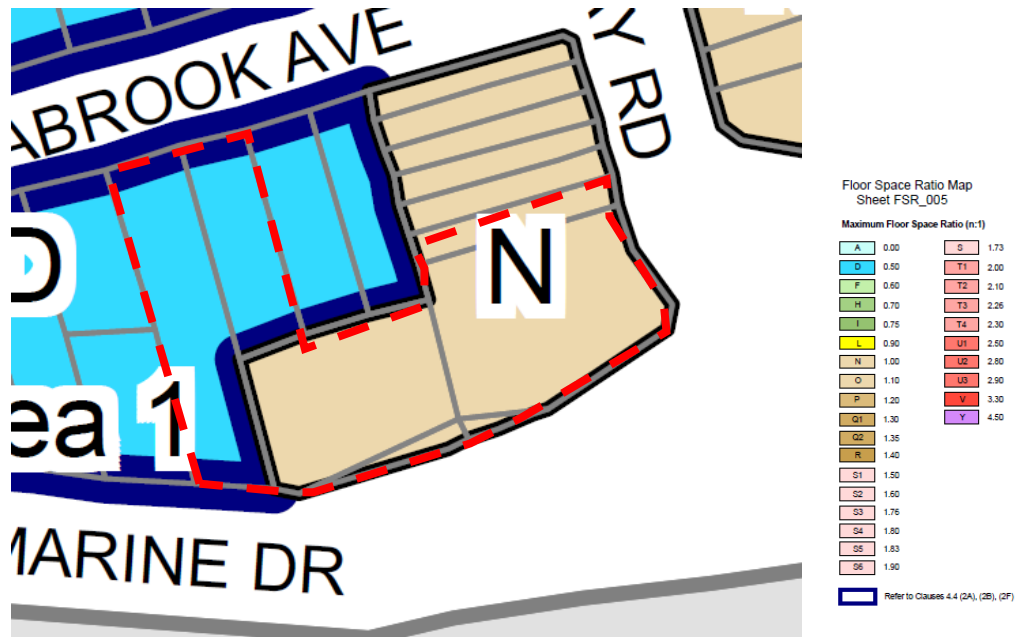
The Planning Proposal seeks to amend the CBLEP 2013 Floor Space Ratio Map to increase the maximum FSR from 0.5:1 and 1:1 to 0.5:1 and 1.71:1 across the site. The maximum FSR of 1.71:1 is proposed for land in the B1 zone. The maximum FSR control of 0.5:1 is proposed to be retained for land zoned R2 Low Density Residential. Refer to the proposed maximum floor space ratio in **Figure 36**.

The current maximum floor space ratio is shown in **Figure 37**.

The proposed FSR of 1.71:1 for the B1 Neighbourhood Centre zone will allow for an appropriate development density is achieved, as demonstrated by the Indicative Concept Design.



**Figure 36 Proposed Floor Space Ratio**  
Site is indicated with red dashed outline.  
Source: Architectus and CBLEP 2013

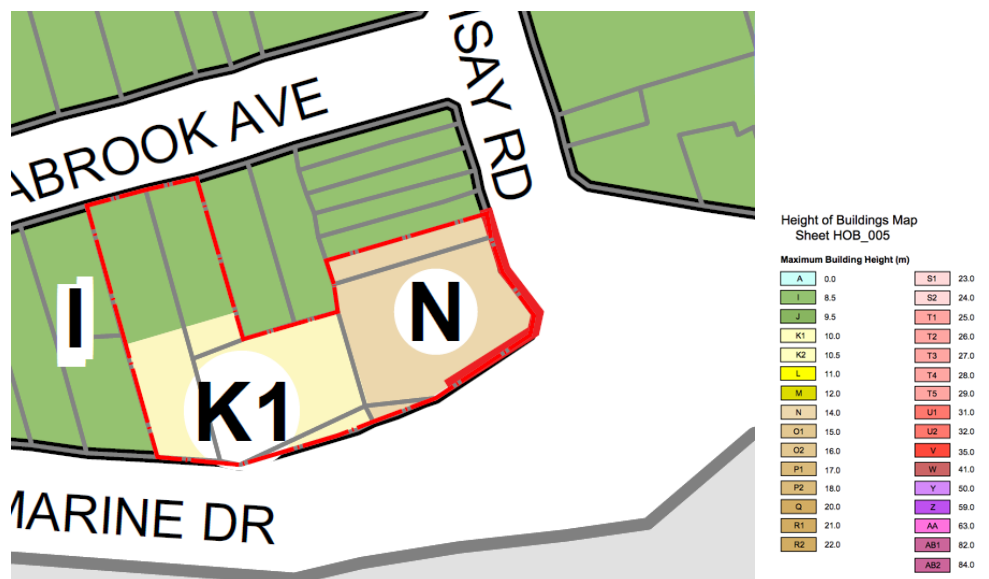


**Figure 37 Existing Floor Space Ratio**  
Site is indicated with red dashed outline.  
Source: Architectus and CBLEP 2013

#### Maximum Height of Buildings

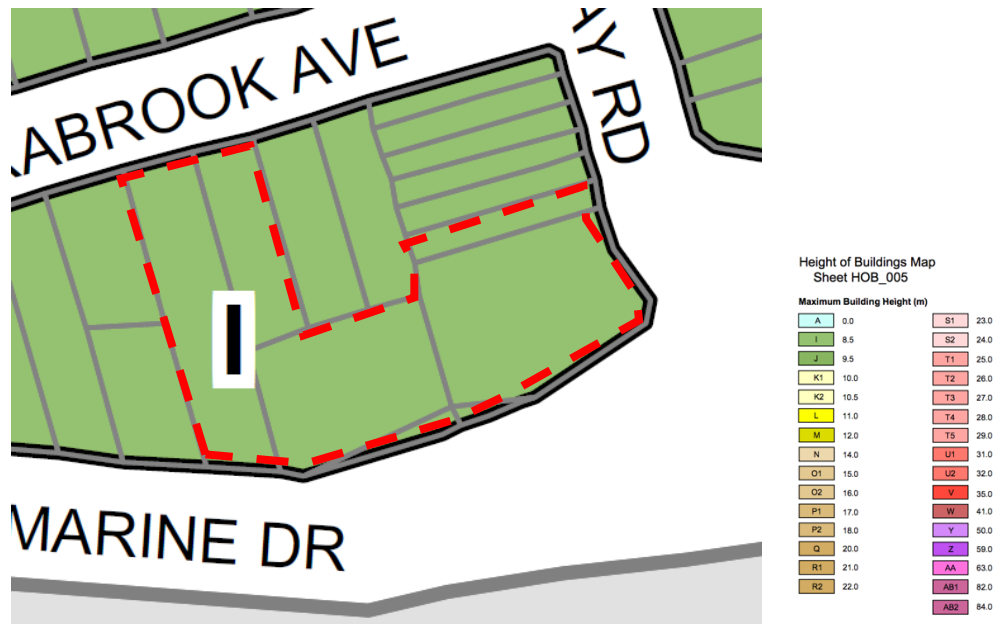
The Planning Proposal seeks to amend the CBLEP 2013 Height of Buildings Map to increase the maximum building height fronting Ramsay Road to 14.0m and a maximum building height to the west of the right of way of 10.0m. Refer to the proposed Maximum Height of Buildings map at **Figure 38**.

The proposed building heights will provide for a site responsive built form outcome that is also sensitive to the scale of surrounding development. The height controls will also provide an appropriate transition to adjacent properties and open space.



**Figure 38 Proposed Height of Buildings**  
Site is indicated with red dashed outline.  
Source: Architectus edits and CBLEP 2013





**Figure 39 Existing Height of Buildings**  
Site is indicated with red dashed outline.  
Source: Architectus edits and CBLEP 2013

#### Minimum Lot Size

The Planning Proposal seeks to amend the CBLEP 2013 Minimum Lot Size Map to reduce the minimum lot size for properties at 5 and 7 Harrabrook from 450sqm to 360sqm.

This would permit for the future subdivision of the R2 zoned land at 5 and 7 Harrabrook Avenue and the development of the remainder of the site, as demonstrated by the Indicative Concept Design at **Attachment A**. If supported, the R2 Low Density Residential land at 5 and 7 Harrabrook Avenue would be subdivided from the portion of land zoned B1 Neighbourhood Centre to create two lots with a minimum lot size of 360sqm. Any future subdivision would be subject to a separate development application at a later stage.

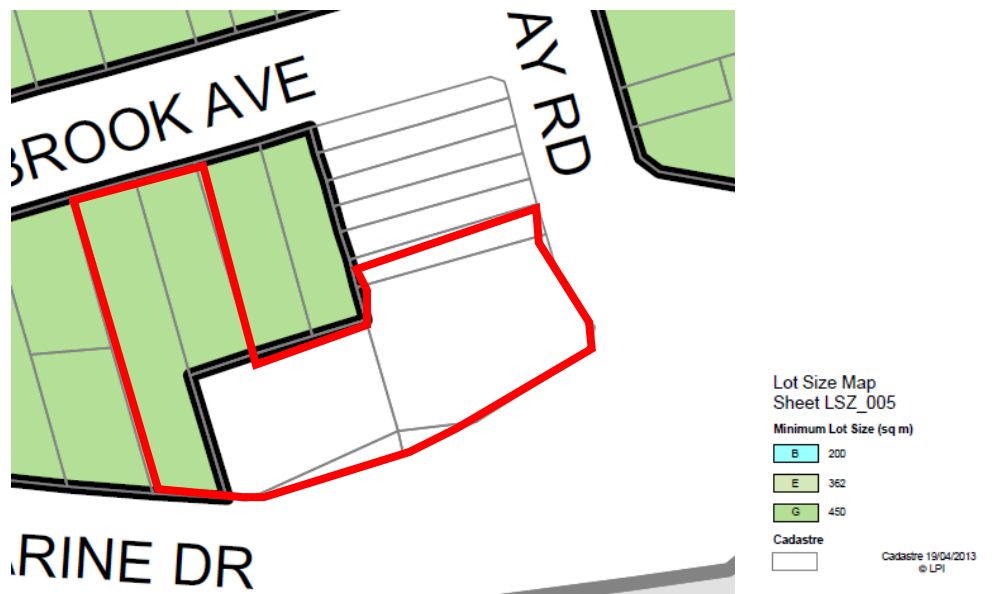
The proposed minimum lot size of 360sqm is consistent with surrounding lots, with the majority of lots in the surrounding area being less than 450sqm. The minimum lot size is of sufficient size to accommodate future dwellings on the site that would be capable of complying with the provisions in the Canada Bay Development Control Plan (DCP).

The proposed reduction in the minimum lot size is considered minor, is consistent and will have no impact on the established subdivision pattern or character of Harrabrook Avenue.

As demonstrated by **Figure 42** below, around 53% of the residential lots within 200m catchment are under 450sqm, accordingly the reduction would be consistent with this established subdivision character of the locality.



**Figure 40 Proposed Lot Size**  
Site is indicated with red dashed outline.  
Source: Architectus and CBLEP 2013



**Figure 41 Existing Lot Size**  
Site is indicated with red dashed outline.  
Source: Architectus and CBLEP 2013



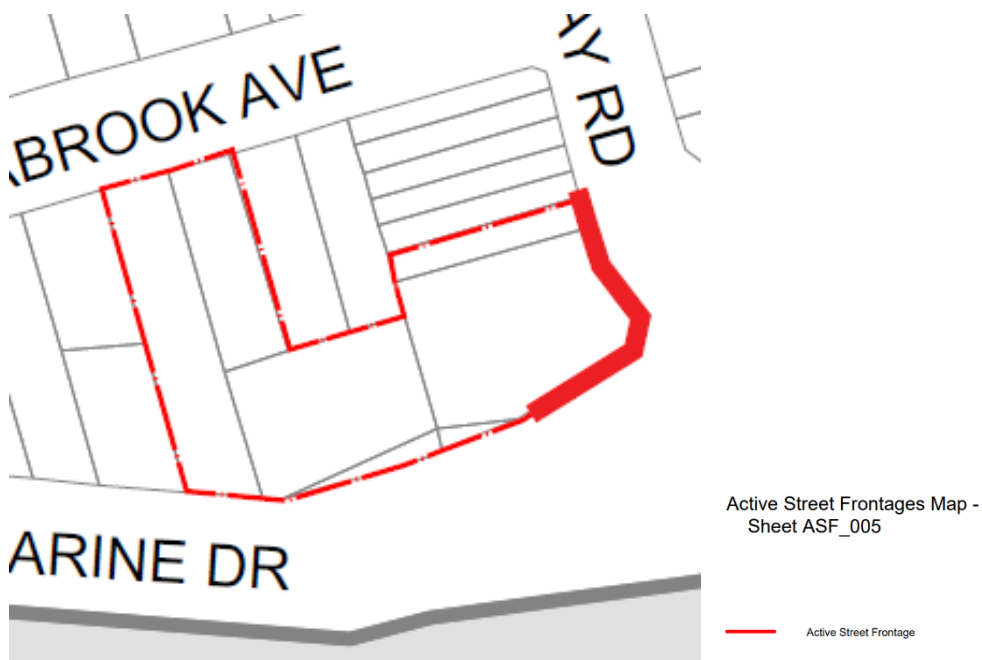
**Figure 42 Existing Lot Sizes**  
 Site is indicated with red dashed outline.  
 Source: Architectus and CBLEP 2013

#### Active Street Frontage

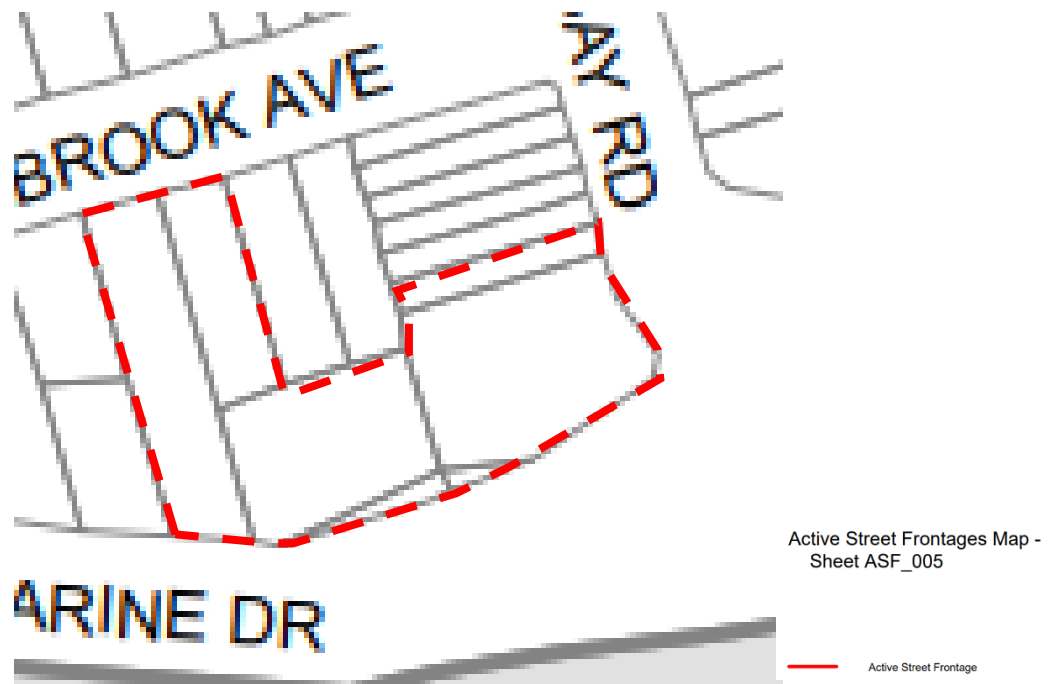
The Planning Proposal seeks to amend the Active Street Frontage Map to introduce a new active street frontage along on land with frontage to Ramsay Road and extending 20 metres along Henley Marine Drive.

