

PLANNING
PROPOSAL

WATERVIEW STREET SECOND AVENUE AND
BARNSTAPLE ROAD, FIVE DOCK

April 2017

Contents

Introduction	3
Background.....	3
Site identification.....	4
Existing Planning Controls	5
Part 1 – Objectives and Intended Outcomes	6
Objectives	6
Intended Outcomes.....	6
Part 2 – Explanation of Provisions	7
Proposed amendments to Canada Bay Local Environmental Plan 2013	7
Part 3 – Justification.....	10
Section A - Need for a planning proposal	10
Section B - Relationship to strategic planning framework	10
Section C: Environmental, social and economic impact.....	17
Section D: State and Commonwealth interests	18
Part 4 – Mapping.....	19
Part 5 – Community Consultation.....	19
Part 6 – Project Timeline.....	20

Introduction

This Planning Proposal explains, the intended effect of, and justification for, a proposed amendment to the Canada Bay Local Environmental Plan 2013. The Planning Proposal has been prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning Guidelines including “A Guide to Preparing Planning Proposals.”

Background

The Five Dock Town Centre Urban Design Study was prepared throughout 2013 and adopted in June 2014. The study identified the strategy for the future development of the Five Dock Town Centre and ensures that any potential changes to the existing planning controls such as building scale, density and height were carefully considered.

To implement the recommendations of the Urban Design Study, Council prepared a Planning Proposal, draft Development Control Plan (DCP) and draft Development Contributions Plan. Following the exhibition of the draft plans, certain submissions were received that requested that the boundaries of the Five Dock Town Centre be extended to include the area of land being rezoned to the northern end of Waterview Street.

At the time of the preparation of the Five Dock Town Centre Urban Design Study, the northern part of Waterview Street (between Second Avenue and Barnstaple Road) was not identified for rezoning as it was:

- located outside the central core of the centre;
- contained a few constrained sites, including a heritage item and existing strata development; and
- would necessitate the extension of the proposed Waterview Lane to facilitate improved access.

On 3 November 2015, Council endorsed the draft plans for the Five Dock Town Centre and also resolved that a separate report should be prepared to investigate the zoning, heritage and development controls for the land between Second Avenue and Barnstaple Road on the western side of Waterview Street, Five Dock.

To assist Council in its consideration of this matter, an Urban Design Report and Feasibility Analysis were undertaken. The Urban Design report identified various options for the redevelopment of land on Waterview Street with each option being informed by principles associated with heritage integration, interface impacts, solar access, street proportions and street character. The Feasibility Analysis confirmed that much of the land would be unviable for redevelopment in the current market.

At the meeting of 2 August 2016, Council considered the outcome of these investigations and resolved to exhibit draft planning controls for the subject land between Second Avenue and Barnstaple Road on Waterview Street. 18 submissions were received as a result of the public exhibition. The primary issues raised in submissions related to the height facilitated by the proposed building controls and the impact of the additional development on the established community.

An Exhibition Outcomes Report was prepared and recommends that the Planning Proposal should proceed subject to the maximum height of development on Waterview Street being limited to three to four storeys. This recommendation seeks to strike an appropriate balance between facilitating development whilst reducing impacts on the amenity of existing and future residents.

This Planning Proposal responds to the meeting of 7 March 2017, where Council resolved:

1. *THAT a Planning Proposal and associated Development Control Plan be prepared to implement the recommendations of the Exhibition Outcomes Report, prepared by Studio GL, dated 26 November 2016.*

2. *THAT the Planning Proposal include the removal of heritage item no. I486, being the dwelling the house at 39 Waterview Street, Five Dock from Schedule 5 of the Canada Bay Local Environmental Plan 2013.*
3. *THAT the Planning Proposal be submitted to the Department of Planning and Environment for a Gateway Determination.*
4. *THAT should the Planning Proposal pass through Gateway, that it be placed on public exhibition, together with the draft Development Control Plan and draft Contributions Plan.*
5. *THAT authority be granted to the General Manager to make any minor changes to the Planning Proposal and draft Development Control Plan prior to finalisation of the Local Environmental Plan.*
6. *THAT if the owners of property in the area believe there is a better planning outcome to be achieved than the recommendation, they lodge a planning proposal in the normal way.*

Site identification

The site is located at the eastern edge of the Five Dock Town Centre boundary and lies between Second Avenue and Barnstaple Road on the western side of Waterview Street. The land comprises nine properties, one of which is a heritage item (39 Waterview Street, Five Dock).

