

CANADA BAY LOCAL
ENVIRONMENTAL PLAN
2013
(PP2025/0003)

PLANNING PROPOSAL – Five Dock Precinct

PP2025/0003

March 2026

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Executive Summary

This Planning Proposal seeks to amend the *Canada Bay Local Environmental Plan 2013* to respond to the delivery of the new Five Dock Metro station and to enable a higher-density, highly accessible and vibrant urban centre. The Proposal implements the draft Five Dock Precinct Masterplan (the Masterplan) and gives effect to the Draft Sydney Plan, the Eastern City District Plan, the Canada Bay Local Strategic Planning Statement (LSPS), the Canada Bay Local Housing Strategy (LHS) and Canada Bay Employment and Productivity Strategy.

The Masterplan provides a coordinated, design-led framework to guide growth in the Precinct over the next 20 years. Its key initiatives include:

- significantly more homes within walking distance of the Metro station
- expanded commercial capacity within the town centre
- new and enlarged public open spaces
- improved pedestrian and cycling connections
- wider, safer and greener streets
- increased tree canopy
- new community facilities

The Masterplan facilitates approximately 14,000 dwellings, up from around 1,540 today, achieving a gross density of 224 dwellings per hectare. This substantial uplift is achieved without relying on excessive building heights and is supported by detailed feasibility testing, urban design analysis and an infrastructure delivery strategy.

A core objective of the Proposal is to maintain and enhance amenity as the Precinct transitions to a high-density environment. This will be achieved through high-quality urban design, a stronger public domain, improved open spaces and the delivery of essential community, transport and green infrastructure.

To implement the Masterplan, the Planning Proposal introduces changes to zoning, maximum building heights, floor space ratios, and new local provisions relating to Key Sites, urban design, sustainability, and parking. It also updates the LEP to introduce a revised Affordable Housing Contributions Scheme to secure housing diversity and affordability in perpetuity.

Key Drivers

Sydney Metro West

The NSW Government announced Sydney Metro West in 2016 with a station to be located at Five Dock in the City of Canada Bay. Construction commenced in 2020, and the metro is expected to be operational in 2032.

Five Dock Local Planning Study and Masterplan

As a result of the Sydney Metro West announcement Council prepared and adopted a Local Planning Study (LPS) for Five Dock in May 2023. The LPS analysed the existing character of the Five Dock Precinct (the Precinct) and feedback from the local community was sought. The LPS subsequently proposed a desired future character and suggested planning controls and built form. In 2024, Council commenced a process to progress the LPS through the preparation of a Masterplan and Planning Proposal.

State Government Planning Reforms

The State government has announced various planning reforms such as the Transport Oriented Development (TOD) Program and Low and Mid-Rise Housing and Affordable Housing initiatives. Alongside Council's adopted Local Planning Study and supporting studies, these reforms have informed the preparation of the detailed Masterplan.

Legislative Framework

The Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and addresses the requirements of cl 3.8 (3) of the EP&A Act 'on the preparation of planning proposals under section 3.33 to give effect to the district strategic plan'. The Planning Proposal has also been prepared in accordance with the *Local Environmental Plan Making Guideline*.

Introduction

The Five Dock Precinct is an established residential area surrounding the Five Dock Town Centre - a diverse and busy local centre. It has a strong local character and is constrained by historically narrow streets, small lots and numerous heritage assets. Despite these constraints the precinct presents a significant opportunity for new housing, amenity improvements, community infrastructure and employment growth close to the new Five Dock Metro station.

The draft *Five Dock Masterplan* (the Masterplan) has been prepared to deliver these outcomes within a carefully planned approach to existing constraints. Resulting changes to the Canada Bay LEP 2013 (LEP) are detailed by this Planning Proposal.

Masterplan Approach

A Deliverable and Context-Led Strategy

The Five Dock Masterplan responds to several years of technical investigation, State-led planning reform, and community consultation. It establishes a pragmatic, place-based response that addresses unique local constraints while leveraging the opportunities created by the new Sydney Metro station. The strategy provides targeted growth, supports Five Dock's role as an emerging retail centre, and is underpinned by realistic assumptions regarding feasibility and infrastructure delivery.

A Strong Response to Local Constraints

Five Dock's narrow street network, limited open space, heritage values, drainage constraints and increasing traffic volumes shape the scope of change that can be achieved. Fragmented land ownership, including small, narrow lots, recent improvements and older strata, also limit redevelopment potential. These conditions warrant a targeted and context specific approach.

A Balanced and Feasible Growth Framework

The Masterplan provides substantial new development capacity while improving walkability and local amenity. The result is a growth model tailored to Five Dock that is driven by realistic assumptions about land consolidation and infrastructure capacity. The Masterplan unlocks significant growth where it can be absorbed, while retaining essential local character, and ensuring consistency with State Government aspirations for an emerging retail and transit-oriented centre.

Density Done Well

The Masterplan enables approximately **14,000 dwellings** (up from approximately 1,540), achieving a gross density of 224 dwellings per hectare. This outcome exceeds recent transit-oriented development benchmarks and demonstrates that significant capacity can be achieved without reliance on excessive building heights.

The below data from the *Canada Bay LGA Residential Density Benchmarking Analysis – 2025* provides evidence of the Five Dock masterplan delivering capacity for significant numbers of new dwelling and high nett dwelling density, greater than the majority of other renewal precincts. Of note, Five Dock is the only local centre from this list that delivers this dwelling density.

Renewal Precinct	Number of dwellings	Gross Dwelling density [^] (dwellings/Ha)	Nett dwelling density [#] (dwellings/Ha)
Five Dock Masterplan	13,892	224	232.6
Recent TOD State led rezonings			
Hornsby	6,000	153.3	224.4
Homebush (Canada Bay portion)	9,930	132.0	187.1
Bankstown	14,000	87.1	113.0
Macquarie Park	9,600	54.9	374.3
Crows Nest	5,900	26.9	213.6
Bays West (St 1)	250	26.9	213.6
Sydney high density precincts			
Rhodes	9,742	96.8	144.1
Zetland (Green Square)	7,166	89.0	104.5
Potts Point - Woolloomooloo	12,657	86.4	131.5
Wolli Creek	5,173	77.6	134.4
St Leonards	5,883	73.4	221.8
Mascot	7,287	52.4	99.8
Australian Benchmarks			
Melbourne CBD West	12,561	125.0	158.3
Newstead - Qld	4,411	62.3	86.1

[^]Gross dwelling density – includes residential and non-residential zoned areas, excludes waterways.

[#] Nett dwelling density – includes residential zoned areas and roads, excludes non-residential zoned areas, open space, transport infrastructure, schools, waterways.

A Thoughtful Approach to Building Scale

Heights and FSRs respond directly to on-the-ground constraints. Defined building envelopes, supported by tailored footprints, podiums and tower forms, have been developed to maximise solar access, meet ADG standards, avoid flood ways and accommodate major underground drainage infrastructure. Taller buildings are focused

around the metro station and higher ground, with a stepped transition to heritage items, narrower streets and the foreshore to retain local amenity.

Reinforcing a Strong Local Centre

The planning framework strengthens the Precinct's mixed-use core, supporting increased employment floorspace and an active station precinct. This aligns with the Draft Sydney Plan, which identifies Five Dock as an emerging retail and activity centre. Council also intends to establish a Special Entertainment Precinct to support a vibrant evening economy.

Infrastructure Delivered with Growth

A clear infrastructure program ensures upgrades are delivered in step with development. A new park within the western precinct will be provided over the medium to long term to meet open-space needs for future residents.

A Walkable, Transit-Oriented Precinct

Improved pedestrian links, wider footpaths, dedicated cycle routes and pedestrian-priority streets will establish a highly walkable centre. Optimising intersection and road capacity at precinct edges will redirect through-traffic to the periphery to reinforce public safety, accessibility and amenity and transition the Precinct to a transit-oriented urban environment.

Study Area

Study area boundaries are shown on Figure 1 and fall on major roads to create a Precinct area of approximately 62.5 Hectares (0.625 sq km), with the metro station at the core of the Precinct.

Evidence-Based Precinct Boundaries

Precinct boundaries reflect the 800-metre Metro catchment, early community feedback and detailed site analysis. The full 800m metro catchment is applied to the west, while Five Dock Park/Domremy College form a natural boundary to the east. Lyons Road/Lyons Road West and Queens Road bound the precinct to the north and south. This framework enables opportunities for transit oriented development within the precinct, Low to Mid Rise (missing middle) housing outside the Precinct and creates appropriate transitions to the foreshore and surrounding low-density neighbourhoods.



Figure 1: Five Dock Precinct Study Area

Existing Character

Five Dock is known for its strong town centre, with mixed use buildings up to seven storeys along Great North Road. It is vibrant and lively with fine-grain street level retail, social events, community facilities and an active public realm.

Areas outside the town centre are primarily zoned for low-density residential development, with smaller pockets designated for medium-density housing. The dominant built form consists of one and two-storey detached dwellings, complemented by 2-3 storey residential flat buildings within the medium-density zones. A small E1 Local Centre zone is located in the south-eastern corner of the Precinct.

The new Five Dock Metro Station is being constructed off Great North Road, with station access from the existing civic plaza, known as Fred Kelly Place.

Halliday Park is within walking distance to the north and Five Dock Park is located immediately to the east. Provision of tree canopy is limited, with the exception of Great North Road, where a tree planting strategy has been recently implemented.

Five Dock Primary School is located central to the western residential area and Domremy Catholic College and Rosebank Catholic College are located outside the boundaries of the Precinct.

Great North Road runs north south through the Precinct and provides the main vehicular access to Parramatta Road. Queens Road and Lyons Road provide the main east-west connections for the Precinct.

Five Dock Precinct Masterplan

The draft Five Dock Precinct Masterplan (the Masterplan) is a key strategic document that sets the direction for how the Precinct will grow in response to increasing development pressures in the coming years. It establishes a 20-year vision and provides a clear framework for guiding land use change while maintaining public amenity and neighbourhood character. Redevelopment is expected to occur gradually,

with the Masterplan's principles and desired outcomes shaping decision-making and development across the Precinct over time.

The Masterplan has directly informed the planning standards and controls proposed in the Five Dock Precinct Planning Proposal (PP) and an accompanying Development Control Plan (DCP) (under preparation). Its recommendations are grounded in a design-led planning process supported by detailed technical studies and feasibility testing, ensuring the proposed planning framework is both practical and capable of delivering high-quality outcomes.

The Masterplan also includes delivery of additional public benefits such as improved connections, new through-site links, improved streetscapes and new and expanded, public open spaces.

Part 1 - Objectives or Intended Outcomes

The **Objectives** of the Proposal are to amend the *Canada Bay Local Environmental Plan 2013* (CBLEP) to:

- Implement the Five Dock Masterplan by introducing new planning controls for land within the Five Dock Precinct.
- Deliver high quality urban design and public domain with a high level of amenity for future residents.
- Incentivise and support the delivery of infrastructure commensurate with the planned intensity of development.
- Secure affordable housing within the Precinct in perpetuity.

The **Intended Outcomes** of the Proposal are to:

- Provide for Transit Oriented Development outcomes within the Precinct and complement Low and Mid-Rise Housing reforms outside of the Precinct.
- Facilitate increased housing supply.
- Strengthen the town centre, reinforce the high street and civic facilities, increase capacity for commercial floor space and stimulate local employment opportunities.
- Focus height and density in key locations close to the station, transitioning to lower heights as you move further from the Metro station, towards the edges of the Precinct.
- Reduce and manage impacts on heritage items.
- Facilitate high quality urban design and public domain outcomes.
- Expand and enhance the open space network and improve tree canopy coverage.
- Improve permeability of the Precinct, strengthen active transport connections and prioritise pedestrians within safer and quieter urban street blocks.
- Provide for additional community facilities to support the growing population.
- Ensure new development can feasibly deliver affordable housing and local infrastructure.

Part 2 - Explanation of Provisions

Proposal

The Proposal seeks to amend the *Canada Bay LEP 2013* by amending the zoning, development standards and associated maps, and to require and incentivise the delivery of essential local infrastructure and affordable housing for land within the Five Dock Precinct.

This section provides background for these amendments and details the intended new provisions. Appendix A provides supporting information for these new and amended clauses and Attachment A12 provides a full set of the draft LEP Maps.

A. Zoning amendments

The majority of the Precinct is currently zoned R2 Low Density Residential. The town centre is linear, zoned MU1 Mixed Use and oriented north-south. The Metro station will be located just north of the only RE1 Public Recreation zone (Fred Kelly Place) in the Precinct. There are some areas of R3 Medium Density Residential to the east and west of the town centre, and a small pocket of E1 Local Centre in the south-east.

It is proposed to increase the size of the MU1 Mixed Use Zone and rezone the balance of the Precinct to a combination of R4 High Density Residential, RE1 Public Recreation and SP2 Infrastructure.

Intended Provisions

Amend the *Canada Bay LEP 2013* Land Zoning Map to:

- Rezone four locations from R2 Low Density Residential, R3 Medium Density Residential and E1 Local Centre to MU1 – Mixed Use.
- Rezone the remaining R2 – Low Density Residential area to R4 - High Density Residential.
- Rezone the remaining R3 – Medium Density Residential to R4 - High Density Residential.
- Rezone land to the immediate west of Five Dock Public School to RE1 Public Recreation.
- Rezone Five Dock Public School from R2 – Low Density Residential to SP2 – Infrastructure - School.

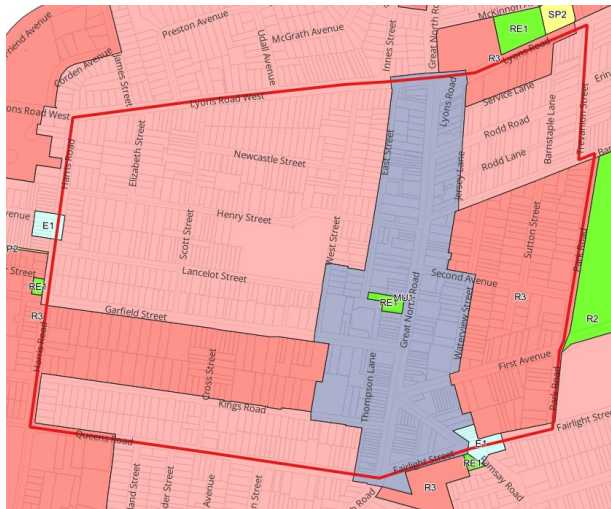


Figure 2: Current zoning map

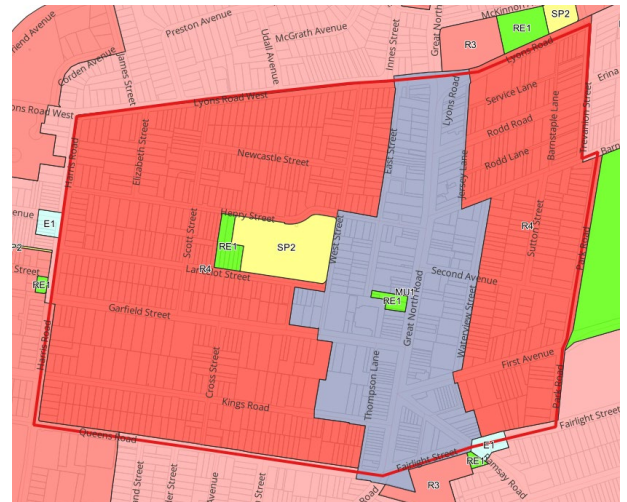


Figure 3: Proposed zoning map

B. Creation of Five Dock Precinct and Key Sites

It is proposed to create a new Part in the *Canada Bay LEP 2013* that relates specifically to the Five Dock Precinct. The new Part is intended to:

- Identify Key Sites Map to enable the delivery of infrastructure.
- Permit new development within the Five Dock Precinct as shown on the Key Sites Map to exceed the current maximum permissible Height of Buildings and Floor Space Ratio up to that shown on the Incentive Height of Buildings Map and the Incentive Floor Space Ratio Map, but only if the development delivers the identified Community Infrastructure, achieves a Minimum Site Area and reflects the lot configuration under the Key Sites Map.

Where land is provided for local infrastructure or made publicly accessible, it is proposed that the LEP state that the land used for these purposes may be included in site area for the purpose of calculating Floor Space Ratio.

- Introduce local clauses requiring consideration of public domain improvements, mitigation of urban heat, and provision for dual water reticulation. Similar clauses already apply to other precincts under the *Canada Bay LEP 2013* (Clause 8.10). This is intended to deliver the environmental and amenity objectives of the *Eastern City District Plan* and the *Canada Bay Local Strategic Planning Statement* (LSPS) and incorporate best-practice urban design and sustainability measures within new development.
- Introduce a local clause requiring the ground and first floor of all MU1 developments to comprise non-residential uses, to ensure the growing employment, retail and service needs of an increasing population can be met.

Action 9.4 of the LSPS requires “commercial floor space to be located above ground floor level retail along Great North Road, Five Dock or any development within close proximity to future Metro stations”. This provision implements this requirement.

The LSPS and supporting Employment and Productivity Strategy also emphasise strengthening the commercial core with additional retail and employment floor space. The Employment Land Use Assessment prepared by Atlas Economics on behalf of Council identifies that expansion of the mixed-use zone will provide the opportunity for a supermarket and non-retail uses to reduce

levels of escaped expenditure to other centres. Additionally, the recently exhibited (December 2025) *Draft Sydney Plan* identifies Five Dock as an emerging retail centre, which is described as a major service-oriented centre offering on average 6,000 to 10,000 jobs. Action 4.3 of the Plan requires Council to review statutory provisions to enable new jobs.