This would encourage uses that promote pedestrian street traffic along the street frontages of Ramsay Road and part of Henley Marine Drive. Refer to proposed Active Street Frontage map at **Figure 43**.

It should be noted that whilst the site is not currently, nor proposed to be zoned as B4 Mixed Use, the Planning Proposal is consistent with the objectives and provisions as outlined in Clause 6.5 of the CB LEP 2013.



**Figure 43 Proposed Active Street Frontage**  
 Site is indicated with red dashed outline and active frontage indicated in bold line.  
 Source: Architectus and CBLEP 2013



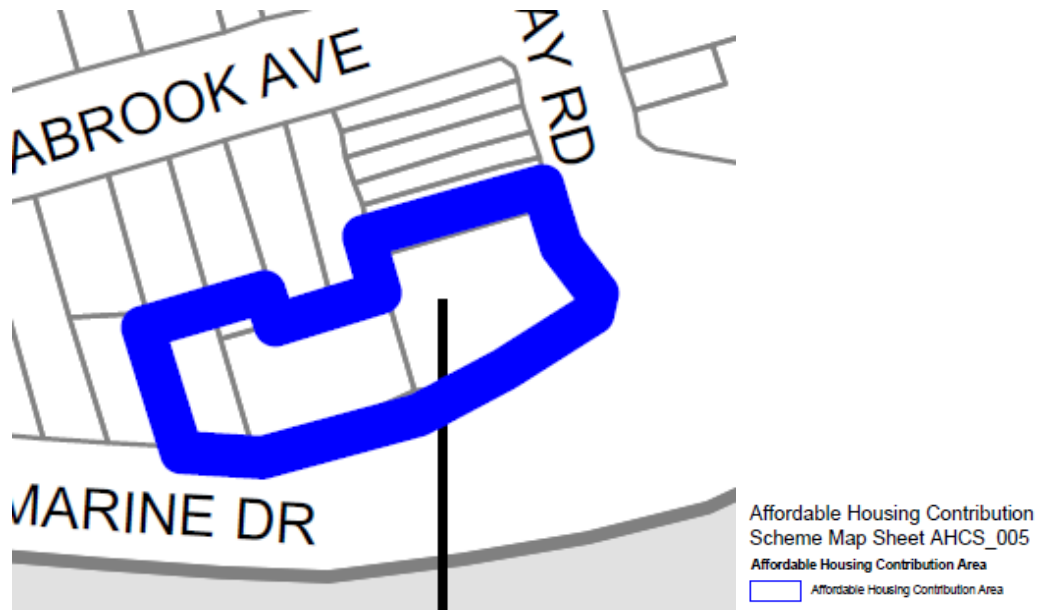
**Figure 44 Existing Active Street Frontage**  
 Site is indicated with an orange dashed outline.  
 Source: Architectus and CBLEP 2013

#### Affordable Housing

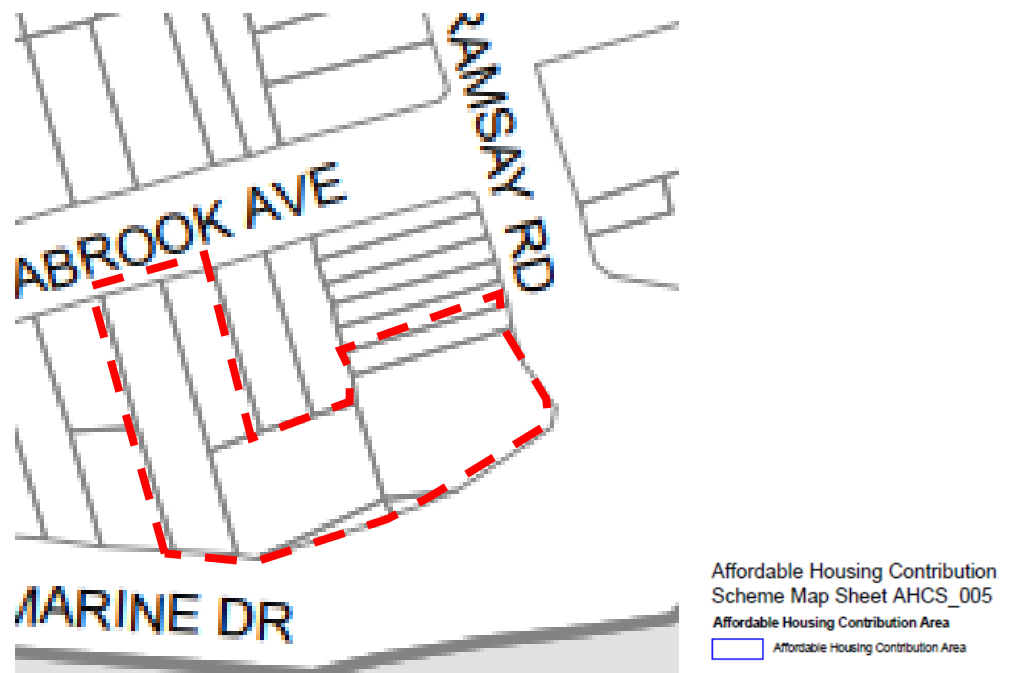
The Planning Proposal seeks to amend Clause 6.12 of the CB LEP 2013 to provide a five (5) percent affordable housing contribution for the site. Amendments to the CB LEP 2013 would include:

- Introduce a new 'affordable housing contribution area' to identify the site on the Affordable Housing Contribution Scheme map; and
- An amendment to Clause 6.12(6) and 6.12(10) to identify the site as an 'affordable housing contribution area'

It should be noted that it is the Applicant's preference for a monetary contribution to be made to Council in lieu of the on-site dedication of completed dwellings. This is in accordance with Section 2.3 of Council's Affordable Housing Contribution Scheme. Refer to the proposed Affordable Housing Contribution Scheme map at **Figure 45**.



**Figure 45 Proposed Affordable Housing Contribution Scheme**  
Source: Architectus and CBLEP 2013



**Figure 46 Existing Affordable Housing Contribution Scheme**  
Site is indicated with red dashed outline.  
Source: Architectus and CBLEP 2013

## 6.2 Schedule 1 Additional Permitted Use

The B1 Neighbourhood Centre zone does not permit residential flat buildings. The B1 zone allows shop top housing, with retail uses on the ground level.

The Planning Proposal seeks to introduce 'residential flat buildings' as an additional permitted use under Schedule 1 'Additional Permitted Uses' of the CBLEP 2013 on that part of the land zoned B1. Refer to **Figure 47** for a map of the land.

Draft provisions for inclusion in Schedule 1 of the CBLEP 2013 are outlined below:

### 21 Use of land at 1 and 7 Ramsay Road and 5 and 7 Harrabrook Avenue

1. *This clause applies to land zoned B1 Neighbourhood Centre at 1 and 7 Ramsay Road, 5 and 7 Harrabrook Avenue, Five Dock, being Lot A, B and D in DP 415618, Lot 1 in DP 241337 and Lot 1, 2 and 5 in DP 310522.*
2. *Development for the purpose of residential flat buildings is permitted with consent but is limited to development adjacent to Henley Marine Drive.*

The proposed amendment to Schedule 1, will enable development as demonstrated by the Concept Plan, which provides for residential ground floor apartments along Henley Marine Avenue. The approach is to focus retail activation on Ramsay Road, with ground floor retail and streetscape improvements that will renew the centre and build on the established high street on Ramsay Road. Providing ground floor retail uses on the full length of both Ramsay Road and Henley Marine Drive is considered not conducive to that outcome.

The design approach for Henley Marine Drive prioritises activation through well-designed ground floor apartments, front entrances and gardens and public domain improvements that will promote social interaction and improve the interface to the adjacent open space.



**Figure 47 Area that is subject of proposed provision for inclusion in Schedule 1**

Site is indicated with red dashed outline and the site that is subject of proposed clause 21 in Schedule CBLEP 2013 is shaded (note, this is the extent of the proposed B1 zone).

Source: Architectus and CBLEP 2013

There will not be an Additional Permitted Use map in the LEP as the proposed wording of Clause 21 in Schedule 1 clearly identifies the land that is subject of the additional permitted use.



# 7. Assessment

## 7.1 Overview

The section below provides an assessment of the key issues relevant to the Planning Proposal.

A number of technical assessments have been undertaken to support the Planning Proposal. The Planning Proposal should therefore also be read in conjunction with the supporting technical documentation at **Attachments A to H**.

The assessments support the objective of this Planning Proposal, which is to redevelop the site with appropriate scale form and uses. It confirms the suitability of the site for redevelopment, and demonstrates that all environmental constraints can be adequately addressed.

## 7.2 Built Form

The built form outcome under the Proposal (as illustrated by the Indicative Concept Design) was assessed against criteria in the Apartment Design Guide (ADG), including building separation, cross ventilation, solar access, communal open space and deep soil.

Detailed testing demonstrates that the proposed controls can provide for building envelopes and apartments that achieve compliance with the requirements of the ADG including, internal amenity, privacy and outlook.

A summary of ADG compliance is provided in **Table 4** below. A detailed assessment of the Indicative Concept Design and ADG compliance is provided in the Urban Design Study at **Attachment A**.

**Table 4 Summary of ADG Compliance**

ADG testing	Indicative Concept Design	Requirement	Compliant
<b>Building separation</b>	Resulting building envelopes can meet the minimum building separation requirements in the ADG.	- Up to 4 storeys: 6-12m	✓
<b>Cross ventilation</b>	67% (25 out of the 37 apartments) can be naturally cross-ventilated.	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building	✓
<b>Solar access to apartments</b>	73% (27 out of the 37 apartments) can receive at least 2 hours of sunlight between 9am and 3pm mid-winter.  15% (5 out of the 37 apartments) receive no direct sunlight between 9am and 3pm mid-winter.	- At least 70% of apartments receive 2 hours direct sunlight between 9am and 3pm in mid-winter  - A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm mid-winter	✓
<b>Communal open space</b>	25% (equivalent to 645m <sup>2</sup> ) of the site area can be communal open space	Communal open space has a minimum area equal to 25% of the site	✓
<b>Solar access to communal open space</b>	More than 50% of communal open space can receive direct sunlight for 2 hours in mid-winter sunlight.	50% direct sunlight to the principle usable part of communal open space for a minimum of 2 hours between 9am and 3pm mid-winter	✓
<b>Deep soil</b>	7% (equivalent to 181m <sup>2</sup> ) deep soil can be achieved on the site.	Minimum 7% deep soil	✓

### Apartment Mix

Clause 6.11 of the CBLEP 2013 aims to ensure a mix of dwelling types within new shop top housing developments, providing a range of housing tenure for different lifestyles.

Clause 6.11 of the CBLEP 2013 states;

- (1) The objectives of this clause are as follows –*
  - (a) To ensure the provision of a mix of dwelling types in residential flat buildings and provide housing choice for different demographics, living needs and household budgets,*
  - (b) To promote development that accommodates a range of household sizes.*
- (2) This clause applies to development for the following purposes that results in at least 10 dwellings –*
  - (a) Residential flat buildings,*
  - (b) Mixed use development that includes shop top housing.*
- (3) Development consent must not be granted to development to which the clause applies unless –*
  - (a) At least 20% of the dwellings, to the nearest whole number of dwellings, in the development will be studio or 1 bedroom dwellings, and*
  - (b) At least 20% of the dwellings, to the nearest whole number of dwellings, in the development will have at least 3 bedrooms.*

The proposed apartment mix complies Clause 6.11 of CBLEP 2013 through providing a range of apartment types and sizes including 22% of 1 bedroom apartments and 38% of 3 bedroom apartments. The proposed apartment mix is as follows:

- 37 apartments including a mix of bedroom types:
- 1 bedroom = 8 apartments (22%)
- 2 bedroom = 15 apartments (41%)
- 3 bedroom = 14 apartments (38%)
- Total = 37 apartments

The proposed development schedule is provided in the Appendix of the Urban Design Study at **Attachment A**.

### **7.3 Solar Access**

The proposed controls will achieve a built form outcome that has acceptable solar impacts to neighbouring properties and open space. Detailed solar analysis is provided in the Urban Design Study at **Attachment A** and also extracted below at **Figure 47**.

The proposed controls will provide a built form outcome (as illustrated by the Indicative Concept Design) that can maintain acceptable solar access to open space and will result in only minor overshadowing to the adjoining open space at Iron Cove Creek on Henley Marine Drive. The most significant overshadowing is between 10am and 2pm to the northern edge of the open space immediately west of the car parking area on Henley Marine Drive. However, this is considered to be low impact, as it only comprises a small portion of the park, adjacent to the road.

From 3pm onwards, the shadow extends further south into the open space south of Henley Marine Drive. However, as this open space receives excellent solar access for the majority of the day (before 3pm), this impact is considered to be marginal.

Overall, overshadowing impacts are therefore considered acceptable. No areas of useable open space would be significantly affected, and any overshadowing is therefore minimal.

Provisions in the Canada Bay DCP provide requirements for solar access to neighbouring dwellings. The Canada Bay DCP requires:

*Direct solar access (sunshine) to windows of principal living areas and to the principal area of open space of dwellings adjacent to commercial zones should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.*

The controls will provide for a built form outcome that is consistent with the requirements of the Canada Bay DCP. As demonstrated by the Indicative Concept Design, it will not result in any reduction in sunlight to neighbouring properties' principal living areas or principal open space, with all dwellings receiving a minimum of 3 hours solar access between 9am and 3pm on 21 June.



**Figure 48 Shadow Diagrams**  
Source: Squillace Architects

#### 7.4 Visual Impact

A Visual Impact Assessment is provided in the Urban Design Study at **Attachment A**.