The sites that are subject to the Planning Proposal include:

- 6 Barnstaple Road, Five Dock (Lot 1 DP 302709)
- 8 Barnstaple Road, Five Dock (Lot 2 DP 302709)
- 45 – 47 Waterview Street, Five Dock (SP 41835)
- 43A Waterview Street, Five Dock (Lot A DP 401351)
- 43 Waterview Street, Five Dock (Lot B DP 401351)
- 41 Waterview Street, Five Dock (Lot 1 DP 956496)
- 39 Waterview Street, Five Dock (Lot 11 DP 869673)
- 37 Waterview Street, Five Dock (Lot 3 DP 311193)
- 2 Second Avenue, Five Dock (Lot 4 DP 311193)

The aerial map below illustrates the location of the sites and the surrounding context.



Waterview Street, Second Avenue and Barnstaple Road, Five Dock - Planning Proposal

Figure 1: Aerial map of Waterview Street, Second Avenue and Barnstaple Road, Five Dock

To the west of the subject site, the properties located on Great North Road are currently zoned B4 Mixed use and comprises commercial and retail premises. To the east of the site, the properties along Waterview Street are zoned R3 Medium Density Residential and comprise single and double storey detached dwelling houses. To the south of the subject site (known as Second Avenue) the properties are within a B4 Mixed use zone and contain single storey residential dwellings. The properties located to the north (known as Barnstaple Road) are zoned R2 Low Density Residential and comprise single and double storey residential dwellings.

Existing Planning Controls

The table below summarise the key planning controls in Canada Bay Local Environmental Plan 2013 that affect development on the site.

Control	Comment
Height of Building Map Sheet HOB_005	8.5 metre (label "I" currently applied to the site)
Floor Space Ratio Map Sheet FSR_005	0.5:1 (label "D Area 1" currently applied to the site)
Heritage Map Sheet HER_005	Heritage item number I486 also known as 39 Waterview Street, Five Dock (Lot 11 DP 869673)

Part 1 – Objectives and Intended Outcomes

Objectives

- To ensure that the proposed development achieves an integrated urban design outcome for all (9) nine properties.
- To ensure that development has an appropriate interface with adjacent low density residential development.
- To implement floor space ratio and building height controls that are informed by local character, street proportions, interface with surrounding properties and community consultation.

Intended Outcomes

- A three storey street wall to Waterview Street and Barnstaple Road that steps up to a maximum height of four storeys.
- Removal of the Heritage item located at 39 Waterview Street from Schedule 1 of the Canada Bay Local Environmental Plan to permit redevelopment of the site.
- The preparation of a Development Control Plan for the site that contained detailed guidelines to deliver:
 - landscape buffer along Waterview Street to widen the visual appearance of the street and creation of improved interface with the low density development on the eastern side of Waterview Street.
 - Provision of new laneway between Barnstaple road and Second Avenue as a secondary access for properties fronting Great North Road and Waterview Street.
 - Provision of on-site parking for residents and visitors in accordance with the requirements of the Canada Bay Development Control Plan.

Part 2 – Explanation of Provisions

Proposed amendments to Canada Bay Local Environmental Plan 2013

Canada Bay Local Environmental Plan 2013	Amendments
Height of Building Map sheet HOB_005	- Amend the Canada Bay LEP 2013 HOB map as shown in figure 2 to apply 14.0m (4 storeys) along Waterview Street stepping down to 10.5m (3 storeys) along Waterview Street and Barnstaple Road. - The proposed height will enable a transition to occur between the established low rise residential buildings on the eastern side of Waterview Street and future development on Great North Road to the west of the site.
Floor Space Ratio Map Sheet FSR_005	- Amend the Canada Bay LEP 2013 FSR map as shown in figure 3 to increase the permitted floor space ratio from 0.5:1 to 1.0:1. - The land functions as a transition between the higher development along Great North Road and the lower development on the eastern side of Waterview Street. - The recommended FSR and building envelope controls have been determined in accordance with an important Planning Principle established by the Land and Environment Court (PDE Investments No 8 Pty Ltd v Manly Council [2004] NSWLEC 355). - Given developments tend to seek the maximum FSR allowable, the Planning Proposal seeks a FSR of 1.0:1 so that it is possible to produce a building of lesser bulk and allow for articulation of the building through variations to the setbacks and in building heights. - The recommended FSR recognises that development along Waterview Street would be required to meet the requirements of the Apartment Design Guide with regard to setbacks and overshadowing of adjoining properties and this is likely to further reduce the maximum achievable FSR on the site.
Heritage Map Sheet HER_005	Amend Schedule 5 Environmental Heritage to omit item I486 (39 Waterview Street, Five Dock). Amend Heritage Map to reflect the removal of the heritage listing.

