

ITEM 8.2 FIVE DOCK PRECINCT PLANNING PROPOSAL (PP2025/0003)**Reporting Manager** Manager Strategic Planning

- Attachments:**
1. Attachment 1 - Draft Planning Proposal (*Provided in Attachment Booklet*)
 2. Attachment A1 - Masterplan (*Provided in Attachment Booklet*)
 3. Attachment A2 - Employment Land Use Assessment (*Provided in Attachment Booklet*)
 4. Attachment A3 - Environmental Sustainability Study (*Provided in Attachment Booklet*)
 5. Attachment A4 - Flood Risk Assessment (*Provided in Attachment Booklet*)
 6. Attachment A5 - Heritage Study (*Provided in Attachment Booklet*)
 7. Attachment A6 - Preliminary Site Investigation (*Provided in Attachment Booklet*)
 8. Attachment A7 - Public Domain Plan (*Provided in Attachment Booklet*)
 9. Attachment A8 - Social Infrastructure and Open Space Assessment (*Provided in Attachment Booklet*)
 10. Attachment A9 - Traffic and Transport Study (*Provided in Attachment Booklet*)
 11. Attachment A10 - Residential Density Benchmarking Analysis (*Provided in Attachment Booklet*)
 12. Attachment A11 - LEP Maps (*Provided in Attachment Booklet*)
 13. Attachment A12 - LPP Minutes 123 (*Provided in Attachment Booklet*)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. The Planning Proposal for the Five Dock Precinct, provided as Attachment 1 to the report, be endorsed for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
2. Delegation be requested from the Department of Planning, Housing and Infrastructure to manage the plan making process.
3. The General Manager be authorised to make minor variations to the Planning Proposal to correct any drafting errors or to ensure that it is consistent with the Gateway Determination.
4. A draft amendment to the *Canada Bay Affordable Housing Contribution Scheme* be prepared.
5. The Planning Proposal, draft Development Control Plan and draft Affordable Housing Contribution Scheme be placed on public exhibition in accordance with relevant conditions imposed under the Gateway Determination.

PURPOSE

To seek Council endorsement for the submission of a Planning Proposal to the Department of Planning, Housing and Infrastructure, to obtain a Gateway Determination for land within the Five Dock Precinct.

EXECUTIVE SUMMARY

This Planning Proposal for the Five Dock Precinct builds on the *Five Dock Local Planning Study* (adopted in May 2023) and is guided by the recently prepared *Five Dock Precinct Masterplan* and supporting technical assessments. Together, these documents set out a long-term vision for how the area will grow and change, particularly in response to the new Five Dock Metro station.

The Planning Proposal recommends updates to the *Canada Bay Local Environmental Plan 2013*, including changes to Land Use Zoning, Height of Building, Floor Space Ratio and other development standards. These changes are intended to strengthen the local centre, allow more homes and increase density close to the Metro station, where improved public transport access can support additional housing.

The Masterplan and Planning Proposal ensure that growth is supported by a well-designed neighbourhood. This includes planning for new community facilities, safer streets, more open space, and high-quality buildings. The proposal also outlines how the new infrastructure needed to support the growing community will be funded and delivered.

It is recommended that the planning proposal be endorsed for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination, with exhibition commencing once a determination is given.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 1: Creative vibrant local village centres and community hubs

Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs

Direction 1: Connected Community

Goal CC 5: Provide open space, facilities, and programs that promote active lifestyles

Direction 2: Sustainable and Thriving Environment

Goal STE 2: Increase urban tree canopy

Direction 4: Infrastructure and Transport

Goal IT 3: Encourage active and accessible transport opportunities

Goal IT 2: Manage traffic and parking to minimise congestion and increase road safety

BACKGROUND

The NSW Government announced Sydney Metro West in 2016, including a new station in Five Dock. Construction commenced in 2020, and first services are expected in 2032. Alongside this investment, the NSW Government has established a clear expectation that land use change, particularly housing density, will occur around new mass transit stations.