The assessment concludes that the proposed planning controls would result in a built form outcome that has acceptable visual impacts. The resulting building envelopes will be responsive to the context and responds well to the scale of surrounding buildings.

Please refer to **Figure 48 - 53** below for extracted visual impact images.



**Figure 49 View looking north east to the subject site along Iron Cove Creek**  
Minimal visual impact detected  
Source: Architectus (2021)



**Figure 50 View looking south down Ramsay Road towards the subject site**  
Subject site is visible from this direction  
Source: Architectus (2021)



**Figure 51 View looking north across Iron Cove Creek to the subject site**  
Subject site is visible from this direction.  
Source: Architectus (2021)



**Figure 52 View looking further south down Ramsay Road towards the subject site**  
Minimal visual impact detected/  
Source: Architectus (2021)



**Figure 53 View looking south east towards subject site from Harrabrook Avenue**  
Minimal visual impact detected  
Source: Architectus (2021)



**Figure 54 View looking down Ramsay Road from Five Dock Town Centre**  
Barely visible from the Five Dock Town Centre  
Source: Architectus (2021)

## 7.5 Traffic and Transport

A Preliminary Traffic and Parking Assessment Report has been prepared by Varga Traffic Planning Pty Ltd at **Attachment C**, to support this Planning Proposal.

The report provides a preliminary traffic and parking assessment of the controls proposed by the proposal, as illustrated by the Indicative Concept Design in the Urban Design Study **Attachment A**.

The report concludes that a density outcome under the proposed controls would not have any unacceptable traffic implications in terms of road network capacity.

Traffic generation would be minimal with the proposal generating approximately 15 vehicles per hour during commuter peak periods.

The report also confirms that car parking provision for the residential component will be fully accommodated on-site in accordance with both the Canada Bay DCP and ADG requirements. Parking for the ground floor retail component can be suitably accommodated on-street directly in front of the site along Henley Marine Drive.

With respect to Transport, the proposal should not trigger the need for any intersection upgrades.

It is noted that whilst the Planning Proposal and reference design has since been amended since initial lodgement in December 2020, resulting in reduced height of buildings and reduced apartment numbers, naturally, the overall traffic impacts will also be reduced.

## 7.6 Tree Management

An Arboricultural Impact Assessment has been prepared by New Leaf Arboriculture and is attached at **Attachment D**. This Assessment should also be read in conjunction with the Supplementary Arboricultural Assessment, prepared by New Leaf Arboriculture at **Attachment E** and the Independent Justification for Tree Removal Letter, prepared by Active Green Services (on behalf of Council) at **Attachment H**.

The Site and adjacent road verges consist of twenty five (25) trees, mainly located along the Site's boundaries and on the street's verge.

In order to accommodate the proposed development, as envisaged by the proposal, ten (10) tree's including Trees 1, 7, 9, 9A, 9B, 9C, 9D, 10, 11 & 12 will be required to be removed, with a further four (4) highly significant trees recommended for transplanting including Trees 2,3,4 & 5, as they are encroached by the footprint of the proposed development.

Eleven (11) remaining trees including Trees 6, 8, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 13 & 14 are proposed for protection and retention.

**Table 5** below provides an overview of existing trees and their proposed retention, removal or transplanting.

**Table 5 Tree's proposed for retention and removal**

	Retain	Remove	Transplanting
<b>Low</b>	1	1	-
<b>Medium</b>	3	9	-
<b>High</b>	7	-	4
<b>Total</b>	<b>11</b>	<b>10</b>	<b>4</b>

Table 5 above, considers the findings of the Supplementary Arboricultural Assessment, which provides an updated assessment for Tree No.1 (known as Syzygium sp. Lilly Pilly) providing further observations that were not captured as part of the initial inspection, due to previous limited visibility from outside the boundary fence.

Tree No.1 (known as Syzygium sp. Lilly Pilly) is located along the boundary of 7 Harrabrook Avenue and 1 Ramsay Road and is now identified for removal as it will as encroach, as a result of the proposed development. Refer to Tree Protection Plan in the Arboricultural Assessment at **Attachment D**.

The Supplementary Arboricultural Assessment at **Attachment E** provides an amended tree retention value for Tree No.1 (known as Syzygium sp. Lilly Pilly) which has been re-classified from 'High' retention value to 'Low' retention value due to the structural condition of the tree which is considered to have limited growing room with respect to the proximity of the neighbouring building. The condition rating was also amended from 'Good to Average' to 'Average to Poor' and the health rating from 'Good to 'Good to Average'. As such, Tree No.1 (known as Syzygium sp. Lilly Pilly) is recommended for removal and included in the overall figures in Table 5.

In addition the above, Council engaged an Independent Arborist to review the Arborist documentation provided by the applicant and to inspect Tree No.1. This Letter is provided at **Attachment H**.

It was concluded that the tree should be removed as:

- *The tree currently has a high risk of failure but a low risk of harm;*

- Any development of this site would increase the risk of harm caused by the failure of the tree to unacceptable levels;
- The process of demolition and construction on the site would lead to further deterioration in the condition and health of the tree and make the risk of failure more likely.

Council advised that the planning proposal can proceed without the retention of the Lilly Pilly, subject to replacement planting being provided to achieve the objectives of the Canada Bay Urban Canopy Strategy.

In line with Council's above recommendations and the recommendations of the Arboricultural Report, a resulting development application will ensure trees are transplanted wherever possible, either on site or in the nearby reserve and provide compensatory landscaping throughout the site.

## 7.7 Contamination

A Detailed Site Investigation has been prepared by Aargus Pty Ltd and is provided at **Attachment G**.

The objectives of the assessment were to:

- Identify potential areas where contamination may have occurred from current and historical activities;
- Identify potential contaminants associated with potentially contaminating activities;
- Assess the potential for soils to have been impacted by current and historical activities; and
- Assess the suitability of the site for redevelopment into a mixed commercial residential building with basement car parking and deep soil landscaping areas based on its current condition and the findings of this investigation.

Whilst the findings of the report indicated some areas of environmental concern, it is considered that the risks to human health and the environment associated with soil contamination at the site are low, within the context of the proposed use for the site.

The soil assessment revealed the following:

- Heavy metals concentrations were below the HIL 'B' and/or the site derived EILs with the exception of:
  - o A lead concentration in sample BH1 (0-0.1m) which exceeded the HIL 'B' and the site derived EIL.
  - o A zinc concentration in samples BH1 (0-0.1m) and BH2 (0-0.1m) which exceeded the site derived EIL.
- TRH and BTEXN concentrations were below the HSL 'A&B', ESLs and/or Management Limits, with the exception of:
  - o A TRH F3 concentration in sample BH1 (0-0.1m) which exceeded the ESL.
  - o A benzo(a)pyrene concentration in sample BH1 (0-0.1m) which exceeded the ESL.
- PAH, OC & PCB concentrations were below the HIL 'B', EILs and/or ESLs with the exception of:
  - o A benzo(a)pyrene as TEQ concentration in samples BH1 (0-0.1m), BH7 (0.3-0.4m) and BH7 (1-1.1m) which exceeded the HIL 'B'.
  - o A benzo(a)pyrene concentration in sample BH1 (0-0.1m) which exceeded the ESL.



- *Asbestos was not detected in any of the samples analysed.*

The report concludes that the site is therefore considered to be rendered suitable for the proposed use, subject to the following:

- *An appropriate remedial / management strategy is developed, culminating in preparation of a Remedial Action Plan (RAP) in accordance with EPA guidelines, in regards to the removal of the three hotspots BH1, BH2 & BH7, as well addressing the aforementioned data gaps.*
- *Any soils requiring removal from the site, as part of future site works, should be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW EPA (2014).*

On the basis of the recommendations of the Detailed Site Investigation and for the purposes of this Planning Proposal, the proposal is considered appropriate in this regard.

As suggested by the above recommendations a RAP will be undertaken in the subsequent DA stage.

## 7.8 Local infrastructure

Given the relatively modest nature of the density increase, the Planning Proposal is likely to increase demand on local infrastructure.

One of the key drivers of the Planning Proposal is not only to provide ‘more housing in the right location’ but to provide and revitalise the existing B1 neighbourhood centre to improve amenity along the Ramsay Road and Henley Marine Drive street frontage. Accordingly, it actually supports improvements to local economic and social infrastructure.

### Shops and services

Provision of a small retail space is envisaged for the site that will allow opportunity for a future café / parkland eatery space to facilitate activation along Ramsay Road and Henley Marine Drive, and service the needs of the local community.

Up to 580sqm of retail floor can be realised by the proposed controls.

## 7.9 Section A – Need for the Planning Proposal

### Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes, this Planning Proposal is intended to address the priorities and objectives highlighted within the following strategic studies and reports:

- *Greater Sydney Region Plan: A Metropolis of Three Cities (2018)*
- *Eastern City District Plan (2018)*
- *Housing 2041: NSW Housing Strategy*
- *Canada Bay Local Strategic Planning Statement (2020)*
- *YOUR Future 2030 Community Strategic Plan (2017)*
- *Canada Bay Local Housing Strategy (2020)*
- *Future Transport Strategy 2056 (2018)*
- *Five Dock Town Centre Revitalisation (2014)*

An overview and assessment of compliance with each of these studies or reports is provided further below.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A Planning Proposal is the most appropriate means to achieve the objectives or intended outcomes for the site. The current planning controls under the CBLEP 2013 restrict and provide limited opportunities for the existing site.

This Planning Proposal seeks to amend the CBLEP 2013, to align the planning controls to achieve Government strategic outcomes and guide future development for multiple sites.

Open space

The site is well-served by existing public open space, being adjacent to Iron Cove Creek with direct access to a range of open spaces within walking distance to the site. These include:

- Iron Cove Creek, which provides passive open space to the southern edge of Five Dock, as well a children's playground.
- Croker Park, which includes a tennis court and children's playground.
- Wadim Jegorow Reserve with picnic areas and cycle paths.
- Timbrell Park provides significant active recreational amenity to Five Dock, including sports fields, BMX tracks, playgrounds, as well as off-leash dog areas and picnic areas.

The redevelopment of the site under the proposed controls provides the opportunity to provide public domain improvements, including enhanced accessibility along Iron Cove Creek. Improvements may include:

- Extending the Sydney Water Preliminary Concept Design for Iron Cove Creek to include the portion of the creek to the west of Ramsay Road;
- Install a council desired zebra crossing to enhance access to the development and to the Bay Run;
- Collaborate with council to implement a shared bike path outside the development;
- Providing blisters to accommodate street tree planting;
- Provide new parking bays with blisters for street tree planting;
- Provide active recreation opportunities, such as outdoor gym stations; and
- Provide a children's playground in the open space corridor.

These potential improvements, as noted earlier in the Planning Proposal, will provide public benefits. The applicant will work with Council to determine the right level of improvements and their delivery arrangements.

Economic Benefits

An Economic Report has been prepared to be read in conjunction with this report and is attached at **Attachment F**. In addition to more homes and local retail services, the report prepared by HillPDA Consulting, provides an analysis of the economic benefits for the site, including Capital Investment Value, job generation, multiplier impacts and development contributions.

Please refer to overview in **Table 6** below of the economic benefits the proposed Indicative Concept Design will generate.

**Table 6 Economic Benefits**

<b>Economic Benefit</b>	
<b>Capital Investment Value</b>	Estimated at \$23.35 million
<b>Job generation</b>	234 jobs 58 jobs will be generated through eventual construction and design. Additionally, 92 jobs will be generated through production induced impacts and 82 jobs through consumption induced impacts. Moreover, the proposal will create 18 permanent jobs on site when fully occupied.
<b>Gross Value contributed to the local economy</b>	\$980,000 per annum *Includes people working from home and retail space

#### Affordable housing

The Planning Proposal seeks to provide a five (5) percent affordable housing contribution for the site in the form of an equivalent monetary contribution made to Council in lieu of on-site dedication of completed dwellings. This approach is in accordance with Section 2.3 of Council's Affordable Housing Contribution Scheme.

As such, the 5% affordable housing contribution rate should be based on the following key development information:

- Total GFA = 4,432sqm
- Non-residential GFA = 580sqm
- Residential GFA = 3,852sqm
- 5% of Residential GFA = 192.6sqm

It is understood that a contribution rate will be determined at a later stage of the project, subject to independent feasibility advice sought by Council.

#### Other

The Canada Bay Section 7.12 Contributions Plan applies to development on the site. Any future DA in response to the planning controls will be subject to levies in accordance with the plan, where applicable.

# 8. Justification

## 8.1 Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The applicable current regional strategy is the *Greater Sydney Region Plan – A Metropolis of Three Cities*. The Planning Proposal is consistent with the objectives and actions of the following strategies.

### Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan provides a 40-year vision of Sydney for a city where people will live within 30 minutes of jobs, education and health facilities, services and great places.

A particular focus of the Greater Sydney Region Plan is providing housing diversity around centres and transit nodes. The plan calls for more housing in accessible locations – aligning with existing and planned infrastructure. The site is within a 10-minute walk to the Five Dock town centre and within 700m of the future Sydney Metro Five Dock station.

The Proposal will provides more housing in a liveable neighbourhood close to employment opportunities, transport services, walking and cycling options. In addition, retail space on the ground floor of development outcome will recognise local characteristics and enhance wellbeing and a sense of local community. Full assessment against the relevant directions from the Greater Sydney Region Place are noted at **Table 7** below.

**Table 7 Greater Sydney Region Plan**

Greater Sydney Region Plan	Consistency	Comment
<b>Liveability</b>		
<b>A city for people</b>		
<b>Objective 6</b> – Services and infrastructure meet communities changing needs	Yes.	The Proposal is a response to the increasing need of for more housing in the right location. The proposed controls will provide a development outcome of more private dwellings in an accessible location.
<b>Objective 7</b> – Communities are healthy, resilient and socially connected	Yes.	The Planning Proposal is consistent with Objective 7 by providing new residential dwellings in an established area. The site is in close proximity to employment, facilities, transport and shops. The proposal aims to enhance the social wellbeing of the local community through the achievability of retail space provided on the ground floor. The Proposal will improve the surrounding environment and street character.
<b>Objective 8</b> – Greater Sydney's communities are culturally rich with diverse neighborhoods	Yes.	The site is located in an existing B1 neighbourhood centre. The Planning Proposal will support a mix of housing to support a range of households in Five Dock, as well as supporting retail floor space. In this way, the Planning Proposal will support a diverse and inclusive community on the site and effectively give 'a new life' to the local neighbourhood.
<b>Housing the city</b>		
<b>Objective 10</b> – Greater housing supply	Yes.	The Proposal will support to provide housing supply in the Five Dock area. Due to its increased accessibility, (with the future Five Dock Metro) it will contribute to a more liveable neighbourhood and support the growing population of Canada Bay LGA.
<b>A city of great places</b>		
<b>Objective 12</b> – Great places that bring people together	Yes.	The Proposal will contribute to the local community by supporting an uplift of a tired site with new better development, including retail, that will support people to come to the neighbourhood centre.