- Introduce a local clause to specify a that a podium must be provided with a minimum height of 2 storeys (6.8m) and a maximum height of 4 storeys (16.0 metres). An important urban design outcome envisaged by the masterplan is for buildings to have a street wall of no higher than four storeys. This building envelope reduces the bulk and scale of buildings and maximises passive surveillance and solar access to the street. The same requirement has been effectively applied to other precincts under the Canada Bay LEP 2013 (Clause 7.6).
- Apply maximum car parking rates in the LEP, consistent with those currently imposed by the City of Canada Bay DCP, for land in the vicinity of high frequency public transport and as part of a travel demand management strategy.

Intended Provisions

- Amend the *Canada Bay LEP 2013* by introducing a new Part 10 - Five Dock Precinct to:
 - Identify the 'Five Dock Precinct' and 'Key Sites',
 - Specify that development on Key Sites may access Incentive Height of Building and Incentive Floor Space Ratio where a minimum site area is achieved and minimum dimensions/areas for pedestrian links, public open space, roads or community facilities are provided,
 - Identify land to be dedicated to Council, or to be made publicly accessible, and permit the subject land to be included in the site area for the purpose of calculating Floor Space Ratio,
 - Specify that the ground and first floor of all buildings in the MU1 Mixed Use Zone must be used for non-residential uses.
 - Require buildings to have a podium height of 2 (6.8m) to 4 storeys (16.0 metres).
 - Specify maximum car parking rates:
 - 0.3 spaces per studio dwelling;
 - 0.5 spaces per dwelling with 1 bedroom;
 - 0.9 spaces per dwelling with 2 bedrooms;
 - 1.2 space per dwelling with 3 bedrooms; and
 - 0.1 visitor car parking space per dwelling.
- Amend the *Canada Bay LEP 2013 Key Sites Map* to identify the boundary of the Five Dock Precinct and the Key Sites within the Precinct.
- Introduce a new clause in Part 6 that requires the consent authority to be satisfied that development in the Five Dock Precinct will:
 - improve the quality and amenity of the public domain, for example, by including landscaped areas, pedestrian walkways or cycleways.

- incorporate planning and design measures to reduce the urban heat island effect,
- include a dual water reticulation system containing pipes for potable water and recycled water.
- Relocate existing clause 7.9 for dual water and 8.10 for public domain, urban heat and dual water, to Part 6, to create one combined clause that is relevant to the Five Dock Precinct, Rhodes Precinct, Burwood-Concord Precinct, Homebush North Precinct and Kings Bay Precinct.



Figure 4: Proposed Key Sites Map

C. Height of Building and Incentive Height of Building

Currently, maximum heights within the Precinct range from 8.5m to 17m (base height). Additional incentive heights also currently apply to sites designated as Area 1 and Area 2 via clause 4.3A of the LEP:

- Area 1 (clause 4.3A(2)) may exceed the base height, up to 24m.
- Area 2 (clause 4.3A(3)) may exceed the base height, up to 15m.

The above incentives are subject to satisfying certain provisions of clause 4.3A of the LEP, such as the consolidation of certain land and the provision of a pedestrian walkway. These incentives are superseded by the Masterplan and are proposed to be removed.

The Incentive Height of Building Map does not currently apply to the Five Dock Precinct.

The planning proposal seeks to remove Area 1 and Area 2 and introduce new base and incentive heights across the Precinct. Access to proposed incentives will be subject to the delivery of identified public benefit (e.g. pedestrian links, public open space, roads and community facilities). Where a development does not meet Key Site requirements, the site may only develop to the base height.

Only land that is proposed to provide infrastructure that is necessary to realise planned densities in the Precinct is proposed to be identified as a Key Site. Similarly, only Key Sites will be subject to the Incentive Height of Building Map.

Intended Provisions

- Amend the Canada Bay LEP 2013 by deleting Clause 4.3A - Exceptions to height of buildings in Five Dock Town Centre.
- Amend the *Canada Bay LEP 2013 Height of Buildings Map* to remove the Additional Controls for Area 1 and Area 2
- Amend the *Canada Bay LEP 2013 Height of Buildings Map* to revise heights on identified land.
- Amend the *Canada Bay LEP 2013 Incentive Height of Building Map* to identify Incentive heights on Key Sites.

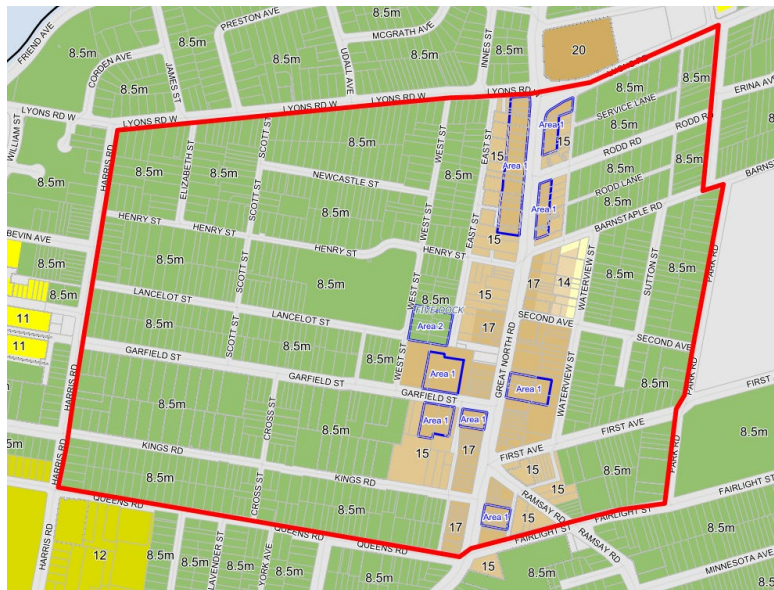


Figure 5: Current height of buildings map

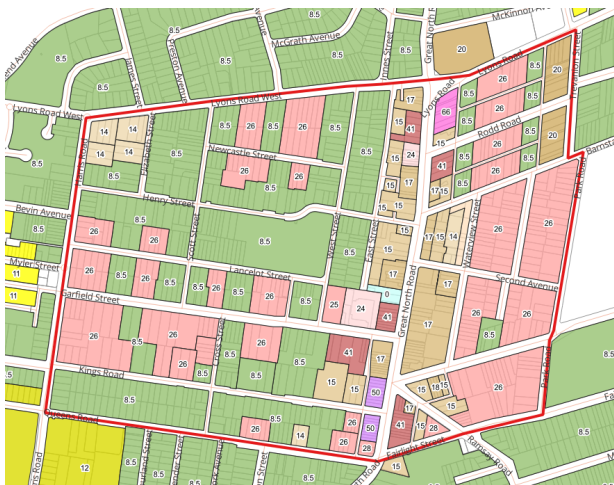


Figure 6: Proposed height of buildings map

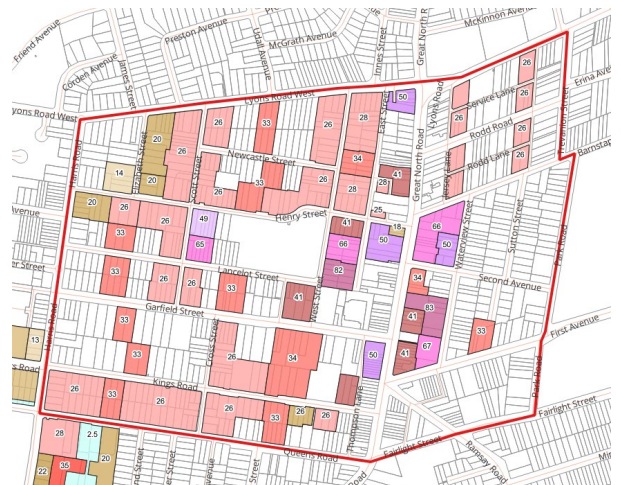


Figure 7: Proposed incentive height of buildings map

D. Floor Space Ratio and Incentive Floor Space Ratio (FSR)

Currently, FSRs across the Precinct range from 0.5:1 to 2.5:1. Additional incentive FSRs also currently apply to sites designated as Area 1 and Area 5 via clause 4.4 of the LEP:

- Area 1 (clause 4.4(2A)) may exceed the base FSR, up to 0.7:1 for multi dwelling housing and residential flat buildings.
- Area 5 (clause 4.4(2F)) applies to the MU1 zone and permits certain sites to exceed the base FSR up to 2.7:1 for larger parcels of land.

The above incentives are only available if the development meets set criteria, such as the consolidation of certain land and the provision of a pedestrian walkway. These incentives are superseded by the Five Dock Precinct Masterplan and are proposed to be removed.

The Incentive Floor Space Ratio map does not currently apply to the Five Dock Precinct.

The planning proposal seeks to remove Area 1 and Area 5 and introduce base and Incentive Floor Space Ratios across the Precinct. Access to proposed incentives is subject to the delivery of identified public benefit (e.g. pedestrian links, public open space, roads and community facilities). Where a development does not meet Key Site requirements, the site may only develop to the base Floor Space Ratio.

Only land that is proposed to provide infrastructure that is necessary to realise planned densities in the Precinct are proposed to be identified as Key Sites. Similarly, only Key Sites will be subject to the Incentive Floor Space Ratio Map.

Intended Provisions

- Amend the *Canada Bay LEP 2013 Floor Space Ratio Map* to revise FSRs across the precinct as shown on the draft LEP maps.
- Amend the *Canada Bay LEP 2013 Incentive Floor Space Ratio Map* to identify Incentive Floor Space Ratios on Key Sites across the precinct.
- Amend the *Canada Bay LEP 2013* by removing Clause 4.4 (2F) of the LEP – *Floor space ratio*, and
- Amend the *Canada Bay LEP 2013 Floor Space Ratio Map – Additional Controls* to remove Area 1 and 5 from the Five Dock Precinct

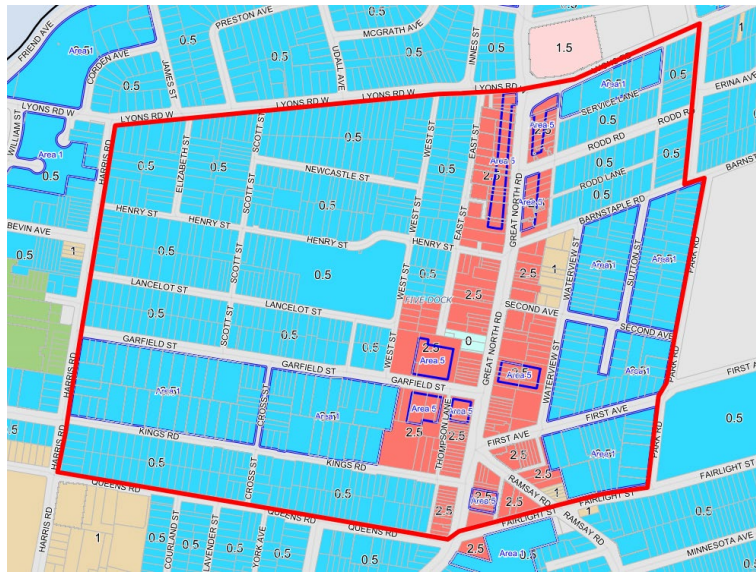


Figure 8: Current floor space ratio map

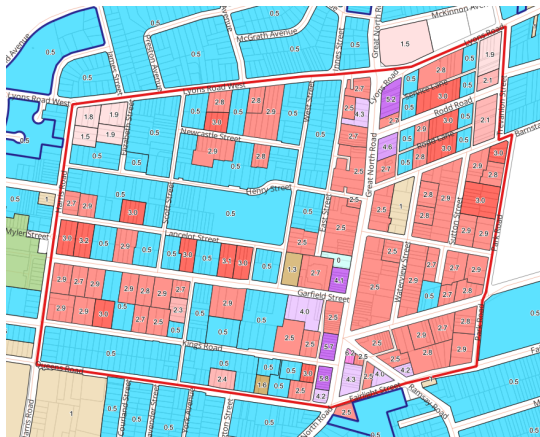


Figure 9: Proposed floor space ratio map

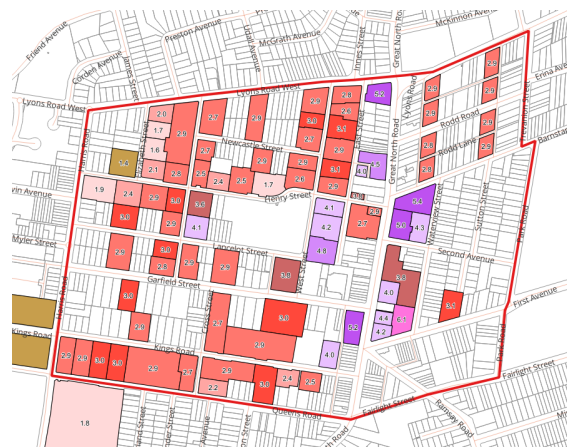


Figure 10: Proposed incentive floor space ratio map

E. Affordable Housing

The *Canada Bay LEP 2013*, clause 6.12, includes requirements for affordable housing to be provided in perpetuity, for the benefit of the community. These provisions currently apply to targeted precincts across the LGA.

An Affordable Housing Map does not currently apply to the Five Dock Precinct.

It is proposed to amend the LEP to identify a requirement for a 2% affordable housing contribution in the Five Dock Precinct, except for the following sites which will require a greater, total contribution as below:

Property Address	Contribution (%)
1 Waterview Street 146 First Avenue	3

Property Address	Contribution (%)
37-43A Waterview Street 2 Second Avenue	4
1-7 East Street 2 West Street 150-168 Great North Road	5
106 Great North Road 9-21 Waterview Street	10

Intended Provisions

- Amend the *Canada Bay LEP 2013* to amend Clause 6.12.to reflect the adoption date for the CCB Affordable Housing Contributions Scheme
- Amend the *Canada Bay LEP 2013* to add the 'Five Dock Precinct Affordable Housing Contribution Area' to Clause 6.12 *Affordable Housing* to require:
 - 2% of the relevant floor area to be provided for affordable housing generally across the Precinct, unless otherwise specified.
 - Up to 10% of the relevant floor area to be provided for affordable housing on a number of sites afforded higher densities as specified in the above table.
- Amend the *Canada Bay LEP 2103 Affordable Housing Map* to include the Five Dock Precinct.

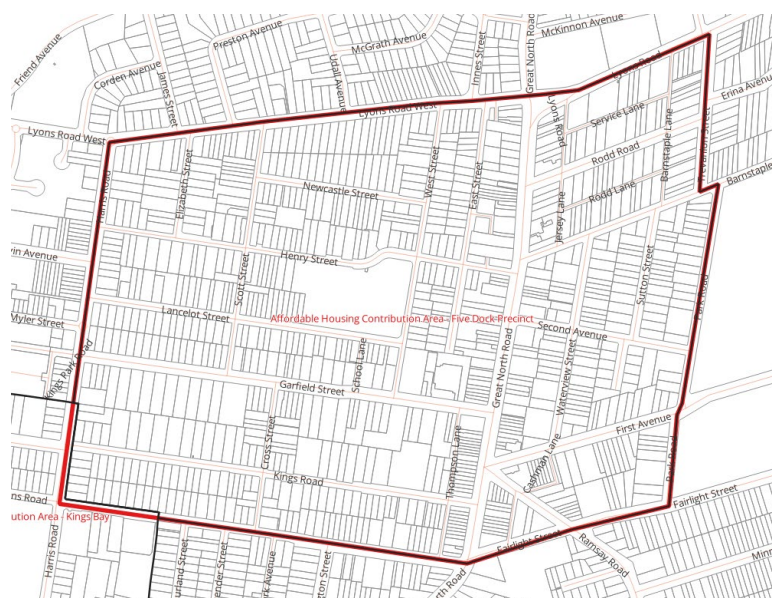


Figure 11: Proposed affordable housing map

F. Active Street Frontages

Active street frontages are currently required in the town centre by clause 6.5 of the Canada Bay LEP 2013 and the *Active Street Frontages Map*. The objective of active street frontages is to promote uses that attract pedestrian traffic and create activity to ensure a vibrant and safe town centre is created and maintained.

Intended Provisions

- Amend the *Canada Bay LEP 2013 Active Street Frontages Map* to include additional active street frontages consistent with the extension of the town centre MU1 zone.

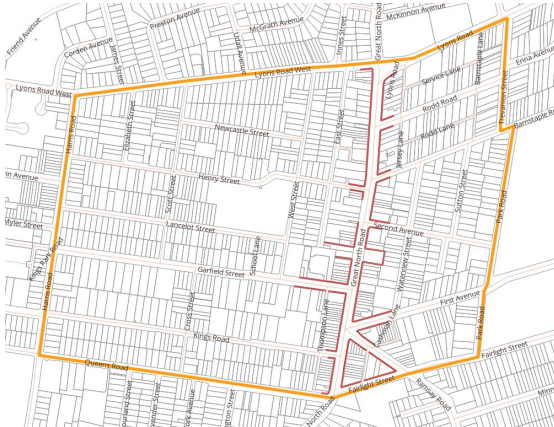


Figure 12: Current Active Street Frontage Map

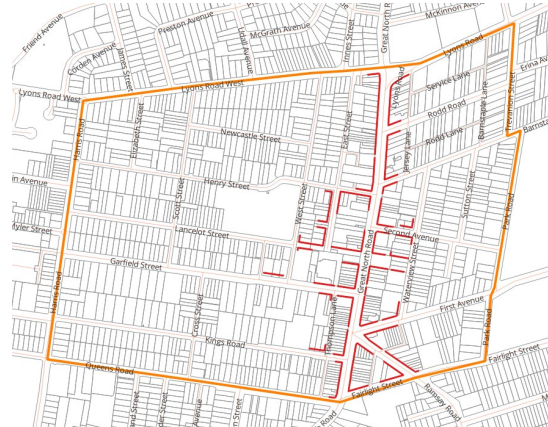


Figure 13: Proposed Active Street Frontage Map

G. Design Excellence Map

The LEP currently includes clause 6.14 for design excellence, the objective of which is to deliver the highest standard of sustainable architecture and urban design. This clause requires certain developments in certain locations across the LGA to satisfy requirements to ensure design excellence is achieved. The design excellence map does not currently apply to the Five Dock Precinct.