Zoning

Neither the Five Dock Town Centre Urban Design Study or the subsequent urban design review for Waterview Street found merit in extending the boundary of the existing B4 Mixed Use zone to extend over the entirety of this block. The B4 Mixed Use zone seeks to facilitate a broad range of commercial, office and retail uses and it is considered that these uses are not compatible with the residential environment at the northern end of Waterview Street. For this reason, the Planning Proposal seeks to retain the existing R3 Medium Density Residential zone.



Figure 2: Height of Building Map

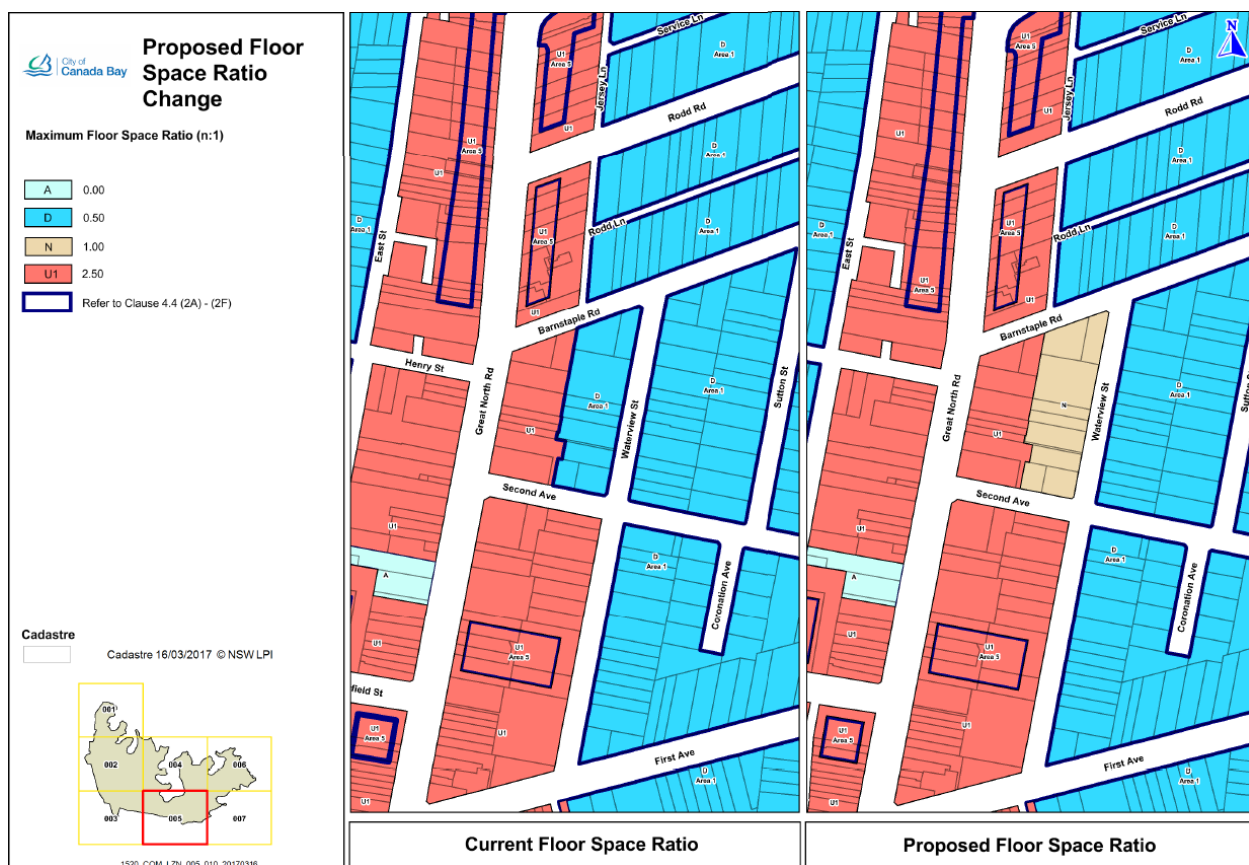


Figure 3: Floor Space Ratio Map



Figure 4: Heritage Map

Development Control Plan Provisions

On the 7th of February 2017, Council resolved that a Planning Proposal and associated Development Control Plan be prepared to implement the recommendations of the Exhibitions Outcomes Report, prepared by Studio GL, dated 26 November 2016.