Greater Sydney Region Plan	Consistency	Comment
<b>Productivity</b>		
<b>A well connected city</b>		
<b>Objective 14</b> – A Metropolis of Three Cities – Integrated land use and transport creates walkable and 30-minute cities	Yes.	The subject site is well located, in close proximity to the future Sydney Metro Five Dock station and the Five Dock town centre. Additionally, the site is located within 750m of Parramatta Road – connecting the site by rail and bus services to both the Sydney and Parramatta CBD. The Proposal will provide housing in a location that is accessible to jobs and services in the 30 minute city.
<b>Objective 17</b> – Regional connectivity is enhanced	Yes.	<p>The site is in close proximity, to a range of key road and rail infrastructure that will provide enhanced connectivity to and from the site.</p> <p>The site is located in close proximity, approximately 300m to the entrance of Westconnex (M4 Tunnel), providing greater accessibility to surrounding strategic centres, such as Burwood, Sydney Olympic Park, Rhodes, and Parramatta.</p> <p>The future extension to M4/M5, and Rozelle Interchange is due to open in 2023, will also provide faster access to Sydney International Airport and the Sydney CBD.</p> <p>The Metro West line will also provide future access to major employment and education centres, such as Parramatta, Sydney Olympic Park, Westmead and Sydney CBD. The metro west is due to be completed by 2030.</p>
<b>Sustainability</b>		
<b>A city in its landscape</b>		
<b>Objective 25</b> – The coast and waterways are protected and healthier	Yes.	The site is adjacent to Iron Cove Creek and can enhance the waterway canal. Future development, in accordance with the proposal controls, can extend the Sydney Water Final Concept Design (prepared by Sydney Water) in the site's landscape strategy.
<b>Objective 27</b> – Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Yes.	<p>The site does not contain any remnant bushland. Development in accordance with the proposed controls can enhance biodiversity outcomes through native tree planting, landscaping and tree canopy cover.</p> <p>As mentioned in the Arboricultural Impact Statement at <b>Attachment D</b> and Supplementary Assessment at <b>Attachment E</b>, Trees 2,3,4 and 5 are recommended to be transplanted either on site or nearby in the local area. This allows for biodiversity within the site to be protected and enhanced.</p>
<b>Objective 30</b> – Urban tree canopy cover is increased	Yes.	<p>As mentioned above and in Arboricultural Impact Statement, attached at <b>Attachment D</b> and Supplementary Assessment at <b>Attachment E</b>, compensatory planting and transplanting of Trees 2, 3, 4 and 5 will be undertaken in suitable locations within and outside of the Indicative Concept Design development, to retain urban tree canopy cover within the area.</p> <p>Additionally, as a result of further design and development at DA stage, the proposed development will provide for additional planting and landscaping throughout the development including suitable replacement plantings to be installed to replace the lost canopy and to increase urban tree canopy cover in line with Council's goal of increasing the City of Canada Bay's urban canopy from 18 to 25 per cent by 2040.</p>
<b>Objective 31</b> – Public open space is accessible, protected and enhanced	Yes.	<p><b>The site is located adjacent to Iron Cove Creek, with access to a range of open spaces along canal. For this reason, there is no need to provide public open space on the site.</b></p> <p>Future development in accordance with the proposed controls can provide public domain improvements along Iron Cove Creek, enhancing connections to Iron Cove</p>

Greater Sydney Region Plan	Consistency	Comment
		Bay. As noted earlier, the built form outcome under the proposed controls can ensure no overshadowing to the parkland along Iron Cove Creek.
<b>Objective 32</b> – The Green Grid links parks, open spaces, bushland and walking and cycling paths	Yes.	The site provides opportunity for improved pedestrian and cycling connections along Iron Cove Creek.
<b>An efficient city</b>		
<b>Objective 33</b> – A low carbon city contributes to net zero emissions by 2050 and mitigates climate change	Yes.	Sustainable transport is encouraged through the Planning Proposal, as resulting development will be in close proximity to the future planned metro station in Five Dock. This will ideally promote the use of public transport, ultimately contributing to a total reduction to carbon emission contributions.

#### Eastern City District Plan (2018)

The Eastern City District Plan sets out planning priorities and actions for improving the quality of life for residents as the District grows and changes.

The Eastern District's population will grow by 325,000 people by 2036, generating demand for 157,700 new homes. To meet the increasing demand, the district plan identifies that new housing must be coordinated with local infrastructure. This creates liveable neighbourhoods that are accessible and within walking distance of shops, services and transport.

The Planning Proposal aligns with the housing objectives of the Eastern City District Plan, through providing urban renewal opportunities and increasing capacity for housing in the Five Dock area.

The Planning Proposal responds to the objectives and priorities in the District Plan. Please refer below to the relevant directions stated in the Eastern City District Plan.

#### **Table 8** Eastern City District Plan

**Table 8 Eastern City District Plan**

<b>Eastern City District Plan</b>	<b>Consistency</b>	<b>Comments</b>
<b>Infrastructure and Collaboration</b>		
Planning Priority E1 – Planning for a city supported infrastructure	Yes.	The District Plan addresses the demand of residential dwellings to support the growing population in the Eastern District. The proposal increases residential development capacity, in a location that is in close proximity to transport, shops and public open space. The future Five Dock Metro will also support the residents in the proposed development, by providing efficient connectivity across Sydney.
<b>Livability</b>		
Planning Priority E3 – Providing services and social infrastructure to meet peoples changing needs	Yes.	The Proposal will support a new residential development in the Canada Bay LGA and support the population growth of the Eastern City District.
Planning Priority E4 - Fostering healthy, creative, cultural rich and socially connected communities	Yes.	The Proposal will contribute to creating a connected community by supporting an uplift of a tired site with new better development, including retail, that will support people to come to the neighbourhood centre.
Planning Priority E5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport	Yes.	The Planning Proposal seeks to provide further private dwellings – in a highly accessible and well serviced location. Public transport connections like bus routes and the future Sydney Metro station are within walking distance to the site.
Planning Priority E6 – Creating and renewing great places and local centers, and respecting the District's heritage	Yes.	The Proposal seeks to renew a site, that will support a gateway to the Five Dock suburb. The Proposal will also support the renewal of the local neighbourhood centre, whilst responding to the surrounding character.
<b>Productivity</b>		
Planning Priority E7 – Growing a stronger and more competitive Harbor CBD	Yes.	The Proposal will enable the 30 minute city concept, building a stronger and competitive Harbour CBD through its accessible location by bus and the future Metro site.
Planning Priority E10 – Delivering integrated land use and transport planning and a 30 minute city	Yes.	The site is located within walking distance from the future Five Dock Metro Station and the bus services along Ramsay Road, enabling the 30-minute city concept by way of active and public transport.
<b>Sustainability</b>		
Planning Priority E14 – Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	Yes.	The Proposal is adjacent to Iron Cove Creek (also known as Dobroyd Canal), which has been identified by Sydney Water as a waterway needing repair. Development outcomes can suitably manage stormwater drainage, to not negatively impact the waterway through additional downstream impact.
Planning Priority E15 – Protecting and enhancing bushland and biodiversity	Yes.	The site does not contain any remnant bushland. Development outcomes in accordance with the controls can provide improved biodiversity outcomes through native tree planting, landscaping and tree canopy cover.
Planning Priority E17 – Increasing urban tree canopy cover and delivering Green Grid connections	Yes.	As mentioned earlier in the report and in the Arboricultural Impact Statement and Supplementary Arboricultural Assessment, Trees 2,3,4 and 5 are recommended to be transplanted either on site or nearby in the local area. This allows for biodiversity within the site to be protected and enhanced.  Additionally, the proposal provides for additional tree planting and landscaping throughout the development to increase overall urban tree canopy coverage.



Planning Priority E18 – Delivering high quality open space	Yes.	<p>The site is located adjacent to Iron Cove Creek, with access to a range of open spaces along canal. For this reason, there is no need to provide public open space on the site.</p> <p>Future development in accordance with the proposed controls can provide public domain improvements along Iron Cove Creek, enhancing connections to Iron Cove Bay. As noted earlier, the built form outcome under the proposed controls can ensure no overshadowing to the parkland along Iron Cove Creek.</p>
Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently	Yes.	<p>The indicative concept design demonstrates that future development in accordance with the controls can manage energy, water and waste efficiency. BASIX and ESD measures will be addressed at a future detailed DA stage.</p>
Planning Priority E20 – Adapting to the impacts of urban and natural hazards and climate change	Yes.	<p>As noted above, with access to a range of existing and planned public transport networks, the site is ideally located to encourage people to utilise public transport as a sustainable alternative and will ultimately result in less reliance on private motor vehicles and help people prepare for and adapt to the impacts of natural hazards and climate change.</p>

#### Housing 2041: NSW Housing Strategy

Housing 2041 provides a 20-year vision for housing in NSW. It embodies the government's goals and ambitions to deliver better housing outcomes by 2041 including housing in the right locations, housing that suits diverse needs and housing that feels like home.

The Strategy is built around four pillars including:

- Supply - housing supply delivered in the right location at the right time
- Diversity - housing is diverse, meeting varied and changing needs of people across their life
- Affordability - housing that is affordable and secure
- Resilience - housing that is enduring and resilient to natural and social change.

The Planning Proposal is consistent with the Housing Strategy, as it will increase housing supply in a location that is supported by existing and future infrastructure and in close proximity to the Five Dock Town Centre. The Planning Proposal will deliver a range of housing types and sizes including a larger portion of 1 and 3 bedroom apartments, consistent with Council's mix of dwelling sizes and suitable for a range of family types. The Planning Proposal also seeks to provide a 5% affordable housing contribution, in line with Council's Affordable Housing Contribution Scheme.

#### NSW State Infrastructure Strategy 2018-2038

The NSW State Infrastructure Strategy 2018-2038 builds on the NSW Government's major long-term infrastructure plans over the last seven years. The strategy sets out the government's priorities for the next 20 years, and combined with the Future Transport Strategy 2056, the Greater Sydney Region Plan and the Regional Plan Development Framework, brings together infrastructure investment and land use planning for our cities and regions.

The Strategy focuses on six cross sectoral strategic directions, each designed to achieve and embed good practice across the infrastructure lifecycle. One of the main directions, integration of land use and infrastructure planning, aims to ensure jobs and housing growth are supported by infrastructure investment.

The Planning Proposal corresponds with this strategic direction, through providing residential dwellings and retail within close proximity to the Westconnex corridor, the proposed Five Dock Metro Station and the nearby Five Dock Town Centre.

This site is in a key accessible location that will maximise effectiveness and efficiency for residents and visitors to infrastructure to connect them to the Greater Sydney region.

#### Future Transport Strategy 2056

The Future Transport Strategy 2056 is a 40 year strategy, supported by a suite of regional NSW and Greater Sydney plans, to achieve the vision for the New South Wales transport system.

The 40 year vision focuses on the following outcomes; customer focused, successful places, a strong economy, safety and performance, accessible services and sustainability.

The Future Transport Strategy 2056 is supported by the Planning Proposal as it seeks to increase the number of people able to access local town centres and high frequency public transport by walking. The proposal enhances pedestrian connections to the nearby Five Dock town centre through pedestrian priority crossings and enhancing the walkability of the surrounding streets. The Proposal supports future residents to commute using public transport and pedestrian connections to support the 30 minute concept city.

Additionally, the Future Transport Strategy 2056 envisions a transport system that 'supports the livability and sustainability of our communities'.

Due to close proximity to vital transport infrastructure, like WestConnex and Metro station, this would result in reliance on traffic congestion and therefore emissions.

#### Assessment Criteria (Strategic and Site-specific merit)

##### ***Does the proposal have strategic merit?***

Yes. The Planning Proposal demonstrates strategic merit.

- Criterion 1: will it give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or

Yes. The Planning Proposal will give effect to the relevant objectives in the Greater Sydney Region Plan, and planning priorities in the Eastern City District Plan. Refer to Table 4 and 5 above.

- Criterion 2: Will it give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or

Yes. The Planning Proposal will give effect to the relevant planning priorities in the Canada Bay Local Strategic Planning Statement (LSPS) which was assured by the Greater Sydney Commission (GSC) in March 2020.

There are no other relevant local Council strategies that have been endorsed by the Department. Notwithstanding, the Planning Proposal has been considered against relevant Council Plans such, as addressed below in this report.

- Criterion 3: Will it respond to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans

Yes. This Planning Proposal responds to the need to deliver 'more housing in the right locations' and further meets NSW state planning objectives linking housing supply and job growth in proximity to key transport nodes.

#### Infrastructure (rail and road)

The Planning Proposal is specifically motivated by the planned delivery of the Five Dock Metro Station, which will be located less than 700m from the site, in Five Dock Town Centre.

The Planning Proposal also responds to the significant investment in Australia's largest road infrastructure project, the WestConnex, providing motorists improved access across Sydney. Relevant to the site includes the new M4, which opened in July 2019 providing a new 5.5km tunnel connecting Haberfield to Parramatta and the M4, with an average journey time of 35minutes.

Other key stages of the WestConnex project that will benefit the site include:

- The M4-M5 Link Tunnels, opening in 2023. The M4-M5 Link Tunnels will be 7.5km tunnels linking the New M4 at Haberfield with the M8 at St Peters, with connections to the Anzac and Iron Cove bridges via the Rozelle Interchange; and
- The Rozelle Interchange, opening in 2023. The Rozelle Interchange, being delivered by the NSW Government, connects the M4-M5 Link to the Anzac and Iron Cove bridges, and the future Western Harbour Tunnel and Beaches Link. The Rozelle Interchange is being built almost entirely underground, freeing up space for a new 10ha regional park.

#### Housing targets

The Planning Proposal seeks to provide housing in a highly sought-after location that is close to existing (buses) and planned public transport (future metro station) and good road access (WestConnex).

Council's housing analysis indicates a 6 -10 year target for the period 2021 to 2026 of 3,800 dwellings. While future housing provision in Canada Bay LGA is on track to meet their housing targets, DPIE monitoring shows there is only 2,400 dwellings scheduled for completion by 2023/24. Canada Bay Local Housing Strategy acknowledges this and suggests there is opportunity to encouraging housing in more accessible locations and within walkable catchments of traditional centres.

Of the 37 apartments that can be achieved by the Planning Proposal, this would provide less than 1% of the implied 2021-26 housing target but would have an overall significant benefit to the community, providing new housing in close proximity to a range of jobs, services and amenities.

#### Does the proposal have site-specific merit?

In preparing the Planning Proposal, significant consideration has been given to the constraints of the site, its relationship with adjoining properties, traffic, and environmental impacts.

Given the site's highly accessible location, the need for more housing in the right location, and the ability for all on-site impacts to be appropriately managed, the Planning Proposal is considered to have demonstrated site-specific merit.