It is proposed to add the Five Dock Precinct to the *Design Excellence Map*.

Intended Provisions

- Amend the *Canada Bay LEP 2013 Design Excellence Map* to include the Five Dock Precinct.

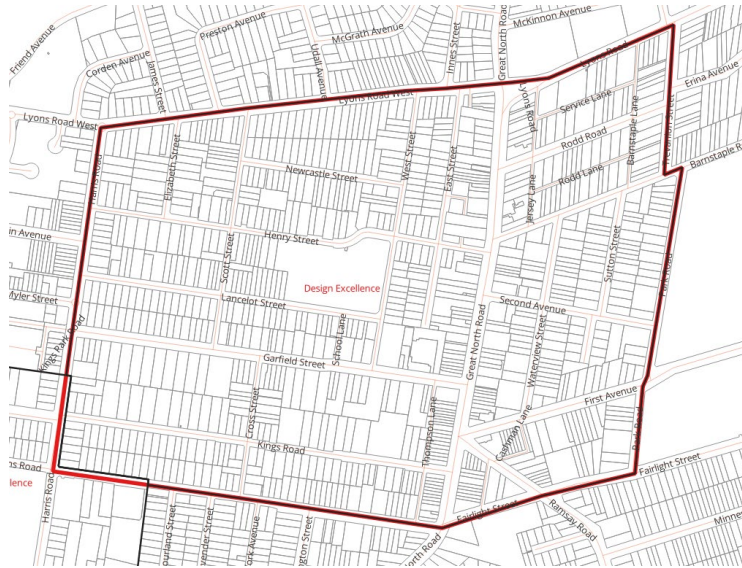


Figure 14: Proposed design excellence map

H. Heritage

The LEP includes a *Heritage Map* identifying a number of local heritage items within and in the vicinity of the Precinct.

The Five Dock Heritage Assessment recommended amendments to three existing heritage items - the addition of street trees on the southern side of Lyons Road West, removal of the heritage listing from 135 Great North Road, Five Dock, and a reduction to the curtilage of the heritage listing of 189-193 Great North Road, Five Dock.

The heritage assessment also recommended that investigations be undertaken to assess whether the dwelling at 535 Lyons Road West should be listed a heritage item. Following application of an Interim Heritage Order and subsequent heritage and structural assessments, Council has resolved to not progress a heritage listing of the dwelling due to the poor structural integrity of the building.

Intended Provisions

- Amend Schedule 5 of the *Canada Bay LEP 2013* to remove references to 135 Great North Road (Lot 8, DP 220545) from I225 and update reference to 189-193 Great North Road (Part Lots 100, DP 1178785) known as I230.
- Amend the *Canada Bay LEP 2013 Heritage Map* to expand I321 to the street trees on the southern side of Lyons Road West, remove 135 Great North Road from I225 and reduce the curtilage of I230 at 189-193 Great North Road.

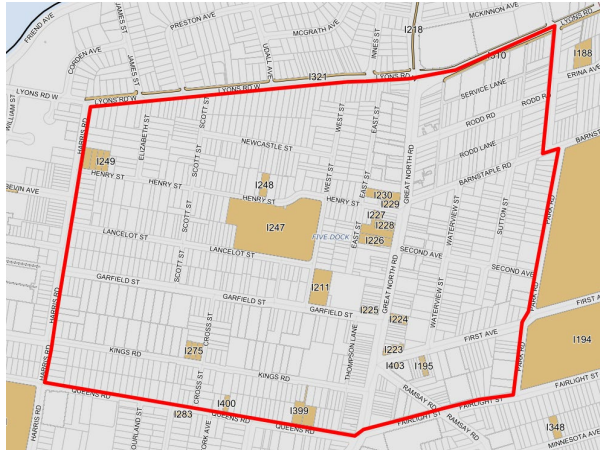


Figure 15: Current heritage map

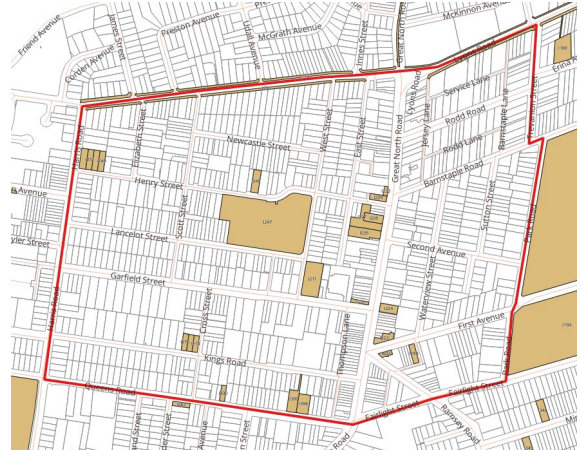


Figure 16: Proposed heritage map

I. Land Reservation Acquisition

The *Canada Bay LEP 2013 Land Reservation Acquisition Map* currently identifies a reservation to expand Fred Kelly Place on Great North Road.

It is proposed to add two new sites to the *Land Reservation Acquisition Map*:

- Eight parcels of land within the proposed new Henry Street Park.
- Widening of Kings Road at the rear of 18 Queens Road (Lot B DP 320559).

The land would be acquired by agreement with the landowners and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.

Henry Street Park

A new park, tentatively the Henry Street Park, is proposed adjacent to Five Dock Public School. The park will be made up of 11 full existing parcels and two part parcels. The Masterplan proposes the new open space be delivered as follows:

- Three full parcels and two part parcels of land provided by developer/s upon redevelopment. This would be achieved through Key Site provisions.
- The remaining eight (8) parcels of land are proposed to be zoned RE1 Public Recreation and acquired by Council.



Figure 92 Potential open space delivery plan

	Precinct boundary		Development parcel
	Metro station		Developer dedication
	Five Dock Public School		Council acquisition
	Existing built form		

Figure 17: Proposed mechanisms for delivery of new park

Widening of Kings Road at 18 Queens Road

Road widenings are proposed in various locations on both sides of Kings Road. Most of these road widenings will be delivered via Key Site incentives. However, 18 Queens Road (Lot B DP 320559) is an existing heritage item with a secondary frontage to Kings Road and no proposed Key Site incentive for Height of Building or Floor Space Ratio controls. As there is no stimulus or incentive for the site to deliver the road widening Council will need to acquire approximately 6sqm of the Kings Road frontage of the property to ensure this site contributes to the required widening.

Intended Provisions

- Amend the *Canada Bay LEP 2013 Land Reservation Acquisition Map* to identify eight land parcels at 35-37 Henry Street, 2-12 Lancelot Street for 'local open space' and part of the rear of 18 Queens Road for 'local road'.

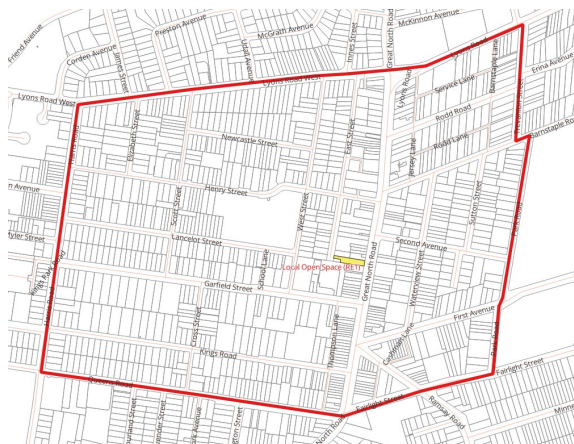


Figure 18: Current land reservation acquisition map



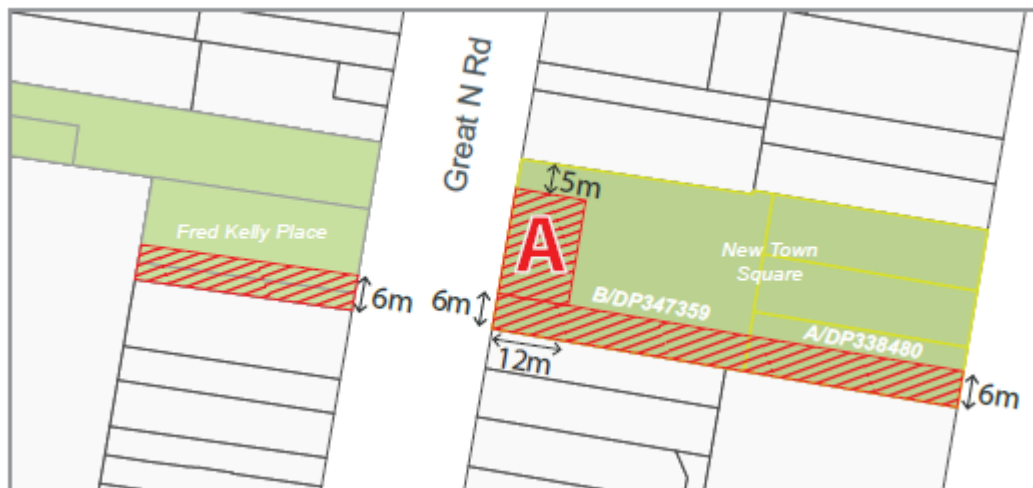
Figure 19: Proposed land reservation acquisition map

J. Sun Access Protection Map

The Five Dock Precinct will have three main areas of public open space:

- Existing Fred Kelly Place - on Great North Road
- New Town Square - opposite Fred Kelly Place on the eastern side of Great North Road), and
- Henry Street Park - next to the Five Dock Primary School

To maintain the amenity of these areas of open space, protection from overshadowing is required through amendments to the *Sun Access Protection Map* and an accompanying clause within the LEP.



Red hatched area (including A) indicates area requiring no additional overshadowing between 12.30-2.30pm in midwinter. Identified on LEP map as Fred Kelly Place and New Town Square.

Figure 20: Fred Kelly Place/New Town Square minimum solar access requirements (source: draft Five Dock Precinct Masterplan)



Figure 21: Proposed sun access protection map



Blue hatched area (B) indicates no additional overshadowing between 11am-1.30pm in midwinter

Orange hatched area (C) indicates no additional overshadowing between 9am-1pm in midwinter

B – Identified on LEP map as Henry Street Park – Secondary Zone

C – Identified on LEP map as Henry Street Park – Primary Zone

Figure 22: Henry Street Park minimum solar access requirements (source: draft Five Dock Precinct Masterplan)



Figure 23: Proposed sun access protection map

Intended Provisions

- Amend the *Canada Bay LEP 2013* by including the following site-specific sun access provisions as a new clause within *Part 6 – Additional local provisions*, with reference to the land identified on the Sun Access Protection Map:
 - Fred Kelly Place - No additional overshadowing Fred Kelly Place Sun Access Protection Area between 12:30pm–2:30pm in mid-winter.
 - New Town Square - No additional overshadowing New Town Square Sun Access Protection Area between 12:30pm–2:30pm in mid-winter.
 - Henry Street Park Primary Zone – No additional overshadowing to the area between 9am–1.00pm in mid-winter.
 - Henry Street Park Secondary Zone - No additional overshadowing to the area between 11am – 1.30pm in mid-winter.
- Amend the *Canada Bay LEP 2013 Sun Access Protection Map* to include Henry Street Park Primary and Secondary Zones, Fred Kelly Place & the New Town Square.
- Relocate LEP clause 7.3 – Overshadowing of public places in Rhodes Precinct to new Sun Access Protection map proposed for Part 6.

K. Additional Permitted Use

Schedule 1 of the *Canada Bay LEP 2013* provides for an additional permitted use (APU 19) of 'commercial premises' in an R4 zone, where identified on the Additional Permitted Uses map.

The Local Planning Panel noted lengthy walking distances from the western edges of the precinct to key services within the mixed use zone (up to 800m) and suggested permitting a range of non-residential uses that create opportunity for small, neighbourhood goods and services businesses. It was noted that areas in the extremities and on the busier roads may be suitable for these uses due to the amenity of ground floor residential uses being compromised in these locations, the opportunity to service residents beyond precinct boundaries and the ability to add to local character and community building.

To facilitate such an outcome, the Additional Permitted Uses map is proposed to be updated to include the R4 land within the Five Dock Precinct.

Intended Provisions

- Amend the Canada Bay LEP 2103 Additional Permitted Uses Map to include the Five Dock Precinct.

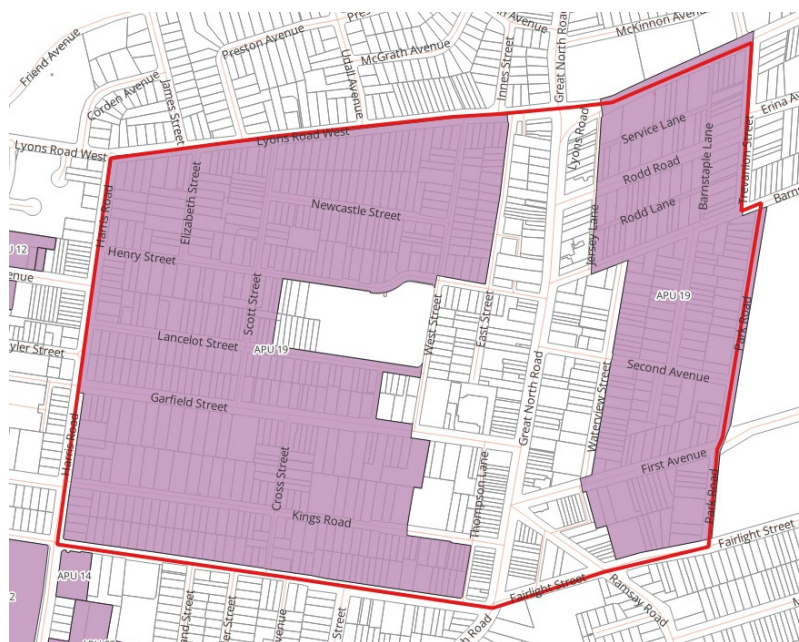


Figure 24: Proposed additional permitted uses map

State Environmental Planning Policy (Housing) 2021, Chapter 2 - Affordable Housing and Chapter 6 - Low and Mid Rise Housing

The Five Dock Precinct is subject to *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*, including Chapter 2, Part 2, Division 1 (Infill Affordable Housing) and Chapter 6 (Low and Mid-Rise Housing (LMRH)). These provisions were broadly applied to increase housing supply and diversity, but do not generally include a considered and coordinated approach to delivering the corresponding essential local infrastructure.

Removal of LMRH Provisions

It is recommended that the Five Dock Precinct be excluded from the current LMRH provisions. This will secure achievement of the planned density and built form

established by the Masterplan and ensure that the Precinct's residential yields proceed in tandem with the required infrastructure program. Existing LMRH areas outside the precinct boundaries would be retained.

The Rezoning Proposal will meet or exceed LMR controls within the Precinct and facilitate significantly greater housing numbers (14,000 new dwellings) than those possible under LMR, whilst also ensuring delivery of key infrastructure to support the uplift proposed. The NSW Government has been clear that LMR controls will apply in identified LMR locations unless local councils or the NSW Government finalises a rezoning which provides greater uplift.

This Planning Proposal relies on incentive controls to help deliver the land for key local infrastructure required in the Precinct such as open spaces, roads, public domain and through-site links. To ensure key infrastructure, including the objectives and the vision of the Rezoning Proposal can be achieved, it is requested that the Land Application Map relating to the LMR Housing Policy be amended by the Department following the finalised rezoning.

Where the proposed controls within the Precinct are equal to or greater than LMR, these controls will prevail, while LMR will remain in effect outside of the Precinct boundary.

Risks associated with retaining LMRH for Five Dock Precinct

Retaining the LMRH controls alongside rezoning of the precinct risks; failing to optimise housing delivery, undermining the proposed infrastructure delivery strategy, failing to deliver the full range of expected precinct benefits around Metro and compromising delivery of the vision and objectives of the masterplan.

The Masterplan's rezoning of much of the precinct from R2 – Low Density Residential to R4 – High Density Residential will result in a shift from the standards applied by the LMRH to those accompanying an R4 zone (e.g. R1 - 0.8:1 FSR compared with R4 - between 1.5:1 and 2.2:1). This shift subsequently changes the 'base case' controls that developers use to determine the benefit of incentives to offset costs of infrastructure delivery.

This increase from current base case controls reduces the 'gap' between base and incentive controls and undermines the attraction of planned incentives. Failure to create feasible and attractive incentives, and of developers choosing to avoid compromised incentives, is expected to result in:

- reduced housing delivery numbers – e.g. from maximum 10 storeys under the Masterplan down to maximum 6 storeys under the LMRH.
- fragmented, piecemeal, or incomplete delivery of essential works, reducing their functionality or failing to cater for the full suite of needs for new residents
- undermining of the Masterplan's integrated outcomes, risking incompatible built form, poor pedestrian and cycling connectivity, legibility and walkability, reduced safety and a failure to fully deliver expected metro precinct benefits.

Potential infrastructure shortfalls

The following infrastructure items are dependent on development proceeding under the Planning Proposal's framework and contribution mechanisms:

- new community facilities
- new and expanded parks, including the new town square
- active transport links connecting into the station precinct

- road-widening works
- wider footpaths, shared paths and dedicated cycleways
- new roads and laneways that improve permeability

If SEPP-enabled redevelopment avoids these requirements, there is a substantial risk that development will occur inconsistently with the planned urban structure.

Targeted Application of Infill Affordable Housing provisions

Council proposes targeted application of the *Housing SEPP - Infill Affordable Housing Bonus* to facilitate temporary affordable housing (AH) in the core of the town centre, complemented by the delivery of affordable dwellings across the broader Precinct under Council's current Affordable Housing Contributions Scheme (AHCS), dedicated in perpetuity.

Contributions under Councils AHCS have been considered in the preparation of the masterplan to ensure maximum public benefits can be achieved without creating adverse urban design outcomes or poor feasibility.