The Exhibition Outcomes Report prepared by Studio GL, dated 26 November 2016 was informed by consultation undertaken with the surrounding residents and provides advice to Council on controls that should be applied to the subject sites. The methodology included 3D modelling to test overshadowing impacts and recommendations with regard to heritage, transition to adjoining low density areas, zoning and development controls.

The Exhibition Outcomes Report recommends that the Planning Proposal should proceed subject to the maximum height of development on Waterview Street being limited to three to four storeys. This recommendation seeks to strike an appropriate balance between facilitating development whilst reducing impacts on the amenity of existing and future residents.

The key design considerations that have been incorporated into the Canada Bay DCP to support the Planning Proposal include:

- 6m wide laneway from Barnstable Road to Waterview Street was recommended.
- A 1m “articulation zone” is recommended within the 6m setback to Waterview Street and Barnstable Road to allow introduction of smaller elements and to increase variety into the elevations. It is also recommended that along these streets the maximum length of straight wall, without articulation such as balcony or return, is 8m.
- 6m landscape setback to be provided along the southern side of Barnstable Road.

A copy of the Development Control Plan (DCP) is provided as Attachment 5.

Part 3 – Justification

Section A - Need for a planning proposal

Is the planning proposal a result of any strategic study or report?

The Five Dock Town Centre Urban Design Study was adopted by Council in June 2014. Following adoption of the study, the City of Canada Bay prepared a Planning Proposal, draft Development Control Plan (DCP), revised Local Environmental Plan (LEP) maps and a Development Contributions Plan for the Centre, which was exhibited between 30th of June and 31st of July 2015. The Planning Proposal was adopted and the Five Dock Town Centre LEP Amendment came into force in August 2016.

At the end of 2015 Council resolved to undertake a study to investigate the existing planning controls applying to number of sites adjoining the Five Dock Town Centre, the area subject to this Planning Proposal. This study was exhibited and an Exhibition Outcomes Report prepared that summarises the matters arising from submissions and provides urban design advice and principles to inform future development of the land. A copy of this report is provided as an attachment to this Planning Proposal.

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

The Planning proposal is the best way to implement the proposal outcome. The Planning Proposal is informed by urban design advice and community consultation that has been undertaken. It provides a logical tool to apply development standards to the subject sites and is necessary to achieve a coordinated urban design outcome.

Section B - Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

A Plan for Growing Sydney sets out a new plan for the city's future. The Plan identifies Canada Bay within the central subregion whereby the priorities include accelerating housing supply, choice and affordability and building great places to live.

The following table illustrates how the Planning Proposal is consistent with the aims, objectives and provisions of *A Plan for Growing Sydney 2014*.

Goal	Direction	Action	Planning Proposal in relation to the objectives, direction and actions of the Plan for Growing Sydney
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles	Direction 2.1: Accelerate housing supply across Sydney	Action 2.1.1: Accelerate Housing supply and local housing choices	The proposal will accelerate the delivery of new housing in Sydney to meet the growing population and to satisfy a growing demand for residential apartments close to transport and jobs.
	Direction 2.3: Improve housing choice to suit different needs and	Action 2.3.1 Require Local Housing Strategies to plan for a range of housing types	The Canada Bay Local Planning Strategy was prepared to identify

	lifestyles.		opportunities for dwelling growth. The Five Dock Town Centre is identified as an appropriate location to accommodate growth that is respectful to the existing established residential environment.
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Draft Central District Plan

The Greater Sydney Commission's draft Central District Plan sets a vision, priorities and actions for the planning and development of the central district of greater Sydney. The central district includes the local government areas of Bayside, Burwood, Canada Bay, Inner West, Randwick, Strathfield, the City of Sydney, Waverly and Woollahra.

The plan establishes a 40 year vision for the central district to be a global sustainability leader, managing growth while maintaining and enhancing the district's liveability, productivity and attractiveness for residents and visitors. Priorities and associated actions for productivity, liveability and sustainability seek to deliver this vision.