- The Proposal demonstrates site specific merit for the following reasons:
- The Indicative Concept Design demonstrates that the proposed planning controls and building envelopes will deliver excellent design outcomes and high amenity apartments and communal spaces, consistent with the requirements of the Apartment Design Guideline (ADG).
- The site is within a highly walkable, accessible and well-serviced neighbourhood and has acceptable traffic impacts;
- The resulting built form minimises visual, privacy and overshadowing impacts for neighbouring properties. There is no resulting overshadowing to open space, and acceptable levels of solar access to neighbouring properties can be maintained;
- The proposal will facilitate the redevelopment of a vacant, unused site to deliver new shops and homes - providing significant benefits for the local community.

- The proposal will activate local streets with well-designed shops and ground floor apartments, that reconnect the site with the neighbourhood and improve safety, amenity and liveability outcomes.
- The Proposal provides an opportunity to renew a tired and run down site through new development that offers amenity, as well provides for a visual gateway to this area of Five Dock through appropriate built scale. .
- The Proposal provides the opportunity to provide improvements to the public domain and adjacent open space to satisfy the needs of residents and for the enjoyment of the wider neighbourhood.
- The Proposal is seen to be consistent with the established local character, provides an appropriate interface to adjoining properties and does not result in any significant visual impacts from nearby public spaces.
- The Proposal provides an opportunity to transplant highly significant trees. As recommended in the Arboricultural Impact Assessment, five (4) high retention value trees (Trees 2,3,4 and 5) are recommended to be transplanted either on site or in nearby reserve, as part of an eventual development outcome.

The Planning Proposal is further considered to have site specific merit as it meets the below site-specific merit criteria.

- Criterion 1: The natural environment (including known significant environmental values, resources or hazards);

The site does not hold any significant environmental values and is not affected by any resources or hazards that preclude the site from redevelopment. Section 7 of this report, and the supporting **Attachments at A to H**, demonstrate the site is not affected by any environmental constraints which would reasonably preclude the proposed development.

In order to accommodate the proposed development, as envisaged by this planning proposal, ten (10) trees will be required to be removed, with a further four (4) trees recommended for transplanting elsewhere on the site or within the local area, as they are encroached by the footprint of the proposed development. The remaining eleven (11) trees on site will be protected and retained. Refer to assessment provided in Section 7.6 of this report and at **Attachment D, Attachment E and Attachment H**.

- Criterion 2: The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal;

The site forms part of an existing B1 neighbourhood centre, which continues on the eastern side of Ramsay Road. The scale of development in the B1 neighbourhood centre consists of predominately two-storey shop top housing, as well as slightly higher heights to the east of Ramsay Road, which is established by the datum line of the existing heritage listed substation building (3-storeys).

Whilst there are no plans proposed by Council to change the planning controls for the existing B1 neighbourhood zone, the site does lend itself to some uplift in height and density, as a way to strengthen the existing neighbourhood centre and to encourage renewal in and around a small neighbourhood centre that is well serviced by road infrastructure, public and active transport, and open space.

To the south of the site is Iron Cove Creek – an important open space and recreational green corridor that provides connections from the site to Iron Cove Bay. The Planning Proposal ensures no overshadowing to Iron Cove Creek.

The site is also surrounded by low density residential development to the north and east and is characterised by single and two storey residential development, which is unlikely to change. The Planning Proposal ensures amenity is maintained to surrounding residential properties through appropriate controls.

The Indicative Concept Design demonstrates that the proposal can achieve a built form outcome that minimizes visual impacts from surrounding properties and public open

space and does not create any unreasonable amenity impacts on adjoining development and open space along the adjoining creek.

- Criterion 3: The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Yes. There is adequate infrastructure to support the Planning Proposal.

The site is well serviced by existing and planned transport infrastructure, as noted earlier in this report. The site is well-serviced by existing public open space and the projected population will not generate the need for additional public open space.

The Planning Proposal will provide future development that can support upgrades along Iron Cove Creek, including landscaping and public domain works in accordance with Sydney Water's master plan.

The Traffic and Transport Assessment, prepared by Varga Traffic Planning (**Attachment C**) confirms that the traffic network can accommodate the traffic generation potential of the development in accordance with the proposed controls, and there will not be unacceptable traffic implications in terms of road network capacity.

**Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

Yes. The Planning Proposal is consistent with Council's Local Strategic Planning Statement, as detailed below.

**City of Canada Bay Local Strategic Planning Statement (2020)**

The City of Canada Bay Local Strategic Planning Statement (LSPS) is the core strategic document that provides the 20-year land use and planning vision for the City of Canada Bay. The plan is implemented through four planning priorities; infrastructure and collaboration, livability, productivity and sustainability.

The LSPS was adopted by Council on 15 October 2019, with the Greater Sydney Commission granting formal assurance on 25 March 2020.

Canada Bay LSPS has a key focus on liveability, ensuring that residents have access to diverse housing types, open spaces and recreation areas, public transport and community spaces. The strategic statement identifies an additional 32, 000 residents are expected within the LGA, and in order to support the population and the amenity of its residents, preserving and enhancing the distinctive local character is imperative for the success. The Proposal will provide housing supply that can meet the housing and social needs of the changing demographics, including diverse families and communities. The Proposal will provide access to high frequency transport options and provide connection to open and recreational spaces.

A full assessment of the Proposal against the relevant objectives stated in the LSPS is outlined in **Table 9** below.

**Table 9 City of Canada Bay LSPS**

<b>City of Canada Bay LSPS</b>	<b>Consistency</b>	<b>Comment</b>
<b>Objectives</b>		
<b>Infrastructure and Collaboration</b>		
Planning Priority 1 – Planning for a city that is supported by infrastructure	Yes.	<p>The District Plan addresses the need to provide more residential dwellings to support the projected population increase of 325,000 by 2036.</p> <p>The proposal seeks to plan for a city supported by infrastructure by increasing residential capacity of the site near to jobs, services and amenities.</p> <p>Future development in accordance with the proposed controls will have access to a range of public transport services, supported by the existing bus network along Ramsay Road and the future planned</p>

City of Canada Bay LSPS	Consistency	Comment
<b>Objectives</b>		
		metro in Five Dock (located less than 700m from the site).
<b>Livability</b>		
Planning Priority 3 - Providing community services and facilities to meet people's changing needs	Yes.	The Proposal is consistent with Priority 3 of the LSPS by revitalising an existing neighbourhood centre. The Planning Proposal can create 37 new homes and around 580sqm of retail floor space.
Planning Priority 4 - Foster safe, healthy, creative, culturally rich and socially connected communities	Yes.	<p>The Proposal aims to create a healthy, accessible, and safe community for residents and local community. Future development can provide new communal open space areas, giving the local residents the opportunity to connect in a safe healthy environment.</p> <p>In addition to being in the Five Dock town centre, the site is also located in close proximity to a range of public open spaces and facilities, like the Iron Cove Creek.</p>
Planning Priority 5 - Provide housing supply, choice and affordability in key locations	Yes.	<p>Future development in accordance with the proposed controls can be consistent with this priority, through providing a mixture of dwelling types for all different lifestyles.</p> <p>The housing supply will deliver housing to an integral suburb of the Canada Bay LGA, in close proximity to key transport infrastructure, e.g. the future Metro site.</p>
Planning Priority 6 - Provide high quality planning and urban design outcomes for key sites and precincts	Yes.	The Proposal plays both a key role to emphasise the gateway site to this part of Five Dock and renew an existing neighbourhood centre by providing for appropriate scaled development.
Planning Priority 7 - Create vibrant places that respect local heritage and character	Yes.	<p>The Planning Proposal will respect the site's established character which forms part of an existing B1 neighbourhood centre. The scale of development under the proposed controls will be in accordance with the height of the Electricity Substation, that is located east to the subject site on Ramsay Road.</p> <p>The site is also surrounded by low density residential development to the north and east and is characterised by single and two storey residential development, which is unlikely to change. The Planning Proposal ensures amenity is maintained to surrounding residential properties through compliance with the setbacks and building separation parameters outlined in the Canada Bay DCP.</p>
<b>Productivity</b>		
Planning Priority 9 – Enhance Employment and economic opportunities in Local Centres		The Planning Proposal will ultimately revitalise an existing B1 Neighbourhood Centre. However, by allowing around 580sqm of retail space, as demonstrated by the Indicative Concept Design, the proposal will ensure the site does not compete with the scale of retail offer available in Five Dock local centre. Alternatively, the provision of retail space can have a neighbourhood centre focus.
Planning Priority 11 - Identify land use opportunities and implications arising from Sydney Metro West	Yes.	The site is in close proximity to the metro station in Five Dock Town Centre. The site is a 700m walk from the proposed station, providing a direct transport link for residents and the local community to achieve the 30 minute city.

City of Canada Bay LSPS	Consistency	Comment
<b>Objectives</b>		
Planning Priority 12 – Improve connectivity throughout Canada Bay by encouraging a modal shift to active and public transport	Yes.	Located on an important strategic green corridor and in close proximity to existing and planned public transport modes, the Planning Proposal will encourage redevelopment of the site to provide more housing that is well placed to support a modal shift through the use of buses, metro, cycling and walking and accordingly reduce dependence on private vehicle usage.
<b>Sustainability</b>		
Planning Priority 13 - Protect and improve the health and enjoyment of the Parramatta River Catchment and waterways	Yes.	The site is adjacent to the Iron Cove Creek waterway. Future development in accordance with the proposed controls can protect and improve the health of the waterway through extension of the Sydney Water Concept Design. Additionally, future development in accordance with the controls would have appropriate measures to ensure stormwater is captured and treated on site.
Planning Priority E14 – Protect and enhance bushland and biodiversity	Yes.	The site does not contain any remnant bushland. Future development in accordance with the controls can provide improved biodiversity outcomes through the opportunity for native tree planting, landscaping and tree canopy cover.
Planning Priority 16 - Increase urban tree canopy and deliver Green Grid connections	Yes.	As demonstrated by the Indicative Concept Design, the proposal can achieve a built form outcome that includes landscape areas (which may provide for adequate planting).  The site's strategic location along Henley Marine Drive provides opportunity for pedestrian and cycling links for connection to nearby land use and amenities along the Iron Cove green grid corridor.
Planning Priority E17 – Deliver high quality open space and recreation facilities	Yes.	The Planning Proposal is located adjacent to Iron Cove Creek, with access to a range of open spaces along canal. For this reason, there is no need to provide public open space on the site.
Planning Priority 18 – Reduce carbon emissions and manage energy, water and waste efficiently	Yes	Sustainable transport is encouraged through the Planning Proposal as future residents and visitors of the site would be encouraged to use existing and planned modes of the public transport noting the sites proximity to these, which will ultimately contribute to a reduction in carbon emission contributions.
Planning Priority 19 – Adapt to the impacts of urban and natural hazards and climate change	Yes	As stated above, the site is ideally located to encourage people to utilise alternative modes of transport, including both public transport (buses and metro) and active transport modes (walking and cycling) as a sustainable alternative to private motor vehicles. As such, less reliance on private motor vehicles helps to prepare for and adapt to the impacts of natural hazards and climate change.

#### Canada Bay Local Housing Strategy (2019)

As the population and demographic changes within the Eastern City District, it is imperative to facilitate future housing types and growth. The Canada Bay Local Housing Strategy analyses the population, demographic and supply issues associated with the delivery of housing within the Canada Bay LGA. The strategy, prepared by Council and SGS Economics and Planning, highlights key areas of planning and delivery of optimal residential outcomes for local communities.



The strategy identifies that 14,300 additional dwellings will be required in Canada Bay to 2036. This new housing will be delivered through medium density dwelling types, in locations that are close to centres and where there is good access to services and infrastructure. The site is in a key position within the Inner West and Greater Sydney, located on key transport corridors and within close proximity to services and retail. In saying this, the Proposal will provide key housing in a strategic area, enhancing and improving the local livability of the Five Dock area and amenity for residents.

The Planning Proposal responds to the objectives provided in the Canada Bay Local Housing Strategy. Please refer below to the relevant objectives stated in **Table 10** below.

**Table 10 Canada Bay Housing Strategy**

Canada Bay Housing Strategy	Consistency	Comment
Local centres are planned to provide opportunities for alternative low and moderate scale housing, within walking distance	Yes	The Proposal supports the provision of additional private housing within walking distance to shops, services and facilities. The site is proximity to public transport – connecting the LGA to the city.
Housing diversity and choice to be further addressed by infill development around centres in the form of low rise medium density, to provide a wider range of housing forms whilst being respectful of local neighbourhood character	Yes	The Planning Proposal will deliver residential dwellings within an already established suburb. The Indicative Concept Design demonstrates that the proposed controls will provide a development outcome that is sensitive to the surrounding streetscape, and minimises the impact bulk and scale to appropriately fit with the local context.

#### YOUR future 2030 Community Strategic Plan

The Canada Bay Community Strategic Plan is a strategic policy that reflects the aspirations and priorities of the community. The plan identified key themes, goals, strategies that provide direction for the delivery of outcomes until 2030.

Please refer to **Table 11** below that outlines how the Planning Proposal achieves the priorities in the Canada Bay Community Strategic Plan.

**Table 11 Community Strategic Plan**

YOUR Future 2030 Community Strategic Plan	Consistency	Comment
1. Inclusive, involved and prosperous	Yes	The site is located in a range of inclusive and accessible area. The site provides an area and space for community cohesion and engagement.
2. Environmentally responsible	Yes	Development in accordance with the proposed controls can contribute significantly to the LGA's environmental objectives and protect the surrounding waterway – Iron Cove Creek.
3. Easy to get around	Yes	The site is subject to a range of public transport options connecting future residents with employment, recreation and services in the LGA and beyond.
4. Engaged and future focused	Yes	The Proposal responds to the growing population of Greater Sydney through providing housing supply that will support emerging lifestyles.
5. Visionary, smart and accountable	Yes	The Proposal supports a more resilient, connected and sustainable community.

#### Five Dock Town Centre Revitalisation

The Five Dock Town Centre Urban Design Study provides a vision for Five Dock and seeks to ensure that the centre continues to provide a strong focus for the community. The strategies key role is to improve vibrant town centres to support the social and economic wellbeing of the Canada Bay local community. One key outcome identified in the Five Dock Urban Design Study, were improvements needed to the public domain.

The Urban Design Study has been endorsed by Council, with Stage Two of the study started construction in early 2019; including the planting of street trees and shrubs, installation of high quality pavements and street furnishings and improvements to the drainage system.

Even though the site falls outside the Five Dock Town Centre boundary, the study guides the development outcome on the site by supporting complimentary streetscape and public domain upgrades through resulting landscape and architectural design.