However, it is acknowledged that proposed AH contribution rates are on the lower end of expected delivery targets. To address this, it is recommended that:

- No additional AH incentives apply across the majority of the precinct, including the in - fill AH floor space ratio and height of building bonuses under Chapter 2, Part 2, Division 1 of the *Housing SEPP*.
- The infill AH bonus under Chapter 2, Part 2, Division 1 of the *Housing SEPP* 2021 (Housing SEPP) remain for the town centre core, mapped as 'Five Dock Precinct Inner Area' (refer to Figure 25).

This provides opportunity to increase affordable housing where proposed development outcomes can absorb this while better retaining the masterplan intent, rather than being applied in a manner that undermines the objectives and principles of the plan.

Retaining the infill affordable housing bonus within the core of the centre, immediately adjacent the Metro station, is also supported by:

- Higher levels of transport accessibility
- A proposed tower built form, with the ability to absorb additional height and FSR, without fundamentally changing the proposed building typologies/design.
- An existing higher density environment with flexibility to effectively manage visual and amenity impacts.

Focusing uplift with the core also reinforces the strategic role of the centre around the Metro station, Fred Kelly Place and the new town square.

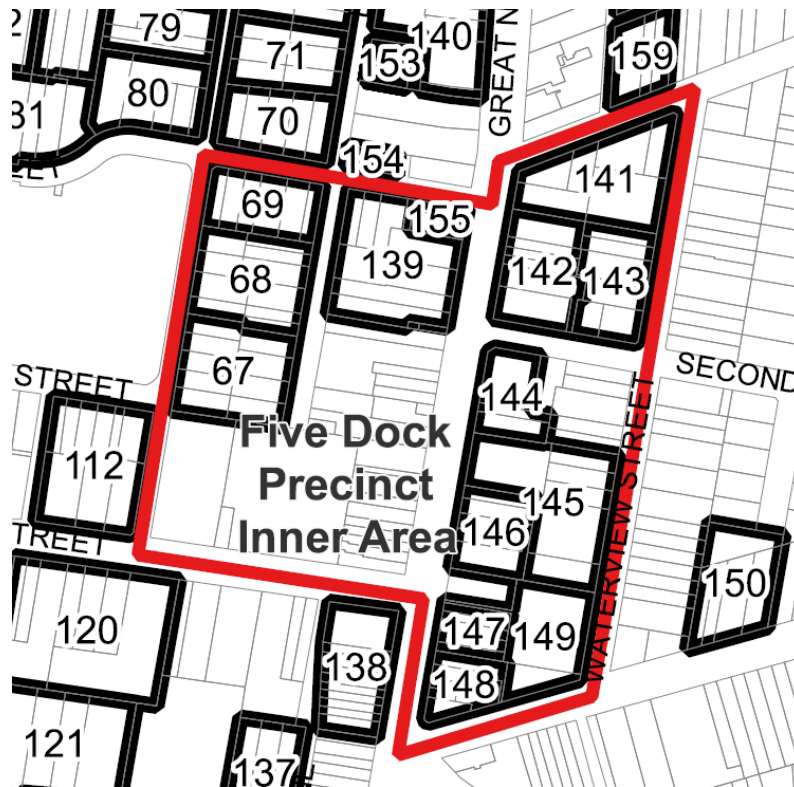


Figure 25: Five Dock Precinct Inner Area (excerpt from Key Site map)

Justification

Application of the *Infill Affordable Housing Bonus* across the entire Precinct introduces an additional 20–30% height and density increase to areas where densities and built form have already been optimised by the masterplan. This 20-30% increase fundamentally alters the intended built form, urban structure, infrastructure planning and tailored response to local constraints across the precinct and will result in unacceptable impacts on:

- amenity (including overshadowing of narrow streets, public spaces and adjoining buildings),
- bulk, scale and visual character (including likely non-compliance with ADG design controls), and
- infrastructure capacity (roads, open space, and community facilities).

However, focussing infill affordable housing uplift within the core of the centre, immediately adjacent the Metro station, is proposed as this area is better able to manage these impacts.

Revising the application of the Infill Affordable Housing Bonus is consistent with the approach applied in similar urban renewal projects implemented by the Department of Planning, Housing and Infrastructure, including the accelerated TOD precincts and the recent Burwood North State led rezoning, where application of the Affordable Housing bonus is proposed to be removed across the precinct.

Removal of application of the Affordable Housing bonus has been progressed on the basis that planned densities already maximise development capacity. These precedents demonstrate a growing policy recognition that SEPP (Housing) mechanisms should not override place-based masterplans or compromise infrastructure delivery.

Summary

The Masterplan establishes the optimal development envelope for the Precinct, supported by a comprehensive infrastructure program and detailed analysis. Excluding the Precinct from *LMRH* and limiting *Infill Affordable Housing* to the Inner Area is a necessary and evidence-based measure to safeguard infrastructure delivery, maintain urban design quality, and ensure growth occurs consistent with the masterplan objectives and in a coordinated and sustainable manner.

See further discussion in 'Table 4 - Consistency with SEPPs'.

Intended Provisions

- Amend *State Environmental Planning Policy (Housing) 2021* to only apply Chapter 2, Part 2, Division 1 to the Five Dock Precinct Inner Area.
- Amend *State Environmental Planning Policy (Housing) 2021* to remove application of Chapter 6 to the Five Dock Precinct.

Part 3 – Justification of Strategic and Site-specific Merit

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

City of Canada Bay Local Strategic Planning Statement

On 25 March 2020, the Greater Sydney Commission (GSC) endorsed the Canada Bay Local Strategic Planning Statement (LSPS). The LSPS sets out Council's vision for how the LGA will respond to significant residential growth.

The Proposal is the direct result of actions in the LSPS that require planning around future metro stations to be coordinated and precinct-based. The LSPS discourages the progression of site-specific proposals until precinct-planning has been completed. The planning proposal provides an appropriate response to infrastructure demand and provision, distribution of development potential and the orderly sequencing of development.

City of Canada Bay Local Housing Strategy

The proposal also gives effect to the Local Housing Strategy (2019), which identifies Five Dock as a location for greater housing diversity, and supports the role of the centre as set out in the Employment and Productivity Strategy, by maintaining and strengthening the commercial core and supporting additional retail and employment floorspace.

Five Dock Local Planning Study

The Planning Proposal is the culmination of extensive background technical assessment and community engagement by Council since 2020, including preparation of a Local Planning Study in 2023 which provided a foundational framework for the Masterplan.

A number of factors have changed since preparation of the Local Planning Study, including new State-led planning directions, such as the Transport Oriented Development (TOD) Program and the Low and Mid-Rise Housing Policy. In addition, land values and construction costs have risen significantly.

These changes mean that higher densities and building heights are now proposed within the Precinct in order to support feasible development, resulting in outcomes that are different to those originally anticipated in the Local Planning Study.

City of Canada Bay Five Dock Precinct Masterplan and Supporting Studies

The Planning Proposal provides an appropriate urban design and infrastructure response to deliver the Five Dock Precinct Masterplan.

Five Dock Precinct Masterplan

The draft Five Dock Precinct Masterplan (the Masterplan) is a key strategic document that sets the direction for how the Precinct will grow in response to increasing development pressures in the coming years. It establishes a 20-year vision and provides a clear framework for guiding land use change while maintaining public amenity and neighbourhood character. Redevelopment is expected to occur gradually, with the Masterplan's principles and desired outcomes shaping decision-making and development across the Precinct over time.

The Masterplan has directly informed the Five Dock Precinct Planning Proposal (PP). Its recommendations are grounded in a design-led planning process supported by detailed technical studies and feasibility testing, ensuring the proposed planning framework is both practical and capable of delivering high-quality outcomes.

A series of technical studies support the outcomes of the Masterplan. Together with the Masterplan, these provide the background and justification for the proposed amendments to the LEP. Refer to Attachments for more information.

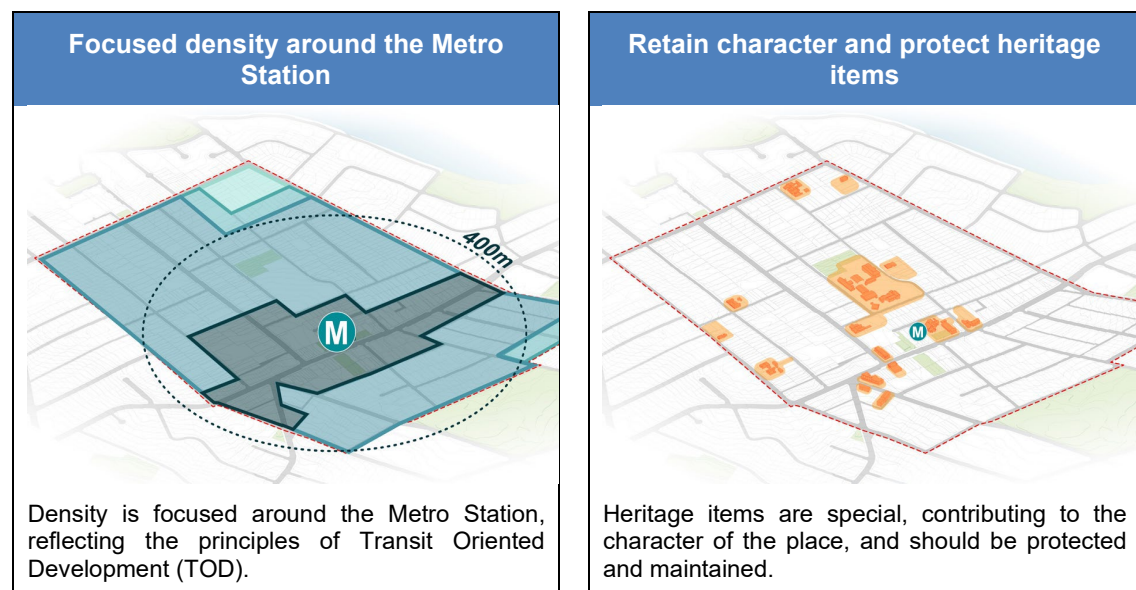
Masterplan Vision

Five Dock Town Centre will be a growing local urban centre, retaining and building on existing culture and community life. Great North Road serves as the primary north-south spine of the Precinct, comprising a mix of fine grain commercial, retail, community and civic open space uses. The new Metro precinct and an expanded Fred Kelly Place provide a strong focal point for community connection and activity, supported by a night-time economy that brings vibrancy and safety.

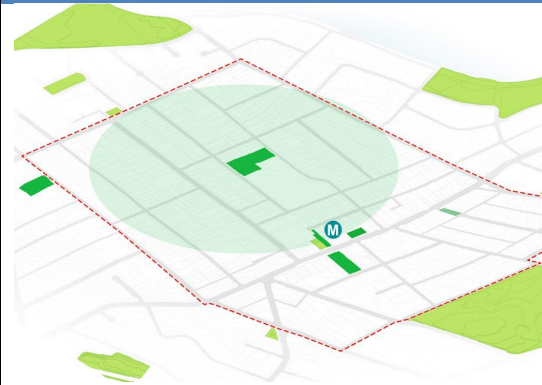
Future change will build upon the established retail and residential character of the local centre and unlock opportunities for additional open spaces, walking and cycling connections and greater housing diversity.

Urban Design Principles

The following urban design principles provide the foundation for the response to the Five Dock Precinct.



Expand and enhance the open space network



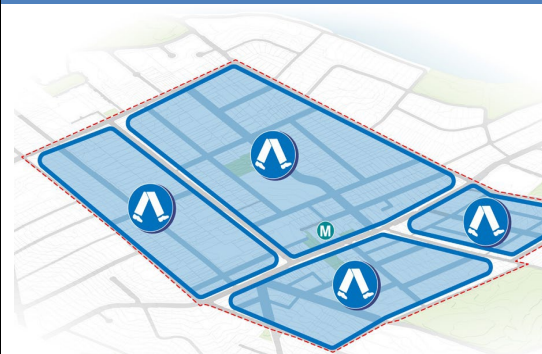
Identify opportunities to provide additional civic open spaces in the Precinct, especially around the core of the Town Centre and in parts of the Precinct where there is an under supply.

Preserve and expand tree canopy coverage



Increase the number of trees and the quality of the tree canopy across the Precinct.

Prioritise pedestrians within safe and quieter urban blocks



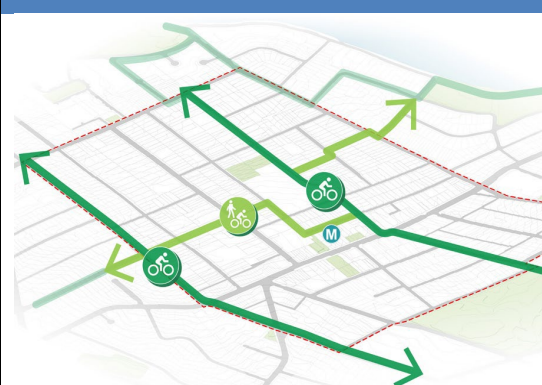
Establish four key traffic calmed 'super blocks' with slow speed local roads that prioritise pedestrian safety.

Improve accessibility across the Precinct

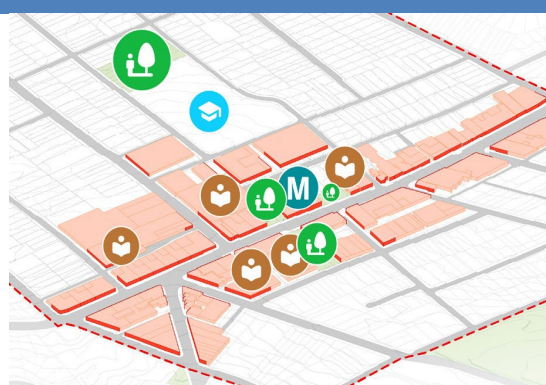


Small block sizes encourage pedestrian and cycle access in and around the Precinct. The provision of new mid-block links in key locations increase areas that can easily access core facilities, especially by walking and cycling.

Strengthen active cycle links



Reinforce the high street and civic facilities



Provide opportunities for improved active transport connections, linking to key destinations and into existing/proposed cycle routes within and surrounding the Precinct.

Reinforce and expand the Town Centre core and along Great North Road with permeable, fine grain streetscapes with a high level of activation that supports the ongoing commercial role of the centre.

Structure Plan

The proposed structure plan for the Five Dock Precinct is shown in Figure 26. The full draft Masterplan is provided at **Attachment A1**.

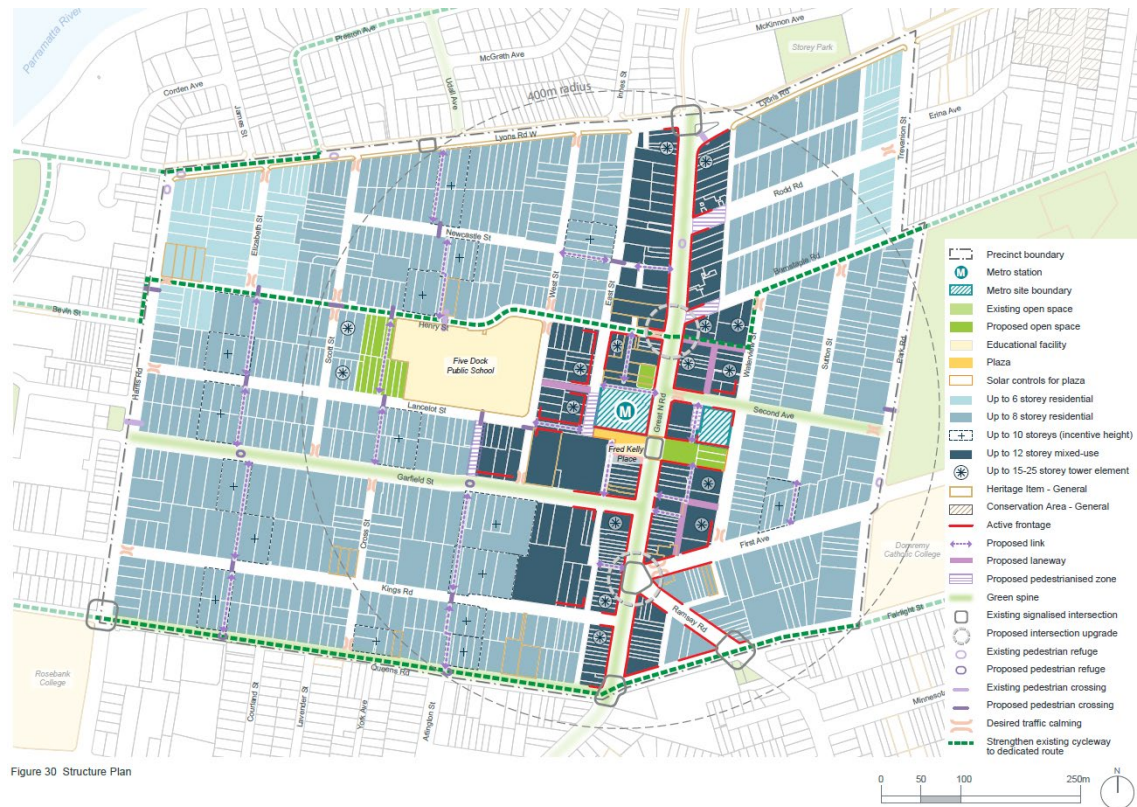


Figure 26: Structure plan (Source: draft Five Dock Precinct Masterplan)

Key Features of the Masterplan

1. Strengthening Five Dock Town Centre

- Expanding the role of the town centre to create an active and evolving local centre, building on existing amenities including shops, bus stops, civic spaces and mass transit accessibility.
- Extending the mixed use zone in four (4) locations to increase commercial capacity, grow jobs and expand provision of goods and services for a growing population.

2. More Homes Close to the Metro station

- A transition to higher density residential across the Precinct, providing capacity for 13,983 total future dwellings (increasing from 1,544 existing dwellings), housing an estimated total future population of 30,763 people (up from an existing population of approximately 3,397 people).