The following table illustrates how the Planning Proposal is consistent with the priorities and actions of the draft Central District Plan:

Priorities and Actions	Planning Proposal in relation to the priorities of the draft Central District Plan
4.3 Improve Housing choice	The Planning Proposal will provide diversity of housing types including terraces and or apartments in a variety of configurations (one, two and three bedrooms), therefore providing housing choice.
4.6 Create great places	The proposal will complement the Five Dock Town Centre and the surrounding residential neighbourhood through the delivery of housing and appropriate urban design outcomes.
Action L11. Provide design led planning to support high quality urban design	The proposal has been informed by detailed urban design work to ensure that future development has an appropriate bulk/scale relationship with adjacent low rise residential zone. The building envelope will be reinforced both by the development standards in the LEP and the building envelope in the DCP.

Is the planning proposal consistent with Council's local strategy or other local strategic plan?

Futures Plan20 (FP20) outlines the City's vision for the next 20 years. The City of Canada Bay has set targets, objectives and actions to achieve the theme outlined in FP20.

In summary the Planning proposal is consistent with the following FP20 outcome:

- We will encourage and support the provision of a diverse range of housing stock which responds to changing needs.*

The Planning Proposal is consistent with the Canada Bay Local Planning Strategy 2010-2031:

- The aim of the Canada Bay Local Planning Strategy 2010 is to encourage the housing choices in the City of Canada Bay including supply of adequate number of housing for families, people with disabilities, affordability and the ageing population. Dwellings delivered in the City of Canada Bay has seen the 2031 dwelling target of 10,000 dwellings exceeded, with approximately 15,000 dwellings provided to date. Whilst the Planning Proposal is not necessary to achieve dwelling targets, the proposed change to development standards will facilitate the redevelopment of the land in a manner that is sensitive to the surrounding residential context.
- The aim of the Canada Bay Local Planning Strategy 2010 is to provide effective transport and mobility within the city for social and economic growth, and relies heavily on the coordination of both the implementation of infrastructure facilities and the availability of transport modes & services.
- The location of site encourages the use of public transport as the site is approximately 100m from the bus stops along Great North Road at Five Dock.
- The closest station is Railway Station is Croydon Station, approximately 3km from the subject site. Buses serve Great North Road, providing direct connections to Sydney CBD, Strathfield and Burwood.

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

Table 4 below summarises the Planning Proposal's consistency with State Environmental Planning Policies (SEPPs) plus relevant deemed SEPPs.

No.	SEPP Title	Consistency of Planning Proposal
1	Development Standards	N/A
14	Coastal Wetlands	Not Applicable
19	Bushland in Urban Areas	Not Applicable
21	Caravan Parks	Not Applicable
26	Littoral Rainforests	Not Applicable
30	Intensive Agriculture	Not Applicable
33	Hazardous and Offensive Development	Not Applicable
36	Manufactured Home Estates	Not Applicable
44	Koala Habitat Protection	Not Applicable
47	Moore Park Showground	Not Applicable
50	Canal Estate Development	Not Applicable
52	Farm Dam and Other Works in Land and Water Management Plan Areas	Not Applicable
55	Remediation of Land	Not Applicable
62	Sustainable Aquaculture	Not Applicable
64	Advertising and Signage	Not applicable
65	Design Quality of Residential Apartment Development	Consistent. Subsequent future development applications would need to demonstrate how the proposal satisfies the design principles and objectives of SEPP 65.

No.	SEPP Title	Consistency of Planning Proposal
		The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
70	Affordable Housing (Revised Schemes)	Not Applicable
71	Coastal Protection	Not Applicable
	SEPP (Affordable Rental Housing) 2009	Not Applicable
	SEPP (Building Sustainability Index: BASIX) 2004	Consistent. Subsequent future development applications would need to demonstrate design principles and objectives consent with BASIX requirements. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Exempt and Complying Development Codes) 2008	Consistent. Any exempt or complying development on the site will need to apply the provisions of the SEPP. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Housing for Seniors or People with a Disability) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Infrastructure) 2007	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Integration and Repeals) 2016	Not Applicable
	SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable
	SEPP (Kurnell Peninsula) 1989	Not Applicable
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable
	SEPP (Miscellaneous Consent Provisions) 2007	Not Applicable
	SEPP (Penrith Lakes Scheme) 1989	Not Applicable