The Five Dock Precinct planning studies are a direct response to provision of the new metro station with a Masterplan (Attachment A1) and Planning Proposal (Attachment 1) being the culmination of extensive technical assessment and community engagement by Council since 2020. Council's previous work is outlined in Figure 1 below, including the Local Planning Study which provided the foundational framework for the Masterplan.

A number of factors have changed since the preparation of Council's *Local Planning Study 2023*. This includes new State-led planning initiatives, such as the *Transport Oriented Development (TOD)* program and the *Low and Mid-Rise Housing Policy*, which set stronger expectations for housing growth near town centres and rail stations. In addition, land values and construction costs have risen significantly. Together, these changes mean that higher densities and building heights are now required to enable development that is feasible. This has resulted in outcomes that are different to those originally anticipated in the *Five Dock Local Planning Study*.

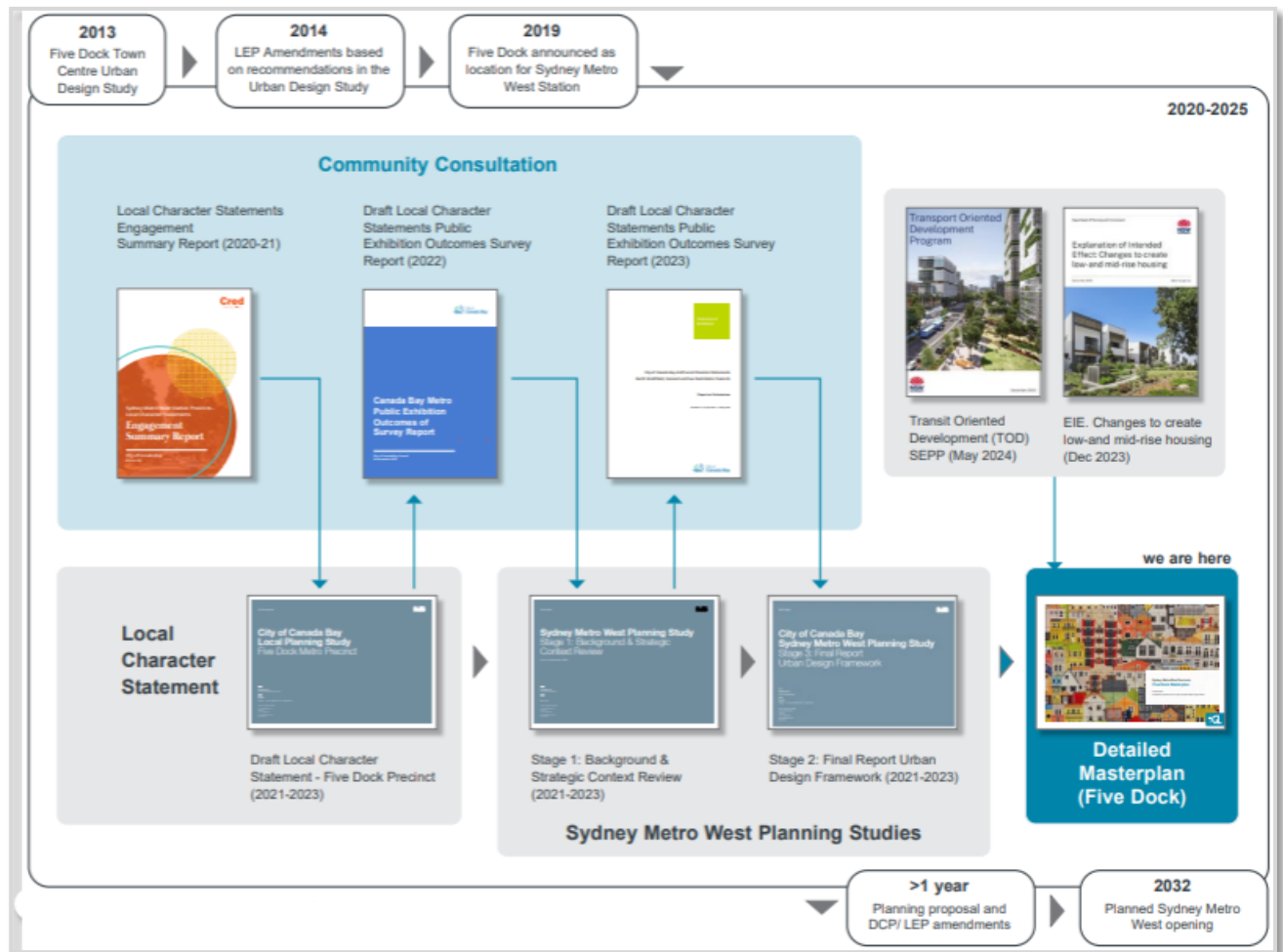


Figure 1: Timeline of Council initiatives to support Five Dock Masterplan and Planning proposal (Source: Five Dock Precinct draft Masterplan)

FIVE DOCK PRECINCT MASTERPLAN

The *Five Dock Precinct 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. 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 controls proposed in 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.