#### Sydney Metro West

Sydney Metro is Australia's biggest public transport system. The Sydney Metro West project involves the construction and operation of a rail line between Westmead and Sydney CBD.

Five Dock Station will be located in the core of the Five Dock local centre off Great North Road and Fred Kelly Place. The station will support the local town centre and the site will benefit from accessible transport options to Sydney CBD and Greater Parramatta.

The Environmental Impact Statement prepared for the Sydney Metro West, identifies that new residential development near metro stations should be maximized. The Proposal will support the transport corridor along Greater Parramatta to Sydney CBD Corridor – providing improved transport for the additional 420,000 new residents and 300,000 new works forecast to be located within the corridor over the next 20 years.

#### Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

As outlined below, the Planning Proposal does not preclude consistency with any State Environmental Planning Policy. Refer to the full assessment of SEPPs at **Table 12** below.

**Table 12 Consistency with SEPPs**

State Environmental Planning Policies	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	The Planning Proposal is consistent with the aims of the SEPP. Chapter 2 is to be considered in future development where any tree removal is proposed.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	The Indicative Concept Design demonstrates that building massing and orientation can support BASIX compliance, which will be documented at the future development application stage.
State Environmental Planning Policy (Exempt and Complying Development codes) 2008	N/A	N/A
State Environmental Planning Policy (Housing) 2021	Yes	The Planning Proposal is consistent with the aims of the Housing SEPP whereby the Proposal will facilitate the delivery of housing that meets the needs of the State's growing population including a 5% affordable housing contribution.
State Environmental Planning Policy (Industry and Employment) 2021	N/A	N/A
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development	Yes	This Planning Proposal is consistent with the objectives and aims of SEPP 65 and the ADG.
State Environmental Planning Policy (Planning Systems) 2021	N/A	N/A
State Environmental Planning Policy (Precincts – Central River City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	N/A	N/A
State Environmental Planning Policy (Precincts – Regional) 2021	N/A	N/A
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	N/A	N/A
State Environmental Planning Policy (Primary Production) 2021	N/A	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	<p>This Planning Proposal is consistent with the objectives and aims of Chapter 3 of the Resilience and Hazards SEPP.</p> <p>The Detailed Site Investigation Report, prepared by Aargus Pty Ltd at <b>Attachment F</b> states <i>"The site is therefore considered to be rendered suitable for the proposed use, subject to the following:</i></p>

State Environmental Planning Policies	Consistency	Comment
		<ul style="list-style-type: none"> <li>– An appropriate remedial / management strategy is developed, culminating in preparation of a Remedial Action Plan (RAP) in accordance with EPA guidelines, in regards to the removal of the three hotspots BH1, BH2 &amp; BH7, as well addressing the aforementioned data gaps.</li> <li>– Any soils requiring removal from the site, as part of future site works, should be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW EPA (2014).”</li> </ul> <p>On the basis of the recommendations of the Detailed Site Investigation and for the purposes of this Planning Proposal, the proposal is considered appropriate in this regard.</p> <p>As suggested by the above recommendations a RAP will be undertaken in the subsequent DA stage.</p>
State Environmental Planning Policy (Resources and Energy) 2021	N/A	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	N/A
Draft State Environmental Planning Policy (Design and Place)	Yes	<p>The Planning Proposal is consistent with the aims of the SEPP.</p> <p>The Design and Place SEPP is to be further considered in the future development application stage for residential apartment development.</p>
Draft State Environmental Planning Policy (Environment)	N/A	N/A

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. A review of the consistency of the Planning Proposal with the Ministerial Directions under Section 9.1 of the EP&A Act 1979 is discussed at **Table 13** below.

**Table 13 Consistency with s9.1 Ministerial Directions**

Local Planning Direction	Consistency	Comment
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	Yes	The Planning Proposal is consistent with the Eastern City District Plan, as detailed in Section 8 of this Planning Proposal.
1.2 Development of Aboriginal Land Council Land	N/A	The Planning Proposal does not apply to Aboriginal Land Council Land.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not include any provisions that is expected to would require the concurrence, consultation or referral of any development application to a Minister or public authority and does not identify any development as designated development. In the instance that referral is discovered to be required during the proposal assessment, it would be suitably undertaken by Council.
1.4 Site Specific Provisions	N/A	The Planning Proposal does not propose any unnecessarily restrictive site-specific planning controls.
<b>Focus area 1: Planning Systems – Place-based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	The Planning Proposal does not apply to land in the Parramatta Road corridor.

Local Planning Direction	Consistency	Comment
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	The Planning Proposal does not apply to land in the North West Priority Growth Area.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	The Planning Proposal does not apply to land in the Parramatta Priority Growth Area.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	The Planning Proposal does not apply to land in the Wilton Priority Growth Area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	The Planning Proposal does not apply to land in the Glenfield to Macarthur corridor.
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	The Planning Proposal does not apply to land in the vicinity of Western Sydney Aerotropolis.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	The Planning Proposal does not apply to land in Bayside West.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	The Planning Proposal does not apply to land in Cooks Cove.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	The Planning Proposal does not apply to land in St Leonards and Crows Nest.
1.14 Implementation of Greater Macarthur 2040	N/A	The Planning Proposal does not apply to land in Greater Macarthur.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	The Planning Proposal does not apply to land in the Pyrmont Peninsula.
1.16 North West Rail Link Corridor Strategy	N/A	The proposal is not linked to the North West Rail Link.
1.17 Implementation of the Bays West Place Strategy	N/A	The proposal is not linked to the Bays West Place Strategy.
<b>Focus Area 2: Design and Place</b>		
<b>Focus Area 3: Biodiversity and Conservation</b>		
3.1 Environment Protection Zones	N/A	The Planning Proposal does not apply to land within an Environmental Protection Zone.
3.2 Heritage Conservation	Yes	Although not a heritage item itself, the development has considered its impact on the surrounding heritage items and conservation areas.
3.3 Sydney Drinking Water Catchments	N/A	The Planning Proposal does not apply to land in the nominated Council areas.
3.4 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	The Planning Proposal does not relate to any environmental zoned land on the North Coast
3.5 Recreation Vehicle Areas	N/A	The Planning Proposal does not seek to enable land to be developed for the purposes of a recreation vehicle area.
<b>Focus area 4: Resilience and Hazards</b>		
4.1 Flooding	N/A	The site is not affected by flooding.
4.2 Coastal Protection	N/A	The Planning Proposal does not apply to land within the Coastal Zone.
4.3 Planning for Bushfire and Protection	N/A	The Planning Proposal does not apply to land that is identified as bush fire prone land.
4.4 Remediation of Contaminated Land	Yes	The Planning Proposal is consistent with this direction as it will reduce the risk of harm to human health and the environment by adhering to the following recommendations of the Detailed Site Investigation Report, prepared by Aargus Pty Ltd at Attachment G, refer to extract below:

Local Planning Direction		Consistency	Comment
			<p>"The site is therefore considered to be rendered suitable for the proposed use, subject to the following:</p> <p>An appropriate remedial / management strategy is developed, culminating in preparation of a Remedial Action Plan (RAP) in accordance with EPA guidelines, in regards to the removal of the three hotspots BH1, BH2 &amp; BH7, as well addressing the aforementioned data gaps.</p> <p>Any soils requiring removal from the site, as part of future site works, should be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSW EPA (2014)."</p> <p>On the basis of the above recommendations and for the purposes of this Planning Proposal, the proposal is considered appropriate in this regard.</p> <p>As suggested by the above recommendations a RAP will be undertaken in the subsequent DA stage.</p>
4.5	Acid Sulfate Soils	Yes	The site contains Class 5 Acid Sulfate Soils. South of the site, along Henley Marine Drive contains Class 2 acid sulfate soils.
4.6	Mine Subsidence and Unstable Land	N/A	The Planning Proposal does not apply to land that is within a mine subsidence district or that has been identified as being unstable.
<b>Focus Area 5: Transport and Infrastructure</b>			
5.1	Integrating Land Use and Transport	Yes	<p>The site is well located with easy access to transport services, including the future Five Dock Metro station within 700 metres of the site, and access to multiple bus services.</p> <p>The Planning Proposal will enable the intensification of housing in a well-connected site and will encourage use of public transport services.</p>
5.2	Reserving Land for Public Purposes	N/A	The Planning Proposal does not propose to create, alter or reduce any existing zoning or reservation on the land for a public purpose.
5.3	Development near Regulated Airports and Defence Airfields	N/A	The site is not located near a Regulated Airport or Defence Airfield.
5.4	Shooting Ranges	N/A	The Planning Proposal does not seek to affect, create, alter or remove a zone or provision relating to land adjacent to or adjoining an existing shooting range.
<b>Focus area 6: Housing</b>			
6.1	Residential Zones	Yes	The Planning Proposal is consistent with this direction as it will not reduce the permissible residential density on the site.
6.2	Caravan Parks and Manufactured Home Estates	N/A	The Planning Proposal does not relate to the location or provision for caravan parks or manufactured homes.
<b>Focus area 7: Industry and Employment</b>			
7.1	Business and Industrial Zones	Yes	<p>This direction applies to all planning proposals that will affect land within an existing or proposed business or industrial zone. In this regard, the proposal seeks to permit residential flat buildings across the entirety of the site.</p> <p>This Direction aims to encourage employment growth in suitable locations, protect employment</p>

Local Planning Direction	Consistency	Comment
		<p>land in business zones, and support the viability of identified centres.</p> <p>In this case, the Planning Proposal proposes draft provisions for inclusion in Schedule 1 of the CBLEP 2013 which ensures that residential apartments are limited to a certain extent of Henley Marine Drive.</p> <p>The addition of proposed Clause 6.5 of CBLEP 2013 also ensures that business uses are retained on the site at the corner of Ramsay Road and Henley Marine Drive.</p> <p>The Planning Proposal is supported by an Economic Assessment which anticipates values the contribution made to the local economy from commercial operations that is capable at the site under the proposed LEP provisions to be close to a million dollars per annum.</p> <p>Therefore, it is considered that these provisions will ensure commercial uses are adequately protected at the site. The Planning Proposal is therefore considered to be consistent with the direction as it seeks to protect employment land at the site and does not reduce the potential employment density of the land.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	The Planning Proposal does not reduce the number of days of non-hosted short-term rental accommodation.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	The Planning Proposal does not apply to land along Pacific Highway, North Coast
<b>Focus area 8: Industry and Employment</b>		
8.1 Mining, Petroleum Production	N/A	The Planning Proposal does not relate to the mining of coal or other materials, production of petroleum or extractive materials.
<b>Focus area 9: Primary Production</b>		
9.1 Rural Zones	N/A	The Planning Proposal does not affect land within an existing or proposed rural zone.
9.2 Rural Lands	N/A	The Planning Proposal does not apply to an existing or proposed rural or environmental protection zone.
9.3 Oyster Aquaculture	N/A	The Planning Proposal does not relate to oyster aquaculture.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	The Planning Proposal does not apply to farmland of state and regional significance on the NSW Far North Coast.

## 8.2 Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal will not adversely affect any threatened species, populations or ecological communities.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. The site is not identified by Council as having any particular environmental significance. For these reasons, it is unlikely that the planning proposal will result in



adverse impacts on critical habitat, threatened species, populations, ecological communities or habitats.

The subject site is located within an established commercial and residential area and has been utilised for these purposes for many years as indicated by the Detailed Site Investigation Report, at **Attachment G**.

In addition to the above, Section 7 of this report provides an assessment of the likely environmental planning issues associated with the proposal. The assessment considers likely environmental impacts to occur in respect of built form, solar access, visual impact, traffic and transport, tree management, contamination and local infrastructure, as a result of the proposal.

It should be noted that the assessment of the environmental impacts of the proposal would form a key part of any subsequent DA that was submitted for the subject site.

Q9. Has the planning proposal adequately addressed any social and economic effects?

Yes. The Planning Proposal will have positive economic and social effects. The Planning Proposal will facilitate the renewal of an unused site to deliver improved employment, housing and social outcomes for the local community.

The Planning Proposal will protect and enhance local employment land and will generate local jobs (both during construction and ongoing).

The Planning Proposal will renew an existing neighbourhood centre to provide better shops and services close to people's homes. The proposed public domain improvements will improve walkability and amenity outcomes and will create a new neighbourhood gathering place for the broader community to enjoy

### **8.3 Section D – State and Commonwealth interests**

Q10. Is there adequate public infrastructure for the planning proposal?

As previously stated in this report, the site has great accessibility, located 700m from the planned Five Dock Metro Station. The site is also well serviced by existing bus networks, as well as footpaths and on-road / off-road cycle networks.

The Traffic and Transport Study, prepared by Varga Traffic Planning Pty Ltd, confirms that the proposed increase in traffic is negligible and is not envisaged to affect the existing surrounding traffic network.

Refer to Section 7.5 of this Report and **Attachment C** for detailed assessment of public transport infrastructure.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with State and Commonwealth agencies will be undertaken after a Gateway Determination is issued (if required).

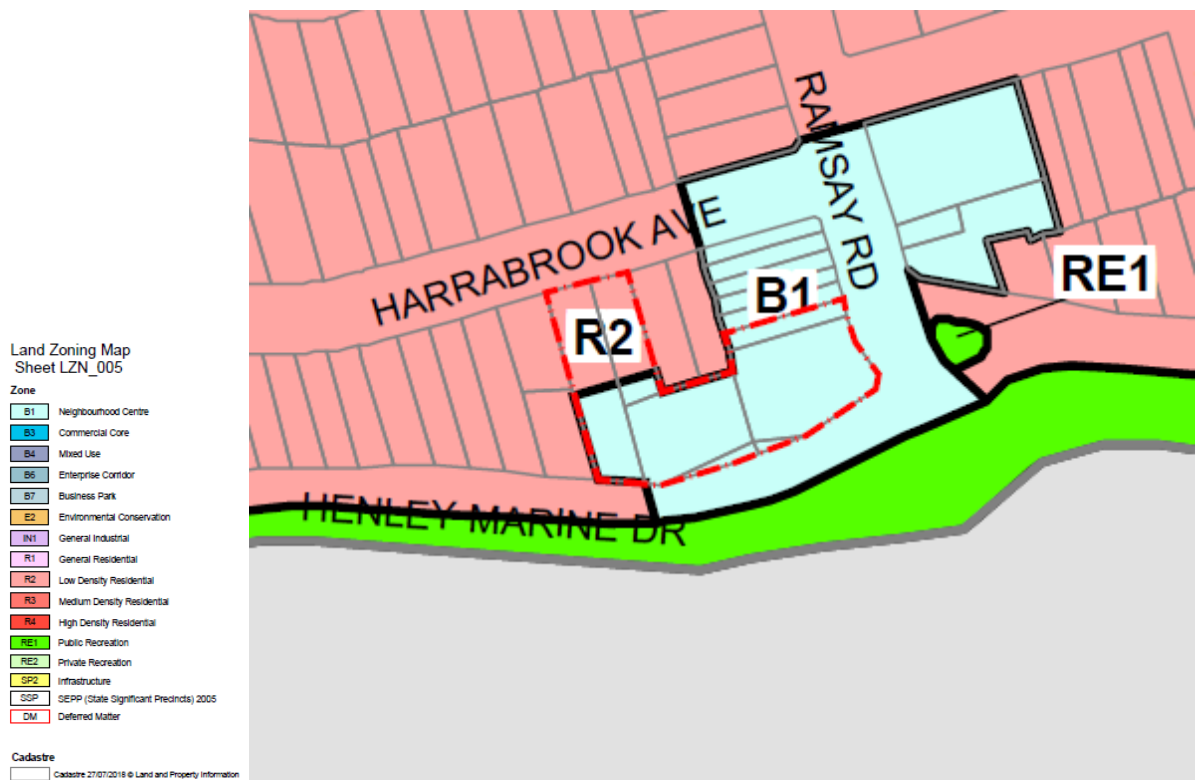
# 9. Mapping

This Planning Proposal seeks to amend the following maps of the Canada Bay Local Environmental Plan 2013:

- Land Zoning Map – Sheet LZN\_005
- Floor Space Ratio Map – Sheet FSR\_005
- Height of Buildings Map – Sheet HOB\_005
- Lot Size Map – Sheet LSZ\_005
- Active Street frontage Map – Sheet ASF\_005
- Affordable Housing Contribution Map – Sheet AHCS\_005

The Proposed LEP maps are shown at **Figures 54 -59**.