No.	SEPP Title	Consistency of Planning Proposal
	SEPP (Rural Lands) 2008	Not Applicable
	SEPP (State and Regional Development) 2011	Not Applicable
	SEPP (State Significant Precincts) 2005	Not Applicable
	SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable
	SEPP (Sydney Region Growth Centres) 2006	Not Applicable
	SEPP (Three Ports) 2013	Not Applicable
	SEPP (Urban Renewal) 2010	Not Applicable
	SEPP (Western Sydney Employment Area) 2009	Not Applicable
	SEPP (Western Sydney Parklands) 2009	Not Applicable

Table 5 - Regional Environmental Plans (REPs) - Deemed SEPPs:

No.	REP Title	Consistency of LEP
8	SREP (Central Coast Plateau Areas)	Not Applicable
9	SREP Extractive Industry (No 2- 1995)	Not Applicable
16	SREP Walsh Bay	Not Applicable
20	SREP Hawkesbury Nepean River (No 2 – 1997)	Not Applicable
24	SREP Homebush Bay Area	Not Applicable
26	SREP City West	Not Applicable
30	SREP St Marys	Not Applicable
33	SREP Cooks Cove	Not Applicable
	SREP (Sydney Harbour Catchment) 2005	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of the SEPP.

Detailed discussion of key applicable SEPPs

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy 65- Design Quality of Residential Flat Buildings aims to improve the design quality of residential flat development across the state through the application of a series of design principles.

The development standards contained within the Planning Proposal have been prepared in accordance with the design quality objective of SEPP 65. This includes consideration of building depth, building to building setbacks, natural ventilation, access to light and the creation of high residential amenity. The building envelopes contained within the draft Development Control Plan enable development to proceed in a manner that is consistent with the principles of the SEPP. In particular, the Planning Proposal will ensure future development is cognisant of the following key principles:

- Principle 1: Context and Neighbourhood Character
- Principle 2: Built Form and Scale
- Principles 6: Amenity

Sydney Regional Environmental Plan – Sydney Harbour Catchment-

Under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour Catchment) the precinct, whilst located within the Sydney Harbour Catchment Boundary, is not located within the *Foreshores and Waterways Area Boundary*.

The future redevelopment of the Precinct will be subject to the key planning principles applicable to land within the Sydney Harbour Catchment, as stated under Clause 13 *Sydney Harbour Catchment* of the SREP.

Is the planning proposal consistent with applicable Ministerial Directions (s 117 directions)?

An assessment of the Planning Proposal has been undertaken in respect to the relevant s117 directions as follows:

Table 6 – Summary of relevant section 117 Directions:

Direction		Comments	Consistency
Employment and Resources	1.1 Business and Industrial Zones	Not Applicable	N/A
Environment and Heritage	2.3 Heritage Conservation	Applicable. The Planning Proposal seeks to remove the heritage item located at 39 Waterview Street, Five Dock from Schedule 5 of the Canada Bay Local Environmental Plan 2013. See discussion below.	N
Housing, Infrastructure and Urban Development	3.1 Residential Zones	Consistent. The proposal meets the objectives of this direction as it seeks to provide medium density residential development to satisfy existing and future housing needs. The site is in a location that can make efficient use of existing and proposed infrastructure. Environmental impacts of intensified development will be managed through Council's planning policy framework as part of any subsequent development assessment process.	Y
	3.3 Home Occupations	Consistent. The proposal does not contain provisions that would contradict the application of this direction.	Y
	3.4 Integrating Land Use and Transport	Consistent The site is optimally located in terms of access to existing public transport- with bus services within close walking distance. The site is located approximately 200m away from the bus stop at Great North Road near Second Avenue. The Planning Proposal is expected to increase development intensity in this area that would result in increased viability and patronage public transport, reduced travel demand and increased accessibility to housing, jobs and services.	Y
Hazard and Risk	4.1 Acid Sulfate	The subject site is affected by Class 5 Acid Sulfate	Y

		Soils. The Planning Proposal is not considered to intensify the use of the land in the precinct to an extent that would warrant an acid Sulfate soil study being undertaken. Specific responses to the presence of Acid Sulfate soils can be addressed site by site through the development application process.	
Local Plan Making	6.1 Approval and Referral Requirements	The Planning Proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.	Y
	6.3 Site Specific Provisions	The proposal does not introduce unnecessarily restrictive site specific control. The Planning Proposal in fact introduces provisions (such as increased height limits) in order to achieve better development outcomes.	Y
Metropolitan Planning	7.1 Implementation of A Plan for Growing Sydney	Consistent. The Planning Proposal is consistent with the aims, objectives and provisions of A Plan for growing Sydney and the Central Subregional strategy.	Y