The key objectives of the Masterplan are to:

- Investigate appropriate residential densities, heights and land uses for the Precinct, aligned with mass transit accessibility.
- Reinforce and expand the town centre with a high level of activation that supports the ongoing commercial and transit-oriented role of the centre, including a night-time economy.
- Deliver high quality urban design and public domain with a high level of precinct amenity and accessibility for residents.
- Identify accompanying public benefit, such as improved connections, new through-site links, high quality streetscapes and new, expanded and well located public open spaces, to inform development incentives and funding mechanisms.

Precinct boundaries fall on major roads to create a study area of approximately 62.5 hectares (0.625km²), shown in Figure 2.



Figure 2: Five Dock Precinct Study Area

Masterplan vision

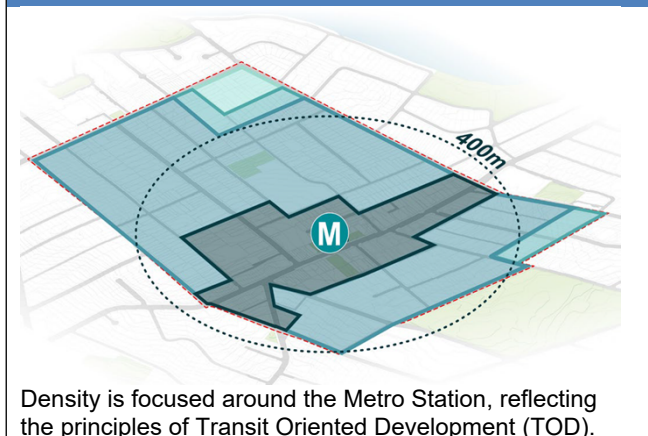
Five Dock Town Centre will be a growing local urban centre, retaining and building on existing culture and community life. Great North Road will continue to serve as the primary north-south spine of the Precinct, comprising a mix of fine grain commercial, retail, community and civic open space uses. The new Metro 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 Masterplan.

Focused density around the Metro Station



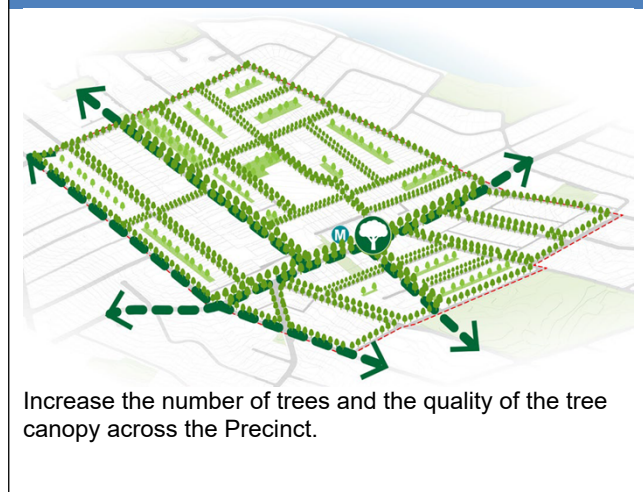
Retain character and protect heritage items