3. Positive urban design and built form

- A concentration of mixed-use built form along Great North Road.

- Diverse residential typologies beyond mixed use areas.
 - Mid-block changes in height are avoided where possible to help unify the street character.
 - Creation of two to four storey street walls in podium form.
4. New and Expanded open space
- Extension of the existing Fred Kelly Place, including a new Town Square on the east side of Great North Road, to strengthen the role of this area as a focus of civic and public activity in the Town Centre.
 - An additional open space of 0.46ha west of Five Dock Public School to address the lack of open space in this area of the Precinct. Co-locating open space with the Public School also provides flexibility for the school, including additional pick-up and drop-off opportunities and increased separation between new apartments and the school.
 - A long term vision for a new linear park along Rodd Road.
 - A plaza on Rodd Road and Barnstaple Road.
 - Privately owned public space at St Albans Anglican Church.
5. Improved public domain
- Green Streets along Queens Road, Great North Road, Garfield Street and Second Avenue as key connection routes. These streets will have increased tree canopy and landscaping.
 - Increased tree canopy through generous deep soil zones within site setbacks, creating continuous landscaped streets and rear corridors across adjoining lots.
6. Improved Walking & Cycling Links
- Over 15 new laneways and accessible pedestrian links to provide improved connectivity to the Town Centre and the new Metro Station.
 - New dedicated cycle paths along Henry Street and Queens Road.
 - Streets for people.
 - New and expanded streets, laneways and active transport links to improve access across the Precinct, reduce car dependency and provide safe and direct connections to schools, open spaces, the Town Centre and the metro station.
 - Introduction of traffic calming elements in key locations to discourage vehicular traffic through residential areas, reduce speeds and increase pedestrian and bicycle safety and amenity.

Supporting Studies

A range of technical studies have been prepared to inform the Masterplan and Planning Proposal. The studies and their purpose are outlined below:

- *Employment Land Use Assessment* (Atlas Economics) - examines the sufficiency of non-residential floorspace to meet projected demand and advises the need for additional employment land in the Precinct. **(Attachment A2)**
- *Environmental Sustainability Study* (Flux Consultants) - outlines aspirational sustainability initiatives for the Five Dock Precinct and provides recommendations for new or revised planning controls. **(Attachment A3)**

- *Flood Risk Assessment* – (GRC Hydro) - determines the nature and extent of flooding and makes recommendations to prevent increased flooding, including to downstream properties. **(Attachment A4)**
- *Heritage Study* (GML Heritage) - identifies opportunities for planning and urban development to protect and enhance heritage significant items, places and areas. **(Attachment A5)**.
- *Infrastructure Strategy* (Ethos Urban) - identifies the infrastructure required to be delivered to support the uplift, the planning nexus between the infrastructure and future development, and the planning mechanism used to enable the delivery of the infrastructure.
- *Preliminary Site Investigation (Contamination) Report* – JBS&G - assesses the potential for contamination within Five Dock Precinct and whether the land is suitable for rezoning for mixed use and medium-density residential uses, or can be remediated to make the land suitable, and whether further targeted investigation is required. **(Attachment A6)**
- *Public Domain Plan* (Context) - identifies the public domain improvements that will be required to support future development to achieve an active and attractive public domain. **(Attachment A7)**
- *Social Infrastructure and Open Space Assessment* (Cred Consulting) – to review existing social infrastructure and advise how much additional infrastructure is required to service the projected population growth. **(Attachment A8)**
- *Traffic and Transport Study* (Bitzios Consulting) – reviews existing traffic and transport within and in the vicinity of the Precinct and advises on potential network upgrades to minimise traffic performance issues. **(Attachment A9)**
- *Residential Density Benchmarking Analysis* (Ethos Urban) – reviews future dwelling and population density across a range of high-density precincts in NSW, Victoria and Queensland. **(Attachment A10)**

A summary of each of these reports is provided on pages 18-19 of the Masterplan.

Development Control Plan

A draft amendment to the Canada Bay Development Control Plan (DCP) is currently being prepared to guide and influence finer grain planning outcomes. The DCP will be exhibited alongside the full suite of planning proposal documents.

Amendments to the DCP are proposed in two parts:

- Modifications to the existing Five Dock Town Centre chapter, including an amended boundary to reflect the expanded MU1 zone.
- A new section for the remaining residential areas within the Precinct boundary.

Recommended amendments include Built Form, Solar Access and Overshadowing, Building Setbacks, Parking and Servicing, Accessible Pedestrian Links and Open Space, Tree Canopy and Landscape and Active Frontage controls.

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

The Proposal is the only means to achieve the intended outcomes as these can only be implemented through changes to the *Canada Bay LEP 2013*.

Section B – Relationship to the 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)?

Greater Sydney Region Plan

The *Greater Sydney Region Plan* was released by the Greater Sydney Commission in March 2018. It provides a 40 year vision for the Greater Sydney region and is designed to inform district and local plans and the assessment of planning proposals. The Proposal is consistent with the following Objectives of the Regional Plan as outlined in Table 2 below.

Table 1: Consistency with Priorities of Greater Sydney Region Plan

Objective Number	Objective	Statement of Consistency
Infrastructure and Collaboration		
1	Infrastructure supports the three cities	Consistent Leveraging investment in Sydney Metro accessibility - The planning proposal plans for increased housing supply and expanded local services based on the new levels of accessibility provided by the new metro station at Five Dock (due to be operational by 2032). In this regard the PP leverages new infrastructure investment to support significant growth. Local Infrastructure - Council has prepared an <i>Infrastructure Strategy</i> to identify the local infrastructure required to support growth and mechanisms for its timely and efficient delivery. Draft updates to the Canada Bay Local Infrastructure Contribution Plan will also be prepared. Adaptation and optimised use - Infrastructure has been designed to be delivered over time, be adaptable to change and suite a range of users. Application of key sites and incentive heights and FSRs is proposed, enabling delivery of local infrastructure by developers, as they develop. Collaboration – Council has gained early input from the local community on the approach to change at Five Dock. Further engagement will occur during exhibition. Council continues to collaborate with Sydney Metro on precinct responses around future stations and will engage with Government agencies as needed.
2	Infrastructure aligns with forecast growth – growth infrastructure compact	
3	Infrastructure adapts to meet future needs	
4	Infrastructure use is optimised	
5	Benefits of growth realised by collaboration of governments, community and business	
Liveability		
6	Services and infrastructure meet communities' changing needs	Consistent Infrastructure: Council has prepared a Social Infrastructure Needs Study and an Infrastructure Strategy to identify the local infrastructure required to support growth and mechanisms for its timely and efficient delivery. Infrastructure has been designed to be delivered over time, be adaptable to change and suite a range of users. Application of key sites and incentive heights and FSRs is proposed, enabling delivery of local infrastructure by developers, as they develop. Healthy, connected communities: The proposed public domain, walking and cycling link improvements and provision of social infrastructure (additional library, arts, cultural and community spaces and new open space) will support an active lifestyle for current and future residents, within a connected
7	Communities are healthy, resilient and socially connected	
8	Greater Sydney's communities are culturally rich with diverse neighbourhoods	
9	Greater Sydney celebrates the arts and supports creative industries and innovation	

Objective Number	Objective	Statement of Consistency
10	Greater housing supply	community that has access to a growing number of local services and jobs.
11	Housing is more diverse and affordable	Housing supply: The proposed amendments to zoning, FSR and height of building provisions will provide additional capacity for approximately 14,000 dwellings within the Five Dock Precinct, contributing to Council's Housing targets and delivery of diverse housing supply within the region. A range of apartment sizes will be facilitated by clause 6.11 of the Canada Bay LEP 2013. Housing affordability: The Proposal includes a provision requiring 2-10% affordable housing to be provided in perpetuity. Great Places: The new Metro precinct and an expanded Fred Kelly Place provide a strong focal point for community connection and activity, supported by a night-time economy that brings vibrancy and safety. The new Henry Street Park will also be a community meeting place in the centre of the western residential area. Heritage: The Proposal and Masterplan have been informed by a heritage assessment. Existing heritage items will be retained, with landscaped setbacks provided to increase separation from new high-density development. The extent of three items are proposed to be revised.
12	Great places that bring people together	
13	Environmental heritage is identified, conserved and enhanced	
Productivity		
14	A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	Consistent Supporting the local centre - The MU1 zone within the town centre will be increased in size, with all buildings required to have ground and first floor as non-residential floorspace. This is intended to drive investment and jobs in the centre and ensure that economic growth accompanies housing growth.
15	The Eastern, GOP and Western Economic Corridors are better connected and more competitive	
16	Freight and logistics network is competitive and efficient	
17	Regional connectivity is enhanced	
18	Harbour CBD is stronger and more competitive	
19	Greater Parramatta is stronger and better connected	
20	Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	
21	Internationally competitive health, education, research and innovation precincts	
22	Investment and business activity in centres	

Objective Number	Objective	Statement of Consistency
23	Industrial and urban services land is planned, retained and managed	
24	Economic sectors are targeted for success	
Sustainability		
25	The coast and waterways are protected and healthier	Consistent Tree Canopy and Urban Heat - Proposed public domain improvements will ensure more significant tree planting can be undertaken within road corridors. It is estimated that the Precinct has approximately 15.6% tree canopy coverage. The public domain plan predicts that this can be increased to 29.8% by increasing planting within the public domain and front setbacks. Waste - Detailed requirements will be introduced via the DCP to ensure waste is minimised and recycling is facilitated as much as possible. In addition, the Planning Proposal intends to include a clause to require new developments to install dual water reticulation systems to future proof the recycling and reuse of wastewater. Flood and contamination - A flood study has been undertaken to consider flood risk, and a preliminary site investigation has looked at historical and existing uses for contamination risk. Redevelopment of the Precinct including the significant increases proposed to density are considered acceptable. Open space - A new park is proposed (Henry Street Park) to ensure that the majority of the Precinct is within 400m of open space that is greater than 0.3ha in size. This park is co-located with the public school to provide high value open space for the community and the school, as well as potentially creating a combined quantum of open space with the schools play areas. In addition, a new plaza, privately owned public space, and shared zones are proposed. Green grid – A series of parks and active cycle ways are proposed to augment the existing green grid and encourage sustainable travel modes. Urban and natural hazards - A flood study has been undertaken to consider flood impacts and ensure the Precinct develops to manage risk and is resilient to flood hazard. A preliminary site investigation assessed historical and existing uses for contamination risk. Redevelopment of the Precinct, including the significant increases proposed to density were considered to be acceptable.
26	A cool and green parkland city in the South Creek corridor	
27	Biodiversity is protected; urban bushland and remnant vegetation is enhanced	
28	Scenic and cultural landscapes are protected	
29	Environmental, social and economic values in rural areas are protected and enhanced	
30	Urban tree canopy cover is increased	
31	Public open space is accessible, protected and enhanced	
32	The Green Grid links parks, open spaces, bushland and walking and cycling paths	
33	A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	
34	Energy and water flows are captured, used and re-used	
35	More waste is re-used and recycled to support the development of a circular economy	
36	People and places adapt to climate change and future shocks and stresses	
37	Exposure to natural and urban hazards is reduced	

Objective Number	Objective	Statement of Consistency
38	Heatwaves and extreme heat are managed	
39	A collaborative approach to city planning	
40	Plans refined by monitoring and reporting	

Eastern City District Plan

The *Eastern City District Plan* contains priorities and actions to guide development and planning within the eastern district, whilst improving the district's social, economic and environmental assets.

The Planning Proposal is consistent with the following Priorities of the District Plan as outlined in Table 3 below:

Table 2: Consistency with Priorities of Eastern City District Plan

Planning Priority Number	Planning Priority	Statement of Consistency
Infrastructure and Collaboration		
E1	Planning for a city supported by infrastructure	Consistent. Leveraging investment in Sydney Metro accessibility - The planning proposal plans for increased housing supply and expanded local services based on the new levels of accessibility provided by the new metro station at Five Dock (due to be operational by 2032). In this regard the Proposal leverages new infrastructure investment to support significant growth. Local Infrastructure - Council has prepared an <i>Infrastructure Strategy</i> to identify the local infrastructure required to support growth and mechanisms for its timely and efficient delivery. A draft amendment to the Canada Bay Local Infrastructure Contribution Plan will also be prepared to ensure that contributions collected in the Precinct contribute towards the funding of local infrastructure. Collaboration - Council began consultation in 2020 to understand what the community valued about the Precinct and to begin conversations about future change. A Local Planning Study was produced following the engagement and adopted by Council. Further engagement will occur during exhibition of the Planning Proposal. Council continues to collaborate with Sydney Metro on precinct responses around future stations and will engage with Government agencies as needed.
E2	Working through collaboration	
Liveability		
E3	Providing services and social infrastructure to meet people's changing needs	Consistent Services and Social Infrastructure - Council has prepared a Social Infrastructure Needs Study and an Infrastructure Strategy to identify the local infrastructure required to support growth and mechanisms for its timely and efficient delivery.
E4	Fostering healthy, creative, culturally rich	

Planning Priority Number	Planning Priority	Statement of Consistency
	and socially connected communities	Infrastructure has been designed to be delivered over time, be adaptable to change and suit a range of users. Application of key sites and incentive heights and FSRs is proposed, enabling delivery of local infrastructure by developers, as they develop.
E5	Providing housing supply, choice and affordability with access to jobs, services and public transport	The increased MU1 zone will support the established Five Dock town centre, enabling a growing number of local services and jobs. Healthy, connected communities - The proposed public domain, walking and cycling link improvements and provision of social infrastructure (additional library, arts, cultural and community spaces and new open space) will support an active lifestyle for current and future residents, within a connected community that has access to a growing number of local services and jobs.
E6	Creating and renewing great places and local centres, and respecting the District's heritage	Proximity to the new Metro station affords superior accessibility to a wide range of locations, goods and services. Regular bus services also service this precinct. Housing supply, choice and affordability: The proposed amendments to zoning, Floor Space Ratio and height of building provisions will provide additional capacity for 14,000 dwellings within the Five Dock Precinct, contributing to Council's Housing Targets and delivery of diverse housing supply within the region, including a range of unit sizes and a focus on townhouse style dwellings at street level. Great Places: The new Metro precinct, expanded Fred Kelly Place and new Town Square provide a strong focal point for community connection and activity, supported by a night-time economy that brings vibrancy and safety. The new Henley Street Park will also be a community meeting place in the centre of the western residential area. Heritage: The Proposal and Masterplan has been informed by a heritage assessment. Existing heritage items will be retained, with landscaped setbacks provided to increase separation from newer high-density developments. The extent of two heritage items are proposed to be revised.
Productivity		
E7	Growing a stronger and more competitive Harbour CBD	Consistent. Proposed planning controls expand the footprint of the town centre commercial area, as well as requiring commercial/retail floorspace on the ground and first floor across the centre. This is intended to drive investment and jobs in the centre, ensure economic growth accompanies housing growth, and there is capacity for population serving goods and services to meet expected growth.
E8	Growing and investing in health and education precincts and the Innovation Corridor	The extent of growth of the centre is consistent with the hierarchy of centres in the District plan – where Five Dock is identified as a local centre.
E9	Growing international trade gateways	
E10	Delivering integrated land use and transport planning and a 30-minute city	
E11	Growing investment, business opportunities and jobs in strategic centres	
E12	Retaining and managing industrial and urban services land	

Planning Priority Number	Planning Priority	Statement of Consistency
E13	Supporting growth of targeted industry sectors	
Sustainability		
E14	Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	Consistent. Tree Canopy and Urban Heat - Proposed public domain improvements will ensure more significant tree planting can be undertaken within road corridors. It is estimated that the Precinct has approximately 15.6% tree canopy coverage. The public domain plan predicts that this can be increased to 29.8% by increasing planting within the public domain and front setbacks. A local clause is proposed to require consideration of urban heat in the assessment of future applications. Green grid – a series of parks and active cycle ways are proposed to augment the existing green grid and encourage sustainable travel modes. Open space - A new park is proposed (Henry Street Park) to ensure that the majority of the Precinct is within 400m of open space that is greater than 0.3ha in size. This park is co-located with the public school to provide high value open space for the community and the school, as well as potentially creating a combined quantum of open space with the schools play areas. In addition, a new plaza, privately owned public space, and shared zones are proposed. Managing Water and Energy - Current controls require all new buildings to be electric, not gas, reliant. New controls will also require new buildings to install dual pipe systems for future water recycling. Waste - Detailed waste management requirements are included in the Canada Bay DCP to ensure waste is minimised and recycling is facilitated. In addition, the PP intends to include a clause to require new developments to install dual water reticulation systems to future proof the recycling and reuse of wastewater. Urban and natural hazards - A flood study has been undertaken to consider flood impacts and ensure the Precinct develops to manage risk and is resilient to this hazard. A preliminary site investigation assessed historical and existing uses for contamination risk. Redevelopment of the Precinct, including the significant increases proposed to density were considered to be acceptable.
E15	Protecting and enhancing bushland and biodiversity	
E16	Protecting and enhancing scenic and cultural landscapes	
E17	Increasing urban tree canopy cover and delivering Green Grid connections	
E18	Delivering high quality open space	
E19	Reducing carbon emissions and managing energy, water and waste efficiently	
E20	Adapting to the impacts of urban and natural hazards and climate change	
Implementation		
E21	Preparing local strategic planning statements (LSPS) informed by local strategic planning	Consistent. The Proposal aligns with the City of Canada Bay Local Strategic Planning Statement (2023) which calls for coordinated, precinct-based planning around new metro stations to ensure growth is sequenced with infrastructure delivery.
E22	Monitoring and reporting on the delivery of the Plan	

Draft Sydney Plan

The *Draft Sydney Plan* is the NSW Government's 20 year strategic land use plan to direct future growth in the Sydney region. The draft plan addresses stand land use priorities with specific policy and planning responses.