Local Planning Direction 2.3 Heritage Conservation

The objective of Local Planning Direction 2.3 is to conserve items, areas, objects and places of heritage significance. The Direction requires Planning Proposals to contain provisions that facilitate the conservation of items or buildings of environmental heritage significance to the area in relation to historical, cultural, architectural or aesthetic value. Planning Proposals may be inconsistent with the Direction where the extent of inconsistency is of minor significance.

As the heritage listing of 39 Waterview Street, Five Dock is proposed to be removed from Schedule 5 of the Canada Bay Local Environmental Plan 2013, the Planning Proposal is inconsistent with the direction.

39 Waterview Street, Five Dock is a local heritage item identified in Canada Bay Local Environmental Plan 2013. The house is described as:

An interesting individual styled house with some good, unusual detailing that indicates the range of housing types used in the early years of the century. It has survived in an area that has largely redeveloped and is a good representative example of the period.

A report on 39 Waterview Street by Futurespast Heritage Consulting (on behalf of the owners of 120 Great North Road and 2 Second Avenue) states that the existing modifications to 39 Waterview Street are substantial and lessen the heritage values/significance of the dwelling.

Council's Heritage Advisor advised that the modifications to the house and the changes to the original setting of the house do not provide sufficient justification for an increase in height that would change the built form or setting of no. 39 Waterview Street and would have an adverse impact on the heritage item. Council's heritage advisor does therefore not agree with the report prepared by Futurespast Heritage Consulting.

Should the heritage item be retained, alternative development standards (building and height and floor space ratio) would be required to ensure that impacts upon the item are minimised.

At its meeting of 7 February 2017, Council resolved:

2. *THAT the Planning Proposal include the removal of heritage item no. 1486, being the dwelling the house at 39 Waterview Street, Five Dock from Schedule 5 of the Canada Bay Local Environmental Plan 2013.*

Section C: Environmental, social and economic impact.

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?

The Planning Proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The changes to floor space ratio and building height have been informed by a detailed urban design review. This review included consideration of:

- Heritage Integration – Heritage buildings make a substantial contribution to the local character and the “look and feel” of a place. Successful development controls protect heritage items and buildings and their visual curtilage and encourage new development that is sympathetic to these key features of the existing urban fabric. To achieve successful integration of new development with existing heritage, the built form needs to be sympathetic to the height and massing of the heritage item.

As the existing heritage item is a detached single storey development, it will be difficult to achieve a reasonable level of development potential and retain the heritage item. The Planning Proposal seeks to remove the heritage listing of the property in accordance with council’s resolution.

- Interface issues – Development in a centre is often of greater scale than that of the surrounding area. Development controls need to consider the interface between these different development types and how the taller buildings step down to create well-proportioned streets in the area surrounding the centre.

The area under consideration is at the edge of the Five Dock Town Centre and faces a relatively low rise suburban street. Hence the interface with the existing one and two storey residences needs to be taken into consideration. Draft LEP and DCP provisions are recommended to ensure the scale, setback and envelope of new buildings has regard to interface issues.

- Solar Access – A key consideration for urban development is the impact it can have on the solar access of the surrounding properties, streets and public spaces. Effective development controls shape the design of taller development to ensure adequate sun access to areas that would be affected by the development.

For this area, consideration needs to be given to the street wall height and setback along Waterview Street and Second Avenue to ensure solar access to residential properties across the street is not compromised. Draft LEP and DCP provisions are recommended to ensure the scale, setback and envelope of new buildings has regard to the solar access.

- **Street Proportions** – The proportions of a street are generally set by comparing the width of the street against the street wall height.

The site is located along Waterview Street which is narrower than the main street of Great North Road and currently accommodates one and two storey residential dwellings giving an existing proportion of street to building wall height greater than 2:1. To maintain this street proportion, taller buildings on the western side of the street require an additional landscape setback and a reduced street wall height. Draft LEP and DCP provisions are recommended to ensure the scale, setback and envelope of new buildings has regard to the street proportions.

- **Street Character** – The character of a street is established by a range of factors including front setbacks, street wall heights, active frontages and building details. A front setback can make trees or landscaping possible, while street wall heights define the spatial enclosure of the street.