## Land Use Zone



**Figure 55 Proposed Land Use Zoning Map**  
Source: Architectus and CBLEP 2013

Floor Space Ratio

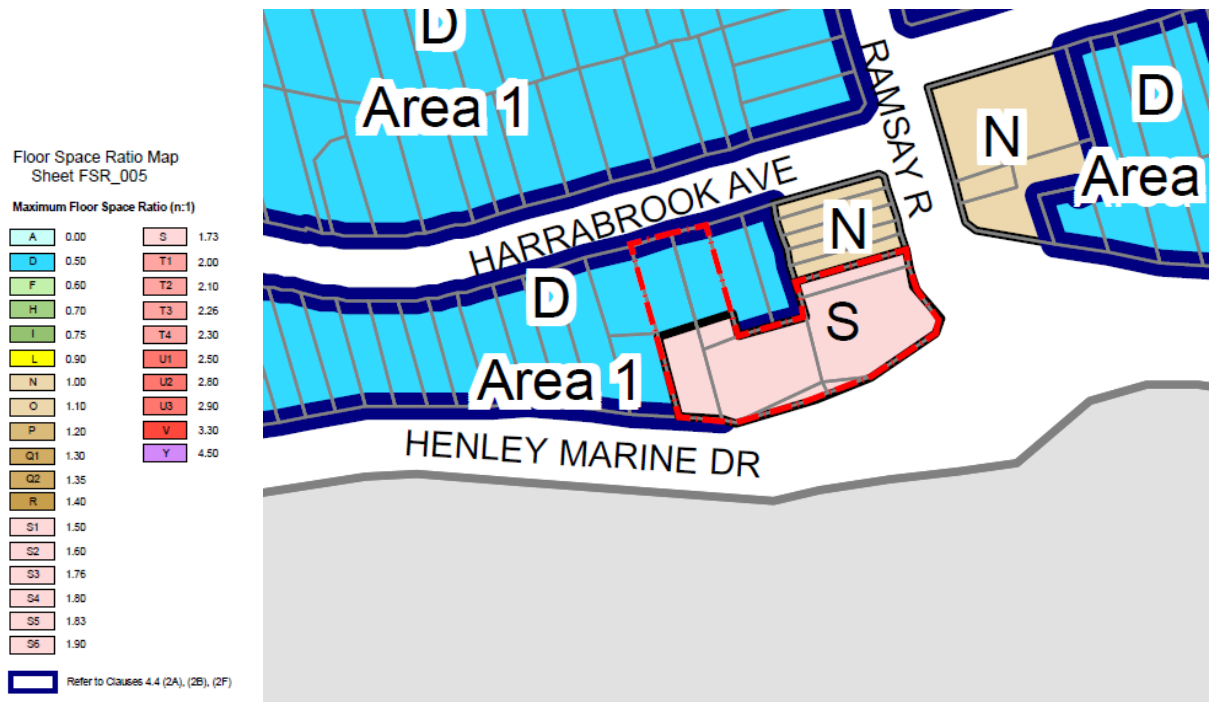


Figure 56 Proposed Floor Space Ratio Map  
Source: Architectus and CBLEP 2013

Height of Buildings

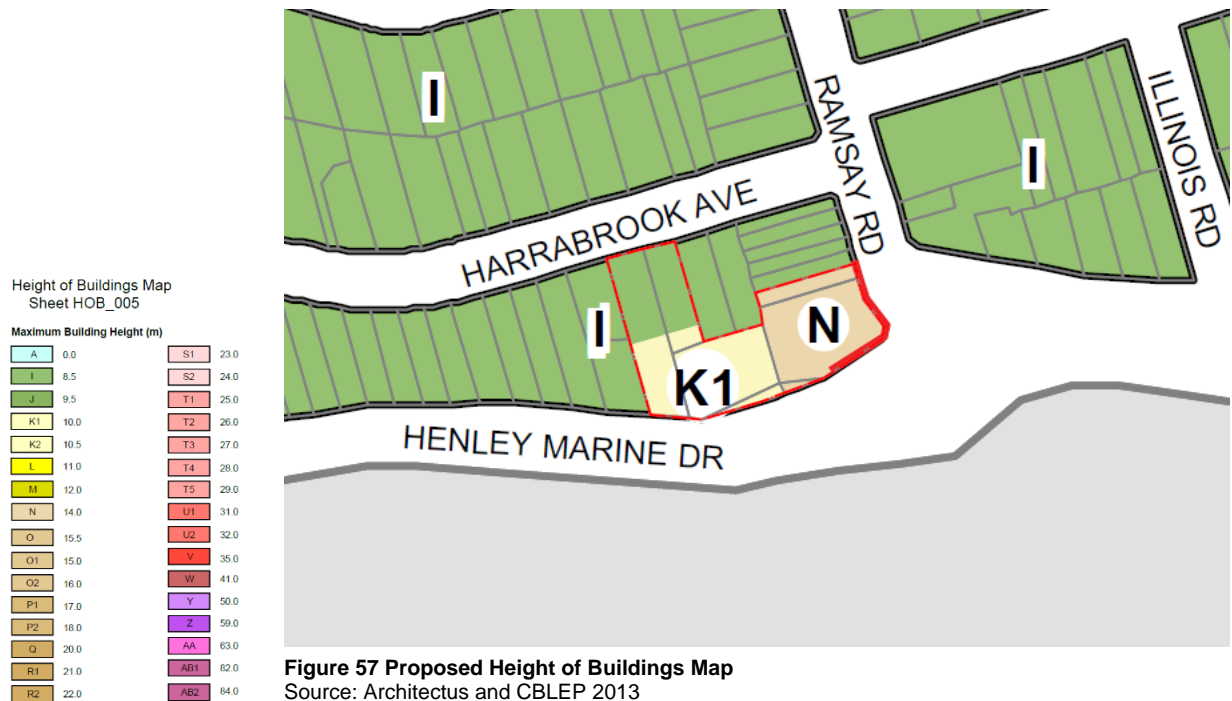
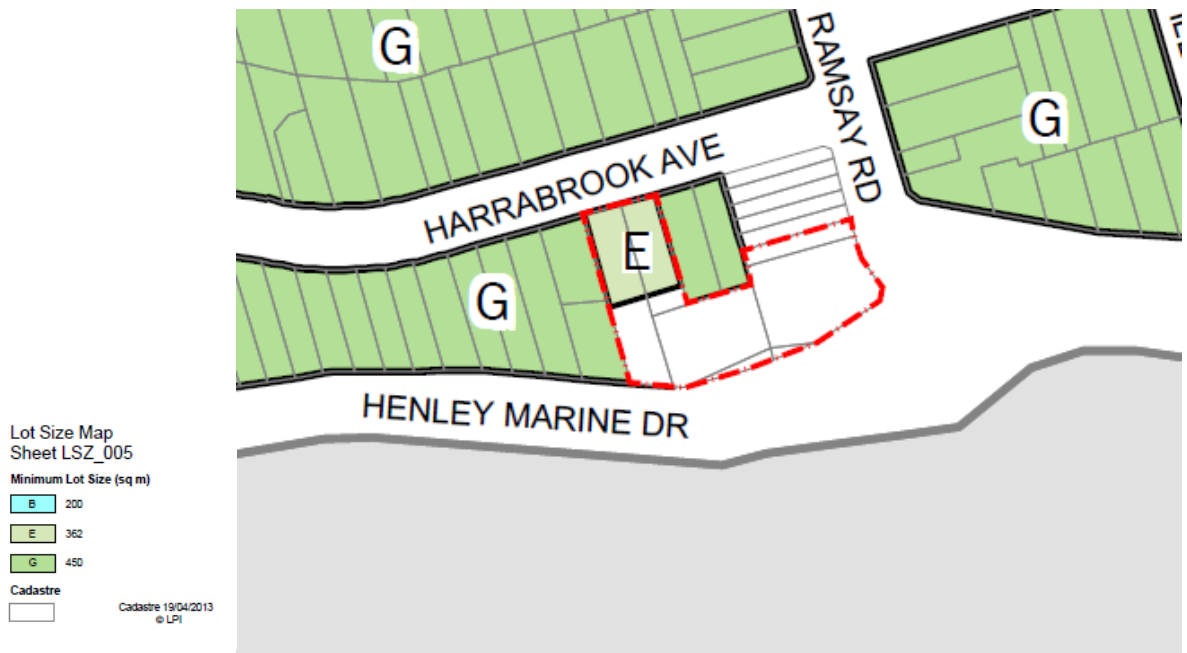


Figure 57 Proposed Height of Buildings Map  
Source: Architectus and CBLEP 2013

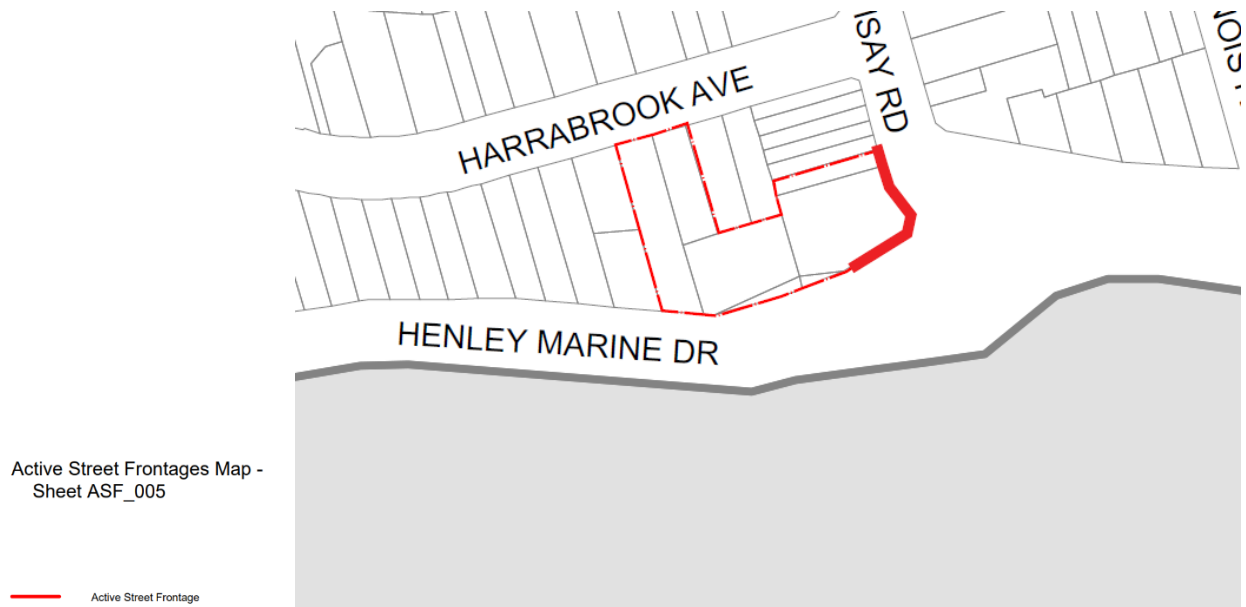
### Lot Size



**Figure 58 Proposed Lot Size Map**

Source: Architectus edits and CBLEP 2013

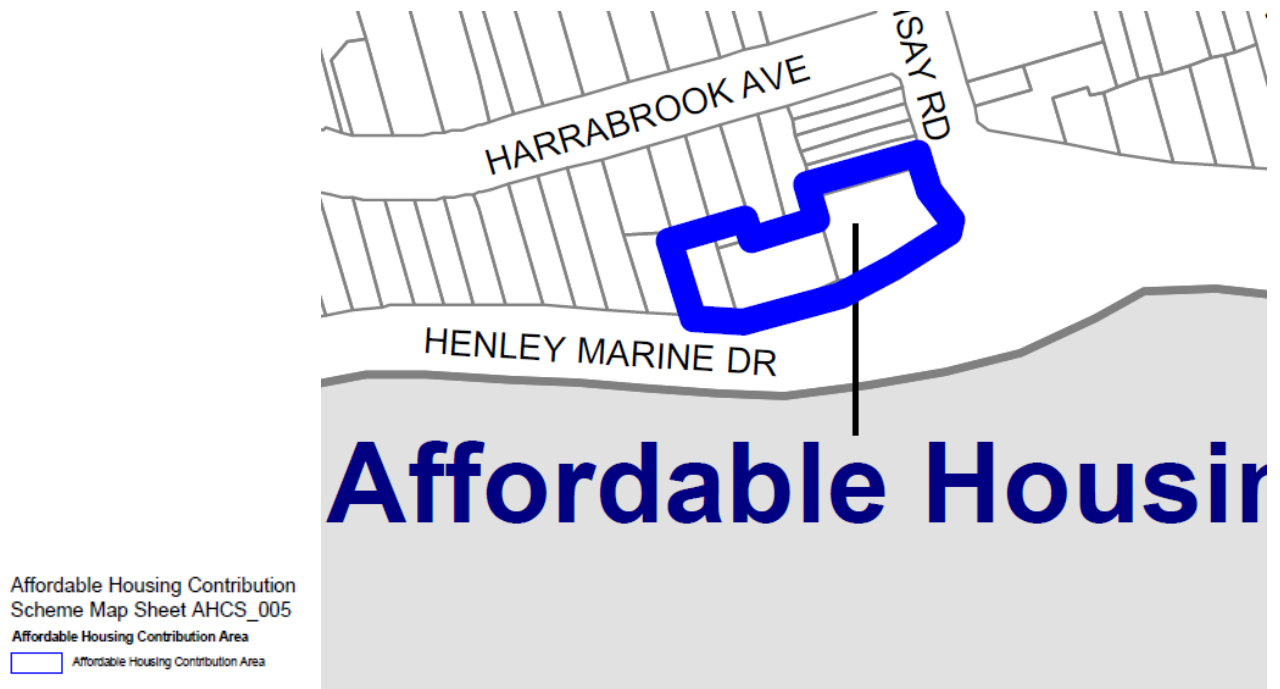
### Active Street Frontage



**Figure 59 Proposed Active Street Frontage Map**

Source: Architectus edits and CBLEP 2013

Affordable Housing Contribution Scheme



**Figure 60 Proposed Affordable Housing Contribution Scheme**  
Source: Architectus edits and CBLEP 2013

# 10. Consultation

## 10.1 Council consultation

The Applicant has had several meetings with Council staff prior to the lodgement of this Planning Proposal. The Applicant has taken on board Council and Studio GL's feedback to deliver a high-quality development proposal that positively responds to its surrounding context. The key outcomes of these meetings are detailed below.