The Planning Proposal is consistent with the following Responses and Council Actions of the Draft Sydney Plan as outlined in Table 3 below:

Table 3: Consistency with Responses and Council Actions of the Draft Sydney Plan

Response Number	Response	Statement of Consistency
Priority: Aboriginal outcomes		
N/A	N/A	Consistent. Council ensures its land-use planning practices are consistent with Aboriginal-inclusive requirements by recognising the cultural significance of Country in all planning processes. Connection to Country provides invaluable insights into ways of considering place and identifying changes that can be made that support Country, and Care for Country. <i>Connecting with Country Framework</i> (2023), produced by the GANSW, provides a framework for this critical involvement. Public consultation during the development of the Local Planning Study identified a community desire to recognise Aboriginal and Torres Strait Islander cultural connections to the area. Council will engage with the community as required by the Gateway Determination.
Priority: Housed		
1	Implement Sydney housing targets	Consistent. The proposal will increase the dwelling capacity of the Five Dock Precinct by approximately 805%.
2	Increase housing diversity and choice	Consistent. The proposal includes land that is not currently captured by the LMR and will facilitate dwelling densities far in excess of the LMR in the Five Dock Precinct in the vicinity of the future Metro station.
3	Secure the supply of affordable housing	Consistent. The existing City of Canada Bay Affordable Housing scheme will be updated to also include the Five Dock Precinct to secure additional affordable housing in perpetuity.
Priority: Prosperous		
4	Grow well-located jobs	Consistent. The Five Dock MU1 zone will be expanded in area and additional commercial spaces will be required on the second floor of all MU1 buildings to enable location of new businesses and jobs in the vicinity of the Metro station.
8	Secure an ongoing pipeline of productive industrial lands	N/A. There is no industrial land within the Precinct.
Priority: Connected		
5	Align infrastructure to planned growth	Consistent. UDP and ELDP datasets align land-use change with timely and coordinated infrastructure delivery.

Response Number	Response	Statement of Consistency
		New dwellings and infrastructure are proposed in the Five Dock Precinct to unlock the growth potential of the future Metro and meet housing targets. The infrastructure contributions plan is proposed to be updated to capture new infrastructure required in the Precinct. Delivery programs and operational plans will be updated over time as required to capture new works.
10	Sequence planned growth in greenfield areas within the urban footprint	N/A. There are no greenfield areas within the City of Canada Bay and the draft Sydney Plan does not have any Council actions for this Response.
Priority: Resilient		
9	Minimise the impact of natural hazards to communities	Consistent. A Flood Risk Assessment has been undertaken and found that the proposed higher density is suitable from a flood perspective. A Preliminary Site Investigation (Contamination) Report has been prepared and advised that rezoning can proceed, with a recommendation that further investigation is undertaken at DA stage for any land being redeveloped. The Precinct is not within a coastal area. The Precinct is not affected by the Hawkesbury Nepean Valley DAP.
12	Protect and enhance the natural environment	Consistent. Redevelopment of the Precinct, especially upgrades to public domain is expected to increase public domain landscaping and exceed City of Canada Bay tree canopy targets.
Priority: Liveable		
6	Create a more vibrant Sydney	Consistent. Council is undertaking a separate project to investigate potential locations for special entertainment precincts throughout the LGA.
7	Grow and connect public open space	Consistent. The proposal includes the creation of approx. 4,600sqm open space on Henry St, approx. 800sqm in front of St Albans church on Great North Rd, and approx. 2,400sqm between Great North Rd and Waterview St for the new town square.
Priority: Coordinated		
11	Manage land uses beyond the urban footprint	N/A. There is no rural land in the vicinity of the Precinct.

Q4. Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

The Proposal is consistent with the following Actions of Council's endorsed LSPS:

- 1.4 Work collaboratively with Sydney Metro and the Department of Planning and Environment to ensure that land use change around Sydney Metro West stations delivers high quality outcomes that include:
 - a desired future character statement prepared in consultation with the community;
 - social infrastructure, active transport and walkability; and
 - high quality public domain and open space.
- 4.4 Amend the *Canada Bay Local Environmental Plan* to implement a competitive design excellence process to apply to all new buildings of over 45 metres height or where identified on a map.
- 5.5 Require a minimum of 5% of the Gross Floor Area of new development to be dedicated as affordable housing for:
 - Planned Precincts
 - Parramatta Road Corridor precincts
 - where there is a significant increase in density arising from a Planning Proposal

The Proposal seeks to implement a precinct wide masterplan, and a design excellence clause is proposed to be applied in the Precinct.

The LSPS requires a contribution of 5% of GFA be dedicated as affordable housing, however despite the significant uplift proposed, feasibility testing found that 2% of GFA for affordable housing was appropriate to support feasible development generally across the Precinct. Additional development is proposed for some sites which can then feasibly provide up to 10% affordable housing.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no other state or regional studies or strategies that are directly relevant to this planning proposal.

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes, the Proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) as outlined below.

Table 3: Consistency with SEPPs

SEPP Title	Consistency
SEPP (Biodiversity and Conservation) 2021	Consistent. The Proposal does not rezone or introduce provisions that impact biodiversity, conservation areas, or land to which this SEPP applies. It does not undermine or conflict with the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent. By correcting heritage mapping and removing heritage listings where significance has been lost, the Proposal improves the functioning of exempt/complying development pathways, ensuring they apply appropriately. No provisions conflict with this SEPP.
SEPP (Housing) 2021	Partly Consistent.

SEPP Title	Consistency
	The Proposal is consistent with the aims and objectives of the Housing SEPP as it seeks to increase housing choice and affordable housing in the Five Dock Precinct. The Precinct is affected by Chapter 2, Part 2, Division 1 – Infill affordable housing and Chapter 6 Low and mid-rise housing (LMRH) of State Environmental Planning Policy (Housing) 2021. Chapter 2, Part 2, Division 1 – Infill affordable housing This Division provides for an increase in Height and FSR of 20-30%, where at least 10% to 15% of the floor space is provided for affordable housing. The bonus FSR and height would apply in addition to the maximum proposed standards. It is noted that the masterplan has been designed to deliver what is considered the maximum level of development for the Precinct without creating negative impacts. <i>Impact on heights</i> - If taken up, this would result in development within the residential areas increasing from buildings with four (4) storey podiums and apartments above of up to eight (8) storeys, to buildings with six (6) storey podiums and apartments above up to ten (10) storeys. In the Town Centre this could result in mixed use buildings increasing from twelve (12) storeys to fifteen (15) or sixteen (16) storeys, with taller buildings of twenty-five (25) storeys potentially increasing to thirty-two (32) storeys. <i>Impact on built form, overshadowing and feasibility</i> - Increased heights would be difficult to accommodate across the Precinct as taller development would require increased setbacks to meet the separation distances recommended in the Apartment Design Guide and, as sites are typically small, site amalgamations could impact development feasibilities. Taller and bulkier buildings would also create increased overshadowing and development on the southern side of the narrow streets will struggle to achieve the minimum recommended Apartment Design Guide solar standards. Impacts on public domain are also expected. <i>Impact on Infrastructure delivery</i> - Supporting studies informing the Masterplan, including traffic, open space requirements, social, community and retail needs assessment, have been based on the projected dwelling capacity of the plan. Any increase in development capacity beyond the masterplan is expected to exacerbate this, creating greater risks to Council. Of particular concern is meeting the additional community needs and addressing traffic impacts with any take-up of the 30% increased development possible under the Housing SEPP. Chapter 6 Low and mid-rise housing (LMRH) The building envelopes recommended in the Masterplan have been created to balance maximising development with feasibility and amenity challenges of small sites on narrow streets. A fundamental aspect of the Planning Proposal is the use of Key Sites to deliver infrastructure, such as new open space, roads, pedestrian links and community facilities. This mechanism relies upon Incentive Floor Space Ratios and Incentive Height of Building standards, over and above current LEP heights and FSRs, to deliver local infrastructure to support planned densities. These incentives have been tested for feasibility as part of the masterplan process. Residential rezoning by the Proposal will trigger application of the higher LMRH height and FSR controls set out in the SEPP (Housing) 2021. These higher controls effectively change the base controls applied before development incentives are applied, with subsequent impacts to feasibility when also delivering infrastructure. To reinforce the incentive provisions to deliver infrastructure and enable the realisation of planned densities it is proposed to 'turn off' the LMHR provisions for the Precinct.

SEPP Title	Consistency
	It should be noted that the density proposed in the Five Dock Precinct is significantly higher than the theoretical capacity under the LMRH and exceeds many comparable TOD precincts. Also, Council has prepared a residential benchmarking analysis that shows that the Five Dock Precinct is projected to have a gross dwelling density of 222.3 dwellings per hectare and gross population density of 411.4 persons per hectare. This significant level of density is higher than those calculated for Rhodes, Burwood-Concord, Homebush (Canada Bay), Bankstown, Burwood, Hornsby, Macquarie Park, Mascot, St Leonards and Zetland. Given the densities proposed under the Incentive Floor Space Ratio and Height of Building provisions, the continued application of the LMRH requirements is not deemed reasonable or necessary. <i>Recommendation</i> It is recommended that the Low and Mid-Rise Housing provisions in the Housing SEPP not apply in the Five Dock Precinct. The Infill Affordable Housing bonus provisions could be applied within the core of the Precinct (shown as Five Dock Precinct Inner Area in Figure 25) only, to provide the benefits of additional affordable housing whilst minimising impacts to the remainder of the Precinct. This will ensure the level of amenity envisaged will be delivered, development does not significantly exceed the planned capacity and the proposed mechanism to provide infrastructure is not undermined.
SEPP (Industry and Employment) 2021	Consistent. The SEPP aims to protect and enhance employment land, particularly within the Western Sydney Employment Area, by providing consistent zoning and development controls that support industrial growth and job creation. No provisions conflict with this SEPP.
SEPP (Planning Systems) 2021	Consistent. The SEPP (Planning Systems) 2021 establishes the framework for identifying and regulating State significant development, State significant infrastructure, and critical State significant infrastructure, ensuring these major projects are assessed consistently across NSW. No provisions conflict with this SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable. No land within the LGA related to this SEPP is affected, and the Proposal does not alter precinct-specific controls.
SEPP (Eastern Harbour City) 2021	Not applicable. The Proposal does not relate to land governed by this SEPP and introduces no provisions that impact it.
SEPP (Precincts – Regional) 2021	Not applicable. The Proposal does not relate to land governed by this SEPP and introduces no provisions that impact it.
SEPP (Precincts – Western Parkland City) 2021	Not applicable. The Proposal does not relate to land governed by this SEPP and introduces no provisions that impact it.

SEPP Title	Consistency
SEPP (Primary Production) 2021	Not applicable. There is no primary production land in the LGA, and the Proposal does not affect any land or uses relevant to this SEPP.
SEPP (Resilience and Hazards) 2021	Consistent. A preliminary site investigation has looked at historical and existing uses for contamination risk. Redevelopment of the Precinct including the significant increases proposed to density are considered acceptable.
SEPP (Resources and Energy) 2021	Not applicable. The Proposal does not relate to resource extraction, energy generation, or any development governed by this SEPP.
SEPP (Sustainable Buildings) 2021	Consistent. The Proposal does not contain provisions that would contravene or hinder the application of this SEPP. The Proposal seeks to apply sustainability provisions for new development through new controls within the Canada Bay Development Control Plan or through additional guidance which supports the provisions of the Sustainable Buildings SEPP.
SEPP (Transport and Infrastructure) 2021	Consistent. The Proposal does not contain any provisions which would contravene or hinder the application of the Transport and Infrastructure SEPP.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The Proposal is consistent with most applicable Local Planning Directions (Section 9.1 Ministerial Directions as discussed below.

Table 4: Consistency with Ministerial Directions

Direction	Comments
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent. The proposal does not contain any provisions which would contravene or hinder the application of any regional, district or draft plans.
1.2 Development of Aboriginal Land Council land	Not applicable. The proposal does not relate to land owned by a Local Aboriginal Land Council.
1.3 Approval and Referral Requirements	Not applicable. No new provisions that introduce concurrence, consultation or referral requirements for development applications are proposed.

Direction	Comments
1.4 Site Specific Provisions	The Proposal includes provisions that rezone land to an existing zone already in the LEP and proposes additional development standards that do not currently apply to the land. New development standards are proposed for the Precinct relating to public domain, sustainability, supply of non-residential floorspace, urban design and carparking. These provisions are not unusual and are currently in force in Part 7 (clause 7.4 and 7.6) of the LEP for the Rhodes Precinct and Part 8 (clause 8.10) for the Burwood-Concord, Homebush North and Kings Bay Precincts. The Five Dock Precinct is proposed to undergo renewal similar to other precincts in the City of Canada Bay (Part 7 and 8 of the LEP) and the inclusion of these provisions will assist in ensuring positive employment, amenity and environmental outcomes. Given the proposed planning provisions are being applied elsewhere in the Local Government Area and are already referenced in the <i>Canada Bay Local Environmental Plan 2013</i> (albeit to different localities), the proposed inconsistency is deemed to be of minor significance.
1.4A Exclusion of Development Standards from Variation	Consistent The proposal does not exclude the application of clause 4.6.
Focus area 1: Planning Systems – Place-based	
1.5 – 1.22	Not applicable
Focus area 2: Design and Place	
N/A	Not applicable
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Consistent The Precinct does not include any environmentally sensitive land and although some trees may need to be removed, over time the proposal aims to increase tree canopy.
3.2 Heritage Conservation	Consistent. The Five Dock Precinct Masterplan considers various heritage items located within the Precinct area. The Proposal is supported by a Heritage Impact Assessment which has informed, together with the Masterplan, appropriate zoning, height of buildings and FSR. Lyons Road West Street Trees - The Proposal seeks to expand the existing listing of street trees (I321) located on the northern side of Lyons Road West (outside the boundaries of the Precinct) by incorporating the street trees on the southern side of the road. This aims to ensure protection and consistency on both sides of the street. 133-135 Great North Road - The existing heritage listing (I225) captures the building at number 133 and the adjoining building at number 135 Great North Road. The building at 135 has been significantly modified including an unsympathetic rear extension, and replacement of windows, shopfront, roof cladding, windows, awning, and much of the first and second floor interior fit outs. This absence of significant fabric results in a building that is no longer representative of Five Dock's early development. In addition to extensive modification of this building, research by Council indicates that historical association, aesthetic/technical, research and rarity criteria are unlikely to be met.

Direction	Comments
	In comparison to the intactness and aesthetic appeal of 133 Great North Road, 135 Great North Road is considered to no longer meet the criteria for local listing and it is recommended for delisting. 189-193 Great North Road - The existing heritage listing (I230) identifies land previously known as Lots 1, 2 and 3 in DP 11313. The land is now known as Lot 100 in DP 1178785 which requires an amendment to the listing in Schedule 5. Additionally, the Five Dock Precinct Heritage Study recommended that the curtilage be reduced in recognition of the later multi-unit residential construction occupying the majority of the lot to the rear. It is recommended that the description in Schedule 5 be referenced as Part Lots 100, DP 1178785, and the mapping amended to show a reduced curtilage. Refer to supporting studies provided as Attachments.
3.3 – 3.6	Not applicable. The Proposal does not affect drinking catchments, C2 or C3 zones, recreation vehicle areas, or areas of high biodiversity value.
3.7 Public Bushland	Not applicable. The Proposal does not affect public bushland or introduce controls relevant to this Direction.
3.8 Willandra Lakes Region	Not applicable. The Proposal does not affect the Willandra Lakes Region or introduce controls relevant to this Direction.
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable. The Precinct is not located within a Foreshores and Waterways Area.
3.10 Water Catchment Protection	Consistent The proposed rezoning does not directly impact the water catchment, however the impact of future development applications will be considered during assessment.
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent. The planning proposal does not apply to an existing Flood Planning Area. The following is noted: - The large majority of the Precinct's area is flood fringe, with only localised instances of floodway confined to the roadway, due to slightly deeper and higher velocity flow. - Flood impact assessment has been carried out using concept-level building footprints. Assessments show most areas have no adverse impact on flooding, however, along flow paths there is potential for localised adverse impact on other properties. The assessment shows that the future works are generally suitable but will be required to be designed to avoid any such flood impacts. This requirement is a flood planning control, already in place. - No increase in government spending on mitigation, infrastructure or services would be expected. - Development consent would be required for new buildings in the Precinct via the DA process. Refer to the Flood Risk Assessment for more information.

Direction	Comments
4.2 - 4.3	Not applicable.
4.4 Remediation of Contaminated Land	Consistent. Based on an assessment of the history, environmental setting and a detailed site inspection, there is considered to be low potential for widespread or gross contamination across the majority of the Precinct, and areas with risk assessment ratings of moderate to high were mostly limited to areas along or near to Great North Road. There is a greater potential for contamination associated with previous onsite storage and use of fuels and/or chemicals within light industrial/commercial businesses, particularly relating to former or existing underground petroleum storage systems (UPSS), former or existing dry cleaner operations, and potential hazardous building materials at properties that have not been recently redeveloped. Identified potential contamination issues relate to common potentially contaminating land use activities which can be readily dealt with during the development application (DA) stage (i.e. including completion of preliminary and detailed site investigations consistent with relevant Development Control Plans (DCPs) and State Environmental Planning Policy (Resilience and Hazards) 2021 remediation of land requirements) for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) Managing Land Contamination: Planning Guidelines for rezoning are considered to have been satisfied, namely that the rezoning can proceed, "provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made". Refer to the Preliminary Site Investigation for more information.
4.5 Acid Sulfate Soils	Consistent. The Precinct is identified as Class 5 on the Acid Sulfate Soils Map. The Precinct is located within an area of low to extremely low occurrence of acid sulfate soil materials, noting that a high probability occurrence of ASS to the north of the Precinct may require consideration for future development in the central north of the Precinct. The LEP contains the Acid Sulfate Soils Model LEP clause, which includes the requirement that an acid sulfate soils management plan be prepared in accordance with the Acid Sulfate Soils Manual prior to a development consent being granted. Refer to the Preliminary Site Investigation for more information.
4.6 Mine Subsidence and Unstable Land	Not applicable.
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent. The proposal is consistent with the objectives of this Direction, and in particular the presence of the Metro enables higher densities in close proximity to the station and the use of Key Sites will deliver active transport links enabling a more walkable neighbourhood that is also cycle friendly. It is expected that the Metro, coupled with existing low maximum parking rates, will reduce dependence on cars and support the efficient operation of public transport services.
5.2 Reserving Land for Public Purposes	Consistent.