Development on the western side of Waterview Street currently has a front setback of between 4m-7m whilst the eastern side has a front setback of between 2m and 4m. Draft LEP and DCP provisions are recommended to ensure the scale, setback and envelope of new buildings has regard to the street character.

Subject to development proceeding in accordance with the above urban design outcomes, it is unlikely that the amendments to Canada Bay LEP 2013 will result in development creating any significant environmental impacts. As it is envisaged that future development will compromise contemporary medium density residential uses, existing policies, regulations and standards will be in place to ensure environmental impacts are mitigated during the construction phase and to inform future development applications.

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

The planning proposal may provide positive social and economic effects through:

- Improved housing diversity.
- Increase residential densities near an established centre.
- The planning proposal will facilitate housing close to public transport and amenities.

Section D: State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Infrastructure	Availability	Comment
Public Transport	Available	The subject site is well serviced by public transport, which assists in reducing dependence on private car travel and pressures on the local road network. The site is located adjacent to Five Dock Town Centre and is in close proximity to bus stops providing access to frequent services to Sydney CBD and Parramatta.
Utilities	Available	All utility providers will be notified of the Planning Proposal and be advised of the additional population to be catered for in terms of service i.e. Water, Sewer, Electricity.
Roads	Available	Existing infrastructure located at the eastern edge of the Five Dock Town Centre boundary and lies between Second Avenue and Barnstaple Road on the western side of Waterview Street that connects to main road known as The Great North Road.

		Road Maritime and Services (RMS) will be notified of the Planning Proposal for comment.
Waste Management and Recycling Services	Available	The Planning Proposal is not expected to result in any significant implications for waste management and recycling services. A Waste Management Plan will be assessed with any future development application.
Essential Services	Available	Essential services will be available for development facilitated by the Planning Proposal.

What are the views of State and Commonwealth public authorities consulted in the gateway determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities or service providers; however, consultation may occur in accordance with the requirements of the Gateway Determination.

Part 4 – Mapping

The following Local Environmental Plan maps are included in the Planning Proposal:

A copy of the amended LEP maps has been provided as a separate attachment.

Canada Bay Local Environmental Plan 2013	Amendments
I. Height of Building Map sheet HOB_005	Amend the Canada Bay LEP 2013 HOB map as shown in figure 2 to apply 14.0m (4 storeys) along Waterview Street stepping down to 10.5m (3 storeys) along Waterview Street and Barnstaple Road.
II. Floor Space Ratio Map Sheet FSR_005	Amend the Canada Bay LEP 2013 FSR map as shown in figure 3 to apply floor space ratio from 0.5:1 to 1.0:1.
III. Heritage Map Sheet HER_005	- Amend Schedule 5 Environmental Heritage to omit item I486 (39 Waterview Street, Five Dock) from heritage listing. - Amend Heritage Map to reflect the removal of the heritage listing.

Part 5 – Community Consultation

The Planning Proposal will be exhibited by Council in accordance with the requirements of section 57 of the Environmental Planning and Assessment Act 1979 and as required by the recommendations of the Gateway Determination.

Notification of the community consultation will be provided in a local newspaper and on Council's website. In addition to this, adjoining landowners will be notified in writing.

During the public exhibition period the following documents will be placed on public exhibition:

- Planning Proposal
- Gateway Determination
- Relevant Council Reports
- Maps
- Draft Development Control Plan (DCP)
- Supplementary material comprising the Exhibition Outcomes Report dated 29 November 2016.

Part 6 – Project Timeline

Milestone	Timeframe and/or date
Anticipated Commencement date	Date of Gateway determination.
Anticipated timeframe for the completion of required technical information	Technical studies maybe required to support the Planning Proposal.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	As specified in Gateway determination. Anticipated timeframe is 28 days and to run concurrently with public exhibition period.
Commencement and completion dates for public exhibition period.	Dates are dependent on Gateway determination. Anticipated timeframe for public exhibition is 28 days.
Dates for public hearing (if required)	Not applicable at this stage.
Timeframe for consideration of submissions	6 weeks.
Timeframe for consideration of a proposal post exhibition	6 weeks.
Date of submission to the Department to finalise the LEP	To be determined.
Anticipated date the Council make the plan if delegated	To be determined.
Anticipated date Council will forward to the department for notification	To be determined.