### Meeting 1 – Early engagement with Council (7 November 2017)

On 7 November 2017, the Applicant and Architectus met with City of Canada Bay Council to discuss an early concept design for the site.

Architectus presented a preliminary urban design report which included an overview preliminary concept options for the site including shop top housing development and attached row townhouses, ranging between 2 and 6 storeys in height.

In general, Council was supportive of shop top housing along Ramsay Road, but noted that this site should not be seen as another retail or commercial centre for Five Dock and that the main activity should remain in the Five Dock town centre. Council was supportive of some type of activation in this location such as a parkland café or eatery.

### Meeting 2 – Early engagement with Council (8 March 2017)

On 7 November 2017, the Applicant and Architectus met with City of Canada Bay Council to discuss a preferred concept option for the site.

Architectus presented a preferred option for the site which included a mix of shop top housing, residential flat apartments and attached terraces, ranging between 2.5 and 5 storeys in height.

Council was generally supportive of 3-4 storey height, with the continuation of retail along Ramsay Road, but did not consider a 5th storey to be appropriate for the sites location. Council recommended that increased height and densities in this location would likely cause speculation for adjoining landowners, particularly on the eastern side of Ramsay Road, and suggested Architectus develop a strategy for how the broader B1 neighbourhood centre might develop.

Council requested further information from the Applicant for Council officers to provide formal feedback.

### Meeting 3 – Pre-lodgement meeting with Council 21 June 2018

On 21 June 2018, the Applicant and Architectus met with City of Canada Bay Council to discuss the preferred concept and planning pathway for the site.

Architectus provided Council with a Feasibility Study report, prepared by Architectus which included a proposal for terrace housing along Harrabrook Avenue (2.5 storeys) and Henley Marine Drive, terrace and apartments along Henley Marine Drive (4-5 storey), and a 5-storey mixed use building with ground-level retail facing Ramsay Road.

Following the meeting, Council engaged Independent urban designers, Studio GL, to provide advise on whether the submitted proposal provides an appropriate planning response for the site and its surrounding context.

Other key recommendations provided in the Studio GL report, dated July 2018 were:

- 'That the zoning of the B1 Neighbourhood Centre is not altered';
- 'Larger sites create an opportunity to address interface issues more successfully and development controls for larger sites are therefore able to be developed at a slightly higher scale and density'; and



- ‘Increased height may be possible, for example development facing Henley Marine Drive may be able to be increased to four storeys (i.e. 12m) if interface issues to the north and west can be addressed’.

The Planning Proposal responded to the above concerns raised by Council and Studio GL, whereby the Proposal was revised to:

- Retain the existing B1 Neighbourhood Centre zone;
- Be amalgamated, to create a large development site resulting in a total site area of 2,579 square metres;
- Ensure an appropriate transition and set back to neighbours is provided (i.e. minimum 9m set back to the northern and western neighbours); and
- Ensure an appropriate height and scale of development that is no greater than 4-storeys. Note. 4-storeys requires a 15.5m height limit to accommodate the minimum floor to ceiling levels in Council’s DCP.

#### Meeting 4 – Pre-lodgement meeting with Council (23 May 2019)

On 23 May 2019, the Applicant, Architectus (Planners and Urban Designers) and Squillace (Architects) met with City of Canada Bay Council to discuss the preferred concept and planning pathway for the site.

Architectus and Squillace provided Council with a Urban Design report outlining two possible development scenarios, along with recommended planning controls for each scenario. The scenario’s included:

- Scenario A – The site at 1 Ramsay Road is developed on its own; and
- Scenario B – The sites at 1 Ramsay Road and 1-7 Harrabrook Avenue are developed as one site and at the same time.

Following the meeting on 23 May 2019, Council engaged Independent urban designers, Studio GL, to provide advice on whether the submitted proposal provides an appropriate planning response for the site and its surrounding context.

In general, feedback from Council and Studio GL said that the proposed architectural resolution was considered to be excellent, however the proposed scale of the building should be reduced in recognition of the desired future character of the surrounding context, which is considered to remain substantially the same.

Other key recommendations provided in the Studio GL report, dated June 2019 were:

- That the B1 Neighbourhood Centre is not altered along Ramsay Road and around the corner of Henley Marine Drive and Ramsay Road;
- Avoid excess commercial development and encourage residential development on the rear portion of the site zoned B1 Neighbourhood Centre; and
- To ensure the provision of additional permitted uses of residential flat buildings in the B1 zone does not result in no retail/commercial uses.

The Planning Proposal responded to the above concerns raised by Council and Studio GL, whereby the Proposal was revised to:

- Retain the existing B1 Neighbourhood Centre zone, but allow for an additional permitted use to allow ‘residential flat buildings’ along the southern frontage of Henley Marine Drive;
- Provide 437 sqm of retail GFA on the site, which could be used for a parkland café / eatery style food and beverage premises; and
- Ensure an appropriate height and scale of development that is no greater than 4-storeys (14m) to ensure that future development responds to its existing context, i.e. street wall height established by the datum line of the adjacent

substation on Ramsay Road, and future strategic context, whereby the Proposal will be within walking distance (700m) of the Five Dock Metro Station.

#### Meeting 6 – Pre-lodgement meeting with Council (8 May 2020)

On 8 May 2020, the Applicant, Architectus (Planners and Urban Designers) and Squillace (Architects) met with City of Canada Bay Council to discuss a revised concept for the site.

Generally, Council was pleased with the overall design of the proposal, but expressed concern for a 17m height limit and 2:1 FSR. Council commented on the current 8.5m height plane to both sides of the canal and consider the sites interfaces as sensitive.

Council also said they would not recommend lodging a DA and Planning Proposal concurrently, as a DA cannot be approved until the Planning Proposal is gazetted.

Council confirmed no formal feedback would be provided post meeting from Council.

#### Additional correspondence with Council (23 June 2020)

A submission was sent to Council on 23 June seeking feedback from Council on the revised design concept. On 26 June 2020 Council provided feedback via email correspondence on the revised design concept package.

Key feedback provided from Council included:

- Development facing Ramsey Road should not be taller than four storeys (14m) with a street wall height of three storeys;
- The 14m height limit should not be allowed beyond the western edge of the right of way off Harrabrook Ave;
- Development facing Henley Marine Drive should not be taller than 3 storeys (10m) with a street wall height of three storeys along Henley Marine Drive and two storeys facing the rear boundary; and
- The design provided shows impacts of a 3 storey development, which can be mitigated by a 9m setback and deep soil planning along the boundary of 1 and 3 Harrabrook Ave (sites not included in the Proposal).

#### Lodgement of the Planning Proposal (18 December 2020)

On 18 December 2020, Architectus on behalf of the Applicant lodged a Planning Proposal to Canada Bay Council which sought to:

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 15.5m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.73:1;
- Reduce the minimum lot size map for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>; and
- Amend Schedule 1 Additional Permitted uses to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

#### Meeting 7 – Meeting to discuss issues raised in the Local Planning Panel Report (11 February 2020)

On 11 February 2021, the Applicant met with Council to discuss some of Council's concerns raised in the report prepared for the Local Planning Panel (LPP) including the following items:

- 10m height plane proposed to the west of the right of way;
- Setback to Unit 301 and visual impact to neighbouring residential properties;
- 14m height plane proposed to the east of the right of way;

- Affordable housing provision; and
- Retention & Protection of Tree 1 (Lilly Pilly).

#### Local Planning Panel Meeting (18 February 2021)

On 18 February 2021, the Planning Proposal was reviewed by the LPP. The LPP agreed with assessment undertaken by staff and noted that whilst the centre is small, it is well located to accommodate an increase in density that is compatible with the character of the surrounding area. The following advice was provided:

- *The Proposal is considered to have merit subject to the following amendments:*
  - a) *Provide a maximum building height fronting Ramsay Road to 14.0m and a maximum building height to the west of the right of way of 10.0m;*
  - b) *Ensure the retention and protection of tree identified as Tree 1, Lilly Pilly – Syzygium sp in the Arboricultural Impact Assessment prepared by NewLeaf Arboriculture;*
  - c) *Introduce an Active Street frontage on the land with a frontage to Ramsay Road and extending around the corner along Henley Marine Drive; and*
  - d) *Include a Detailed Contaminated Site Investigation.*
- *Council update the draft Canada Bay Affordable Housing contribution Scheme to apply to the subject site and map the land on the Affordable Housing Contribution Scheme Map under the Canada Bay Local Environmental Plan 2013;*
- *Negotiation with the applicant on the terms of a Planning Agreement prior to submission of the Planning Proposal for a Gateway Determination;*
- *A draft Development Control Plan be prepared by Council to guide the future development of the site that includes but is not limited to, the following controls:*
  - a) *Building envelope;*
  - b) *Ground level setbacks;*
  - c) *Upper level setbacks; and*
  - d) *Tree retention and landscaping requirements expressed as a percentage.*
- *The Planning proposal could be submitted to the Department of Planning Industry and Environment for a Gateway Determination, once the above matters have been addressed.*

#### Councilor Meeting (16 March 2021)

On 16 March 2021 Council resolved that the Planning Proposal be submitted to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

However, prior to the Planning Proposal being submitted to DPIE, the Planning Proposal is to be updated in accordance with advice from the LPP and Council recommendations as detailed in **Section 3** of this report.

As such, this Planning Proposal has been updated in accordance with Council's recommendations and has been re-submitted to Council to be submitted to DPIE for a Gateway Determination. A detailed response to Council's recommendations is provided in **Table 1** in **Section 3** of this report

## **10.2 Consultation strategy**

The duration and requirements for public exhibition of the Planning Proposal will be provided as part of a Gateway determination. Community and stakeholder consultation will be undertaken in accordance with these requirements.

It is anticipated that the Planning Proposal will be publicly exhibited for a period of 28 days on Council's website and in newspapers circulated within The Hills Local

Government Area (LGA). It is also anticipated that adjoining and nearby property owners and residents will be notified in writing of the Planning Proposal.

### **10.3 Community Consultation**

The applicant is consulting with the nearby community, and will continue to do so through the assessment phases on the proposal. In addition, it is assumed formal exhibition of the proposal will occur by the Council, which will also provide the opportunity for further comment.

# 11. Project Timeline

The timeframe for the proposed amendment to the CBLEP 2013 is expected to be dependent on the consideration by Council of the Planning Proposal and the progression of any additional information requested by Council to satisfy any matters required to be addressed as part of a Gateway determination.

It is considered that the information required to progress the Planning Proposal to a Gateway Determination has been submitted along with this Planning Proposal.

## 11.1 Indicative project timeline

Detail on indicative project timeframes is provided below in **Table 14**.

**Table 14 Indicative Project Timeline**

Stage	Timing	Responsible Organisation
Lodgment of initial Planning Proposal	December 2020	Architectus on behalf of the Applicant
Local Planning Panel (LPP)	February 2021	LPP and Canada Bay Council
Council endorse Planning Proposal	March 2021	Canada Bay Council
Lodgement of updated Planning Proposal	August 2021	Architectus on behalf of the Applicant
Lodgement for Gateway Determination	October 2021	Canada Bay Council
Anticipated commencement date (date of Gateway determination)	December 2021	Minister (or delegate)
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	January – February 2022	Applicant and Canada Bay Council
Commencement and completion dates for public exhibition period	March 2022	Canada Bay Council
Timeframe for the consideration of a proposal post exhibition	April – May 2022	Canada Bay Council
Anticipated date Relevant Planning Authority will make the plan (if delegated)	June – July 2022	Canada Bay Council

# 12. Conclusion

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and the requirements set out in 'A Guide to Preparing Planning Proposals'.

This Planning Proposal provides comprehensive justification for the proposed amendments to the CBLEP 2013 with respect to land at 1 Ramsay Road, 7 Ramsay Road, 5 Harrabrook Avenue and 7 Harrabrook Avenue.

Specifically, this Planning Proposal seeks to amend the CBLEP 2013 to:

- Rezone part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase the maximum building height on part of the site from 8.5m to 10m and 14m;
- Increase the floor space ratio (FSR) on part of the site from 0.5:1 and 1.0:1 to 1.71:1;
- Reduce the minimum lot size for 5 and 7 Harrabrook Ave from 450m<sup>2</sup> to 360m<sup>2</sup>;
- Introduce an active street frontage on land with frontage to Ramsay Road and extending 20 metres along Henley Marine Drive;
- Introduce an affordable housing contribution of 5% affordable housing for the site; and
- Introduce an additional permitted use for the site to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

The proposed amendments to CBLEP 2013 are intended to facilitate development of the site for the purpose of a mixed-use development that is of suitable scale and will renew the Ramsay Road neighbourhood centre.

The Proposal provides public benefits, including the opportunity for a range of public domain improvements.

The Proposal has strategic and site-specific merit, and it is recommended that Council forward the Planning Proposal to the Minister for Planning and Open Spaces for a Gateway Determination in accordance with Section 3.34 of the EP&A Act.





# Attachment A – Urban Design Study, prepared by Architectus and Squillace

## Attachment B – Survey Plan, prepared by Veris

# Attachment C – Traffic Assessment Report, prepared by Varga Traffic Planning Pty Ltd

# Attachment D – Arboricultural Impact Assessment, prepared by New Leaf Arboriculture

Attachment E – Supplementary  
Arboricultural Assessment,  
prepared by New Leaf  
Arboriculture

# Attachment F – Economic Report, prepared by HillPDA Consulting

# Attachment G – Detailed Site Investigation Report, prepared by Aargus Pty Ltd



## Attachment H – Independent Justification for Tree Removal Letter, prepared by Active Green Services (on behalf of Council)