Direction	Comments
	The Proposal includes provisions for the acquisition of land to create a new park and road widening, as well as Key Sites to deliver additional open space, pedestrian and active transport links, part of a regional cycleway, road widening, new roads and community facilities.
5.3 – 5.5	Not applicable.
Focus area 6: Housing	
6.1 Residential Zones	Partially Consistent. The Proposal seeks to facilitate additional variety and choice of housing types to provide for existing and future housing needs, make more efficient use of existing infrastructure and services, and minimise the impact of residential development on environmental and resource lands. As the Proposal is generally focussed on providing high density within 400m of the station it can complement the LMRH which facilitates other housing typologies within 400m to 800m of the station. The Proposal also seeks to ensure that requirements are in place prior to any development occurring to ensure the proposed increased housing capacity is adequately serviced. It is noted that adequate infrastructure may not be provided if the LMRH provisions are not 'switched off' for the Precinct. In addition, currently planned infrastructure will be inadequate if 20-30% more dwellings are provided via the Housing SEPP Affordable Housing Bonus. It is recommended that the LMRH provisions of the SEPP (Housing) 2021 be switched off for the Five Dock Precinct, and Infill Affordable Housing Bonus provisions are partly turned off (retained for Inner Area only). Refer to discussion under Question 6 and the Masterplan for more information.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable.
Focus area 7: Industry and Employment	
7.1 Employment Zones	Consistent. An employment assessment (refer to Attachments) was undertaken in February 2025 which identified the need for some commercial growth, but a greater need for a second supermarket. The MU1 Mixed Use zone facilitates the delivery of both these. It is noted that the proposed population has significantly increased since the initial assessment was prepared (due to introduction of the LMRH and Council's feasibility analysis). It is therefore expected that the demand for commercial/retail floorspace within the town centre will increase accordingly. The proposal seeks to encourage employment growth around the Metro station by expanding the MU1 zone and by requiring two levels of non-residential floorspace (ground floor and first floor) in the MU1 areas.
7.2 – 7.3	Not applicable.
Focus area 8 - 9	
8.1 – 9.4	Not applicable.

Section C – Environmental, social and economic impact

Q8. 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 Proposal relates to land that has a long history of residential and commercial uses.

The Canada Bay Biodiversity Action Plan 2025-2030 does not identify any plant communities (Endangered Ecological Communities) or critical habitat within the Precinct.

Five Dock Park is located to the east of the Precinct and contains a small remnant of Sydney Turpentine Ironbark Forest (STIF). This vegetation is on the far eastern edge of the park with significant separation from the land undergoing change in the Five Dock Precinct. No impact is envisaged on this community.



Figure 28: Vegetation Communities (Source: Canada Bay Biodiversity Action Plan)

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

An Environmental Sustainability Study (refer to Attachment A3) was undertaken for the Precinct.

The Proposal and corresponding DCP amendments will result in beneficial environmental effects as they are seeking to implement sustainability measures such as:

- Increasing surface permeability.
- Increasing canopy coverage.
- Incorporating shade structures, solar panels and vegetation on rooftops.
- Natural ventilation of buildings,
- Incorporating appropriately designed façades, including measures such as solar shading, window to wall ratios, green walls and heat rejecting ventilation units.

- Use of features such as passive design to for energy efficiency.
- All electric buildings.
- Electric vehicle infrastructure.
- Installation of dual water pipes.

Q10. Has the planning proposal adequately addressed any social and economic effects?

The proposed changes are unlikely to result in any adverse social or economic effects.

It is estimated that there are around 1,544 existing dwellings in the Precinct. The Proposal seeks to significantly increase the dwelling density and permit 13,983 dwellings. The majority of the new dwellings will result from the construction of residential flat buildings.

A social infrastructure and open space assessment (refer to Attachment A8) was prepared to identify the infrastructure to meet the needs of the future population. The Precinct is in an existing urban area with limited public land and high land values, thus impacting the ability for required infrastructure to be provided.

A park of 0.46ha (4,600sqm) is proposed adjacent to the public school, offering potential benefits via co-location with the school and in a central location that is accessible to sites without existing nearby open space.

Additional open space is also proposed as follows:

- Fred Kelly extension (approx. 690sqm)
- New town square (approx. 2,400sqm)
- Rodd Rd pedestrianised zone (900sqm)
- Barnstaple Rd pedestrianised zone (650sqm)
- East St pedestrianised zone (approx. 780sqm)
- School Lane pedestrianised zone (approx. 510sqm)
- St Albans church privately owned public space (800sqm)

The planning proposal facilitates affordable housing via a 2-10% contribution for all new development, providing affordable housing for lower income households.

Five Dock contains an existing mixed use town centre that provides a range of non-residential uses as a focal point for community connection and to service residents of the area. The town centre will be expanded and the requirement for ground and first floor commercial uses will ensure that the centre will become a local hub for services and recreation, supporting an activated precinct, a strong local place and night time economy.

An employment land assessment (refer to Attachment A2) assisted in informing the Masterplan. It is noted that there is a smaller local centre (Wareemba) to the north and a new mixed-use zone (PRCUTS Kings Bay Precinct) to the south-west. Given the substantial increase in population in the Five Dock Precinct, the additional commercial floor space proposed in Five Dock is not expected to adversely impact these and other surrounding commercial centres, and is consistent with the draft Sydney Plan requirement for Five Dock to become a retail centre.

Section D – Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal considers the availability and delivery of infrastructure required to support the anticipated growth and increased residential density within the centre.

The following outlines key infrastructure components and how they will be addressed:

- *Local Infrastructure* - The proposed increase in residential density will necessitate additional local infrastructure. To address this, the Planning Proposal introduces Key Site provisions that incentivise the delivery of essential infrastructure, including road widenings, new roads and pedestrian links, open space, and community facilities (refer to previous Key Sites discussion). Other local infrastructure requirements will be addressed through the Canada Bay Local Infrastructure Contributions Plan.
- *Metro* - Sydney Metro West is a critical piece of infrastructure that underpins the opportunity for additional housing in Five Dock. Its delivery will significantly improve accessibility and support the planned growth of the centre.
- *State Infrastructure* - Higher-order infrastructure such as schools, major roads, and health facilities will be planned and funded by the NSW Government to align with the timing of growth. The NSW Government collects Housing and Productivity Contributions to assist with the delivery of these services.
- *Water and Sewerage* - The subject site is located within the Sydney Water service area. Potable water and sewerage services are available, and it is understood that the existing network has sufficient capacity to accommodate the proposed development, subject to standard connection requirements.
- *Stormwater* - Overland flow paths have been considered in the Flooding Assessment, and stormwater will be managed in accordance with Council's Development Control Plan (DCP).
- *Electricity* - The site is serviced by the Ausgrid electricity network. It is anticipated that existing infrastructure can support the additional demand generated by the proposal. Any required upgrades will be addressed during detailed design and in consultation with Ausgrid.

Engagement is proposed with Sydney Metro, Transport for NSW, School Infrastructure NSW, NSW Health, and relevant utility providers when the Planning Proposal is placed on public exhibition.

Section E – State and Commonwealth interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The views of any relevant State and Commonwealth agencies will be sought through consultation as required by the Gateway Determination.

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

The following map sheets are included as **Attachment A12**:

- Land Zoning
- Height of Buildings Map (including Height of Buildings – Additional Controls)
- Incentive Height of Buildings Map
- Floor Space Ratio Map (including Floor Space Ratio – Additional Controls)
- Incentive Floor Space Ratio Map
- Heritage Map
- Key Sites Map
- Affordable Housing Contribution Scheme Map
- Design Excellence Map
- Active Street Frontages Map
- Land Reservation Acquisition Map
- Sun Access Protection Map
- Additional Permitted Uses Map

Note: The Canada Bay LEP 2013 uses digital mapping, therefore the maps provided are indicative only.

Part 5 - Community Consultation

The Masterplan has been developed from the Local Planning Study and responds to recent NSW Government Reforms (including Transport Oriented Development (TOD) Program, Low and Mid-Rise Housing and Affordable Housing reforms) and expectations to leverage the transport benefits of the new metro station.

Council engaged with landowners as part of the development of the Local Planning Study and gained early input from the local community on the approach to change at Five Dock. Further engagement will occur during exhibition. Council continues to collaborate with Sydney Metro on precinct responses around future stations and will engage with Government agencies as needed.

It is intended to publicly exhibit the draft plan for a minimum period of 28 days.

Council intends to consult with the following agencies (or as otherwise required by the Gateway Determination) in respect of the planning proposal, following a Gateway Determination:

- Ausgrid
- Sydney Water Corporation
- Jemena Gas Networks
- Metropolitan Aboriginal Land Council
- Transport for NSW
- Sydney Metro
- School Infrastructure NSW
- Heritage NSW
- State Emergency Service
- NSW Health

Part 6 - Project Timeline

It is anticipated the planning proposal will take a minimum of **9** months to finalise. An indicative project timeline for this minimum period is provided below.

Action	Timeframe (TBC)
Local Planning Panel	3 December 2025
Council Meeting	17 March 2026
Submission for Gateway	March 2026
Gateway Determination	June 2026
Pre-exhibition	July 2026
Report to Council (subject to scope of Gateway amendments)	July 2026
Commencement and completion dates of public exhibition period	July/August 2026
Government Agency Consultation	July/August 2026
Consideration of submissions	August/September 2026
Post-exhibition review	September/October 2026
Council Determination	November 2026
Date draft LEP requested from PCO	December 2026
Date draft LEP received from PCO	January 2027
Date PCO Opinion requested	January 2027
Date PCO Opinion received	January/February 2027
Date GIS data or maps provided/requested	February 2027
Date ePlanning confirmed mapping is suitable and sent to PCO	March 2027
Date LEP finalised	April 2027
Submission to the Department requesting notification	April 2027
Notification of LEP amendment	May 2027

Appendix A – Additional Technical Information to support CCB LEP 2013 amendments

This Appendix should be read in conjunction with Part 2 – Explanation of Provisions of this planning proposal. It provides additional technical information to support and/or expand upon provisions outlined in Part 2.

Note: NSW Parliamentary Counsel's Office will draft the legal instrument prior to the Planning Proposal being finalised.

Amended clauses

Clause 5.1A - Development on land intended to be acquired for public purposes

(Supports *Part 2 - I. Land Reservation Acquisition* of this planning proposal)

Clause amendments

The planning proposal includes the reservation of land for acquisition for open space and local roads. To manage how this land is developed and ensure the land will not be redeveloped for anything other than for the required public purpose, it is necessary to add references to that land in clause 5.1A.

Column 1 - Land	Column 2 - Development
Zone RE1 Public Recreation and marked "Local open space"	Open space
Zone R4 High Density Residential and marked "Local road"	Local road

Mapping amendments

Accompanying mapping amendments are shown on 'Land Reservation Acquisition' map.

Clause 6.12 – Affordable housing

(Supports *Part 2 – L. Affordable housing of this planning proposal*)

Clause amendments

It is proposed to include affordable housing requirements for the Five Dock Precinct and also simplify the formatting of the existing clause to make it easier to understand as described below:

(1) This clause applies to development on land in an affordable housing contribution area shown on the Affordable Housing Contribution Scheme Map that involves—

- a) the erection of a new building with a gross floor area of more than 200 square metres, or
- b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for residential purposes, or

- c) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 100 square metres of gross floor area.

(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution equivalent to the applicable **affordable housing levy contribution** for the development specified in subclause (3).

(3) The affordable housing levy contribution for land in an Affordable Housing Contribution Area is specified in Column 2 of the Table to this clause:

Suburb	Affordable Housing Contribution Area	Contribution %
Concord	Burwood	4
Concord	160 Burwood Road Concord	10
Concord West	Homebush - Except for 3 King Street, Concord West and 176–184 George Street, Concord West	4
Concord West	Homebush - 3 King Street	5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 0.5:1
Concord West	Homebush - 176–184 George Street	5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.0:1.
Five Dock	Kings Bay	4
Five Dock	1 – 7 Ramsay Road, Five Dock	5
Five Dock	Five Dock Precinct contribution area (except for 1 Waterview Street, 146 First Avenue, 37-43A Waterview Street, 2 Second Avenue, 1-7 East Street, 2 West Street, 150-168 Great North Road, 106 Great North Road, 9-21 Waterview Street)	2
Five Dock	Five Dock Precinct - 1 Waterview Street	3
Five Dock	Five Dock Precinct - 146 First Avenue	3
Five Dock	Five Dock Precinct - 37-43A Waterview Street	4

Suburb	Affordable Housing Contribution Area	Contribution %
Five Dock	Five Dock Precinct - 2 Second Avenue	4
Five Dock	Five Dock Precinct - 1-7 East Street	5
Five Dock	Five Dock Precinct - 2 West Street	5
Five Dock	Five Dock Precinct - 150-168 Great North Road	5
Five Dock	Five Dock Precinct - 106 Great North Road	10
Five Dock	Five Dock Precinct - 9-21 Waterview Street	10
Rhodes	Rhodes West - Except for Area 4	5% of the relevant floor area that exceeds the floor space achieved by applying the maximum floor space ratio that was shown for the land on the Floor Space Ratio Map immediately before the commencement of this subclause.
Rhodes	Rhodes West - Area 4	3.5% of the relevant floor area that exceeds the floor space achieved by applying a floor space ratio of 1.76:1
Rhodes	Rhodes East	5

(4) A condition imposed under this clause must provide for the affordable housing levy contribution to be satisfied

- a) by dedication in favour of the Council of land comprising—
 - i. 1 or more dwellings, each having a gross floor area of not less than 50 square metres, with any remainder paid as a monetary contribution to the Council, or
 - ii. other land approved by the Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or
- b) if the person chooses, by monetary contribution paid to the Council.

(5) The rate at which a dedication of land or monetary contribution is taken to be equivalent to the relevant floor area for the purposes of the affordable housing levy

contribution is to be calculated in accordance with the Affordable Housing Contributions Scheme.

(6) To avoid doubt

- a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether the floor area concerned replaces an existing area, and
- b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of an affordable housing contribution.

(7) In this clause—

Affordable Housing Contributions Scheme means the Affordable Housing Contributions Scheme adopted by the Council on XX.

Area 4 means the land identified as “Area 4” on the [Additional Local Provisions Map](#).

relevant floor area of a building means the gross floor area of the building that is to be used for residential purposes excluding the floor area that is—

- a) to be used to provide affordable housing or public housing, or
- b) to be used for community facilities, schools, public roads or public utility undertakings, or
- c) on land in Zone E4 General Industrial.

Mapping amendments

Accompanying mapping amendments are shown on the ‘Affordable Housing Contribution Scheme’ map.

Amended Schedule 5 - Heritage

(Supports *Part 2 - H- Heritage* of this planning proposal)

Clause amendments

It is proposed to amend three items listed in Schedule 5 Part 1 of the Canada Bay LEP 2013.

- I321 - No change is proposed to the listing in the Schedule.
- I225 - The existing heritage item I225 is proposed to be amended in the Schedule as follows:

Proposed Schedule text

Suburb	Item name	Address	Property description	Significance	Item no
Five Dock	Shop	133 Great North Road	Lot 9, DP 220545	Local	I225

- I230 - The existing heritage item I230 is proposed to be amended in the Schedule as follows:

Proposed Schedule Text

Suburb	Item name	Address	Property description	Significance	Item no
Five Dock	Terrace of three shops	189–193 Great North Road	Part Lots 100, DP 1178785	Local	I230

Mapping amendments

Accompanying mapping amendments are shown on the 'Heritage' map.

New Part 6 Clauses

Urban heat island effect

(Supports *Part 2 – B - Creation of Five Dock Precinct and Key Sites*)

New clause

It is proposed to introduce a new Part 6 clause, similar to clause 8.10, specifically for the heat island effect. The new clause will apply to the Five Dock Precinct, Burwood-Concord Precinct, Homebush North Precinct, Kings Bay Precinct, and the Rhodes Precinct, such as:

Development consent must not be granted to development on land within the Five Dock Precinct, Burwood-Concord Precinct, Homebush North Precinct, Kings Bay Precinct, and the Rhodes Precinct unless the consent authority—

- is satisfied that planning and design measures are incorporated to reduce the urban heat island effect.

New objectives

- Ensure development incorporates planning and design measures to reduce the urban heat island effect in Canada Bay, and
- Ensure buildings and outdoor spaces are thermally comfortable for people living and working in Canada Bay, particularly during summer, and
- Promote the cooling benefits of green infrastructure and water in the landscape.

Definitions

In this clause—

green infrastructure means the network of green spaces, natural systems and semi-natural systems that support sustainable communities and includes waterways, bushland, tree canopy and green ground cover, parks and open spaces, green walls and green roofs.

urban heat island effect means the effect resulting from conditions that contribute to higher temperatures in urban areas, including—

- use of roads, car parks, pavements, roofs, walls and other hard and dark surfaces, and

- activities that generate heat, including waste air from mechanical cooling systems, and
- reduction in green infrastructure.

As a result of this clause, the urban heat island effect provisions in Part 8.10 can be deleted.

Mapping amendments

No mapping amendments relevant to this clause.

Quality and amenity of public domain

(Supports Part 2 – B - Creation of Five Dock Precinct and Key Sites)

New clause

It is proposed to introduce a new Part 6 clause, similar to clause 8.10, specifically for quality and amenity of public domain. The new clause will apply to the Five Dock Precinct, Burwood-Concord Precinct, Homebush North Precinct, Kings Bay Precinct, and the Rhodes Precinct, such as:

Development consent must not be granted to development on land within the Five Dock Precinct, Burwood-Concord Precinct, Homebush North Precinct, Kings Bay Precinct, and the Rhodes Precinct unless the consent authority—

- is satisfied the development will improve the quality and amenity of the public domain, for example, by including landscaped areas, pedestrian walkways or cycleways.

As a result of this clause, the quality and amenity of public domain provisions in Part 8.10 can be deleted.

New objectives

- To enhance the amenity, safety and functionality of the public domain.
- To provide high-quality, well-designed public spaces supported by landscaping and green infrastructure.
- To promote safe, accessible and well-connected pedestrian and cycle networks.
- To encourage public art and place-making that strengthen local identity.

Mapping amendments

No mapping amendments relevant to this clause.

Dual water reticulation systems

(Supports Part 2 – B - Creation of Five Dock Precinct and Key Sites)

New clause

Introduce a new Part 6 clause, similar to clause 8.10, specifically for dual water reticulation systems. The new clause will apply to the Five Dock Precinct, Burwood-Concord Precinct, Homebush North Precinct, Kings Bay Precinct, and the Rhodes Precinct, such as:

Development consent must not be granted for the erection of a new building on land within the Five Dock Precinct, Burwood-Concord Precinct, Homebush North

Precinct, Kings Bay Precinct, and the Rhodes Precinct unless the consent authority—

- is satisfied the building has a dual water reticulation system containing pipes for non-potable water.

As a result of this clause, the dual water reticulation system provisions in Part 8.10 can be deleted.

New objectives

- To ensure development incorporates dual water reticulation systems that support water security, resilience and resource efficiency.
- To reduce reliance on potable water by enabling the use of recycled water for non-potable internal and external water demands.
- To promote sustainable water management practices through the integration of recycled water infrastructure within new buildings.
- To support improved environmental outcomes, including reduced pressure on water supply networks, improved drought resilience and reduced wastewater discharge.

Mapping amendments

No mapping amendments relevant to this clause.

Overshadowing of public places

(Supports Part 2 – J – Solar Access Protection)

It is proposed that clause 7.3 for overshadowing of public places in Rhodes Precinct be relocated to Part 6, with the inclusion of objectives and subclauses relevant to the Five Dock Precinct.

New clause for Rhodes Precinct

Relocate Clause 7.3.

New clause for Five Dock Precinct

The proposed clause will require development to be designed so that there is no additional overshadowing of the spaces on the 21 June in any year, at the times of day shown in the table below and as identified on Sun Access Protection Map.

Public place	Time during which additional overshadowing is prohibited (mid-winter)
Fred Kelly Place	12.30pm - 2.30pm
New Town Square	12.30pm - 2.30pm
Henry Street Park Primary Zone	9am – 1pm
Henry Street Park Secondary Zone	11am – 1.30pm

New objectives

- To protect and enhance solar access to public open spaces, parks, plazas and pedestrian areas.
- To minimise overshadowing of public places during key usage times, particularly between 9am–3pm mid-winter.
- To maintain adequate sunlight to support passive recreation, landscape health, and public comfort.

Mapping amendments

Accompanying mapping amendments are shown on 'Sun Access Protection Map'.

New Part 10 Clauses

It is proposed that a new Part be introduced to the Canada Bay LEP 2013 for the Five Dock Precinct to enable relevant standards and requirements specific to the Precinct to be included in a single Part of the LEP. The following sections outline the suggested clauses.

Application of part

(Supports *Part 2 – B - Creation of Five Dock Precinct and Key Sites*)

New clause

A new clause will be introduced that identifies that this new Part relates to the Five Dock Precinct, with references to the Key Sites Map, similar to the current clause 8.1

This approach is consistent with the format of the LEP that contains Parts for other localities undergoing significant change, including the Rhodes Precinct (Part 7), the Parramatta Road Precincts (Part 8) and the Homebush Transport Oriented Development Precinct (Part 9).

Mapping amendments

Accompanying mapping amendments are shown on the 'Key Sites' map.

Minimum non-residential floor space in Five Dock Precinct

(Supports *Part 2 – B - Creation of Five Dock Precinct and Key Sites*)

New clause

It is proposed to include a new clause, similar to clause 7.4 of the LEP, requiring the ground and first floors of buildings in the Mixed Use zone be used for non-residential purposes, and include objectives and a list of uses that will be excluded.

The objectives of the clause may include:

- a) to ensure that a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of commercial centres
- b) to ensure a safe and activated precinct day and night around the Five Dock Metro station
- c) to encourage an appropriate mix of residential and non-residential uses,

The clause will also need to include that non-residential purposes means purposes other than the following—

- residential accommodation, excluding seniors housing,
- serviced apartments, but only if there are, or as a result of the development will be, fewer than 50 serviced apartments on the land,
- car parks,
- telecommunications facilities,
- parking spaces

Mapping amendments

No mapping amendments relevant to this clause.

Maximum height of building podiums in Five Dock Precinct

(Supports *Part 2 – B - Creation of Five Dock Precinct and Key Sites*)

New clause

It is proposed that a new clause be introduced, similar to clause 7.6 of the LEP, that requires a minimum podium height of two storeys (6.8m) and maximum podium height of four storeys (16m) across the Five Dock Precinct.

New objectives

- To provide a consistent street wall height.
- To ensure that buildings respond to the human scale and create a safe and attractive pedestrian experience at ground level.

Mapping amendments

No mapping amendments relevant to this clause.

Key Sites - Incentive floor space ratio/building heights and required infrastructure provision

(Supports *Part 2 – B - Creation of Five Dock Precinct and Key Sites*)

New clause - Minimum amalgamated site area

Each Key Site has a requirement for a minimum site area that must be achieved by the amalgamation for incentive bonuses to be achieved. It is proposed that new clauses be introduced, similar to clause 8.4, with the below amalgamated site areas to apply. The amalgamated site areas provided in the table below have been reduced by 2% to ensure they can be achieved.

Key Site Number	Minimum amalgamated Site Area (sqm)
67	3093
68	2998

Key Site Number	Minimum amalgamated Site Area (sqm)
69	1969
70	2112
71	2216
72	2759
73	2665
74	1835
75	2126
76	2681
77	1603
78	2345
79	1832
80	2471
81	3028
82	2037
83	3509
84	2598
85	1656
86	1792
87	1544
88	1695
89	1883
90	2079
91	1816
92	2756
93	2098

Key Site Number	Minimum amalgamated Site Area (sqm)
94	1761
95	1720
96	2073
97	3016
98	1499
99	1897
100	2715
101	2624
102	2726
103	1814
104	2412
105	1968
106	2245
107	3564
108	1750
109	1907
110	2608
111	3683
112	3667
113	2329
114	2518
115	1616
116	1573
117	1811
118	2206

Key Site Number	Minimum amalgamated Site Area (sqm)
119	1728
120	6155
121	4529
122	2507
123	2737
124	2816
125	2816
126	2788
127	2771
128	3056
129	2530
130	2609
131	1926
132	1971
133	1838
134	1719
135	1657
136	1719
137	2023
138	2470
139	3927
140	2397
141	3476
142	2539
143	2238

Key Site Number	Minimum amalgamated Site Area (sqm)
144	1514
145	4142
146	1802
147	968
148	1229
149	2471
150	2469
151	1833
152	2136
153	519
154	324
155	493
156	1309
157	1399
158	1333
159	1338
160	1571
161	1370
162	1325
163	1310

New clause - Local Infrastructure requirements

It is proposed that new clauses be introduced, similar to clause 8.5 to 8.8, with the below dimensions and site areas required for local infrastructure provided by each Key Site.

Open space

Proposed new dedicated public open space (similar to clause 8.5) is as follows:

Key Site Number	Minimum Open Space Length (m)	Minimum Open Space Width (m)	Minimum Open Space Dedication (sqm)	Open Space Location
104	50.1	13.9	696.6	Eastern boundary
106	47.0	13.9	654.3	Eastern boundary
145	79.9	30.4	2,394.9	Northern boundary

Proposed new privately owned public space is as follows:

Key Site Number	Minimum Open Space Length (m)	Minimum Open Space Width (m)	Minimum Privately Owned Public Space (sqm)	Open Space Location
139	34.8	24.5	853.6	Eastern boundary

Pedestrian and active transport links

Proposed new pedestrian and active transport links are as follows:

Key Site Number	Minimum Link Length (m)	Minimum Link Width (m)	Minimum Link Area (sqm)	Link Location
67	60.7	8.0	485.9	Southern boundary
72	59.1	6.0	354.5	Southern boundary
82	50.4	6.0	302.2	Western boundary
83	95.2	6.0	565.9	Western boundary
84	46.7	6.0	299.8	Eastern boundary
100	49.7	6.0	298.4	Eastern boundary
101	48.7	6.0	292.4	Eastern boundary
107	73.6	6.0	441.4	Eastern boundary
111	71.9	6.0	431.3	Western boundary
113	64.9	6.0	389.6	Eastern boundary
114	58.9	6.0	353.3	Western boundary
120	70.0	6.0	419.9	Western boundary
121	56.7	6.0	357.5	Western boundary

Key Site Number	Minimum Link Length (m)	Minimum Link Width (m)	Minimum Link Area (sqm)	Link Location
125	69.1	6.0	414.8	Eastern boundary
133	37.4	6.0	250.6	Western boundary
134	39.9	6.0	239.5	Western boundary
138	32.5	6.0	194.8	Southern boundary
139	44.3	3.6	159.1	Southern boundary
140	33.1	6.0	198.7	Central
144	16.3	6.0	97.7	Eastern boundary
145	37.9	6.0	227.6	Western boundary
146	36.8	6.0	221.0	Southern boundary
147	36.9	1.5	55.4	Northern boundary
149	37.1	1.5	55.6	Central/ Western boundary
150	54.1	6.0	317.1	Eastern boundary

Road widening

Proposed new road widening is as follows:

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
67	41.2	1.0	41.2	Eastern boundary
68	51.6	1.0	51.6	Eastern boundary
69	60.3	1.0	60.9	Northern boundary
69	31.4	1.0	31.4	Eastern boundary
70	31.9	1.0	31.9	Western boundary
70	37.6	1.0	37.6	Eastern boundary
70	60.1	1.0	60.1	Southern boundary
71	38.5	1.0	38.5	Western boundary
71	35.5	1.0	35.5	Eastern boundary

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
72	45.5	1.0	45.5	Western boundary
72	46.0	1.0	46.0	Eastern boundary
73	48.0	1.0	48.0	Western boundary
73	42.4	1.0	42.4	Eastern boundary
74	23.1	1.0	23.1	Western boundary
74	39.3	1.0	39.3	Eastern boundary
75	36.9	1.0	36.9	Western boundary
75	36.4	1.0	35.7	Eastern boundary
76	58.2	1.0	58.8	Eastern boundary
77	31.7	1.0	31.7	Eastern boundary
78	37.9	2.5	94.6	Southern boundary
78	48.5	1.0	48.5	Eastern boundary
79	31.0	1.0	31.0	Eastern boundary
80	40.7	1.0	40.7	Eastern boundary
81	16.7	3.0	50.2	Southern boundary
84	40.4	3.0	121.2	Southern boundary
85	47.2	3.0	141.5	Southern boundary
86	22.4	3.0	67.3	Southern boundary
86	54.4	1.0	54.4	Western boundary
87	42.1	1.0	42.1	Western boundary
88	32.2	1.0	32.2	Western boundary
89	35.9	1.0	35.9	Western boundary
90	48.4	1.0	48.6	Eastern boundary
91	36.8	1.0	36.8	Eastern boundary
92	51.2	1.0	51.2	Eastern boundary

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
93	50.4	3.0	151.3	Southern boundary
93	39.4	1.0	39.4	Eastern boundary
94	29.5	2.0	60.3	Western boundary
95	35.9	2.0	71.8	Western boundary
96	45.7	2.0	91.3	Western boundary
97	56.3	3.0	168.8	Southern boundary
98	31.4	1.0	31.4	Northern boundary
99	38.6	1.0	38.6	Northern boundary
100	55.1	1.0	55.1	Northern boundary
102	55.3	1.0	55.3	Northern boundary
103	37.2	1.0	37.2	Northern boundary
103	49.2	1.0	49.2	Eastern boundary
104	49.0	1.0	49.0	Eastern boundary
104	48.2	1.0	48.2	Northern boundary
105	49.0	1.0	49.0	Eastern boundary
106	48.0	1.0	48.0	Western boundary
108	35.6	1.0	35.6	Eastern boundary
109	36.9	1.0	36.9	Eastern boundary
110	72.0	1.0	72.0	Western boundary
112	68.3	2.0	137.2	Eastern boundary
115	40.9	3.0	122.8	Western boundary
116	39.6	3.0	118.8	Western boundary
117	44.4	3.0	133.1	Western boundary
117	38.5	3.0	76.5	Southern boundary
118	37.8	2.0	75.6	Southern boundary

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
119	29.7	2.0	59.5	Southern boundary
121	25.3	3.5	88.5	Southern boundary
122	33.8	2.0	70.0	Northern boundary
122	33.0	5.0	166.7	Southern boundary
123	36.1	2.0	72.2	Northern boundary
123	37.1	5.0	187.5	Southern boundary
124	38.0	2.0	76.0	Northern boundary
124	37.3	5.0	187.8	Southern boundary
125	37.8	2.0	75.6	Northern boundary
125	37.7	5.0	186.6	Southern boundary
126	37.6	2.0	75.3	Northern boundary
126	37.0	4.6	164.0	Southern boundary
127	35.1	2.0	70.2	Northern boundary
127	39.8	4.9	184.3	Southern boundary
128	38.1	3.5	97.2	Northern boundary
128	42.2	5.2	211.8	Southern boundary
129	39.3	1.5	59.0	Northern boundary
129	31.8	5.4	160.7	Southern boundary
130	23.4	1.5	35.0	Northern boundary
130	44.9	1.5	67.3	Western boundary
131	26.9	1.5	40.3	Western boundary
131	49.9	6.1	151.9	Southern boundary
132	51.4	1.5	77.1	Northern boundary
133	38.8	1.5	58.3	Northern boundary
135	17.4	2.0	34.8	Northern boundary

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
136	44.8	2.0	89.5	Northern boundary
139	36.5	1.0	36.5	Northern boundary
152	50.2	3.0	148.6	Northern boundary
153	21.9	1.0	21.9	Northern boundary
153	23.1	1.0	7.4	Eastern boundary
155	29.5	1.0	29.5	Northern boundary

Splayed corners

Proposed new splayed corners are as follows:

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
69	6.4	6.4	27.5	Northwest corner
69	7.5	7.5	28.1	Northeast corner
70	7.5	7.5	28.1	Southwest corner
70	7.5	7.5	28.1	Southeast corner
78	7.5	7.5	28.1	Southeast corner
79	7.5	7.5	28.1	Northwest corner
80	7.5	7.5	28.1	Southeast corner
86	7.5	7.5	28.1	Southwest corner
87	7.5	7.5	28.1	Northwest corner
88	7.5	7.5	28.1	Southwest corner
93	7.5	7.5	28.1	Southeast corner
97	7.5	7.5	28.1	Southeast corner
103	7.5	7.5	28.1	Northeast corner
104	7.5	7.5	28.1	Northwest corner
117	7.5	7.5	28.1	Southwest corner
129	7.5	7.5	28.1	Northeast corner

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
130	7.5	7.5	28.1	Northwest corner
139	7.5	7.5	28.1	Northwest corner
151	5.1	5.1	25.1	Southwest corner
154	7.5	7.5	28.1	Southwest corner
156	4.5	4.5	21.5	Southwest corner
157	7.5	7.5	25.6	Northwest corner
158	7.5	7.5	25.5	Southwest corner
159	7.5	7.5	25.6	Northwest corner
160	7.5	7.5	25.6	Southeast corner
161	7.5	7.5	25.6	Northeast corner
162	7.5	7.5	25.3	Southeast corner
163	7.5	7.5	25.5	Northeast corner

New street

Proposed new streets is as follows:

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
141	79.7	11.1	884.3	Southern boundary
142	40.2	2.4	96.8	Northern boundary
143	39.6	2.4	95.0	Northern boundary

New laneways

Proposed new laneways are as follows:

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
68	60.0	8.0	479.8	Southern boundary
142	58.9	8.0	259.5	Eastern boundary
143	58.9	6.0	220.1	Western boundary

Key Site Number	Minimum Length (m)	Minimum Width (m)	Minimum Area (sqm)	Road Widening Location
145	40.0	8.0	319.7	Western/ Southern boundary
146	3.2	8.0	25.4	Southern boundary
148	23.4	2.6	60.8	Eastern boundary
149	67.6	8.0	503.6	Western boundary

Community facilities

Proposed new community facilities are as follows:

Key Site	Community Facility (minimum)
145	2,000 sqm library
149	3,000 sqm multipurpose community facility
137	850 sqm arts and cultural space

These facilities will be finished to a warm shell and dedicated to Council.

Attachments

A1 - Masterplan

A2 - Employment Land Use Assessment

A3 - Environmental Sustainability Study

A4 - Flood Risk Assessment

A5 - Heritage Study

A6 - Preliminary Site Investigation (Contamination) Report

A7 - Public Domain Plan

A8 - Social Infrastructure and Open Space Assessment

A9 - Traffic and Transport Study

A10 – Residential Density Benchmarking Analysis

A11 – LEP Maps

A12 – Local Planning Panel Meeting Minutes – 3 December 2025

A13 – Council Meeting Report – 17 March 2026

A14 – Council Meeting Minutes – 17 March 2026

A15 – Draft Affordable Housing Contributions Scheme