Expand and enhance the open space network



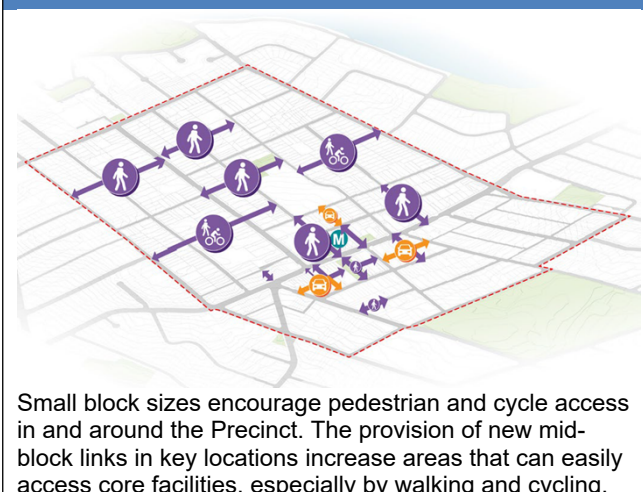
Preserve and expand tree canopy coverage

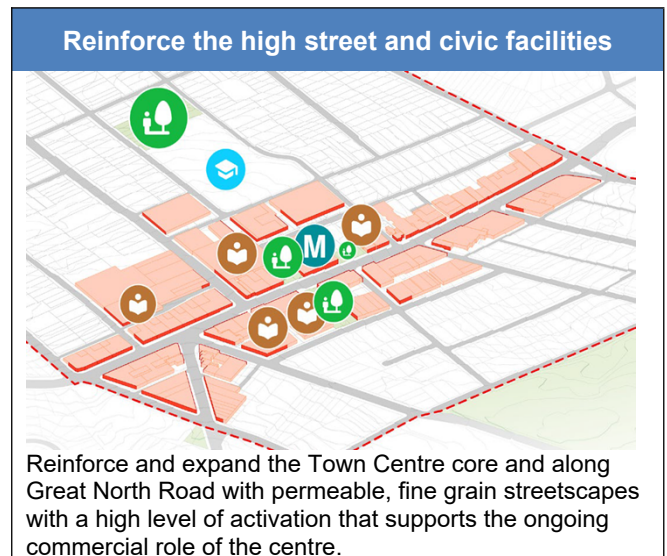
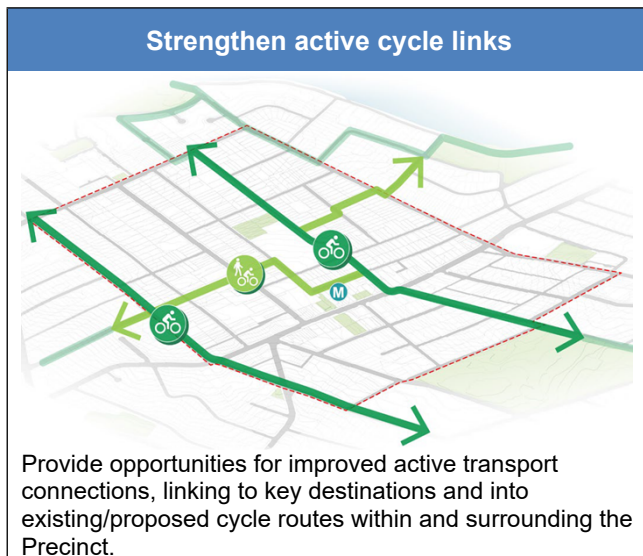


Prioritise pedestrians within safe and quieter urban blocks



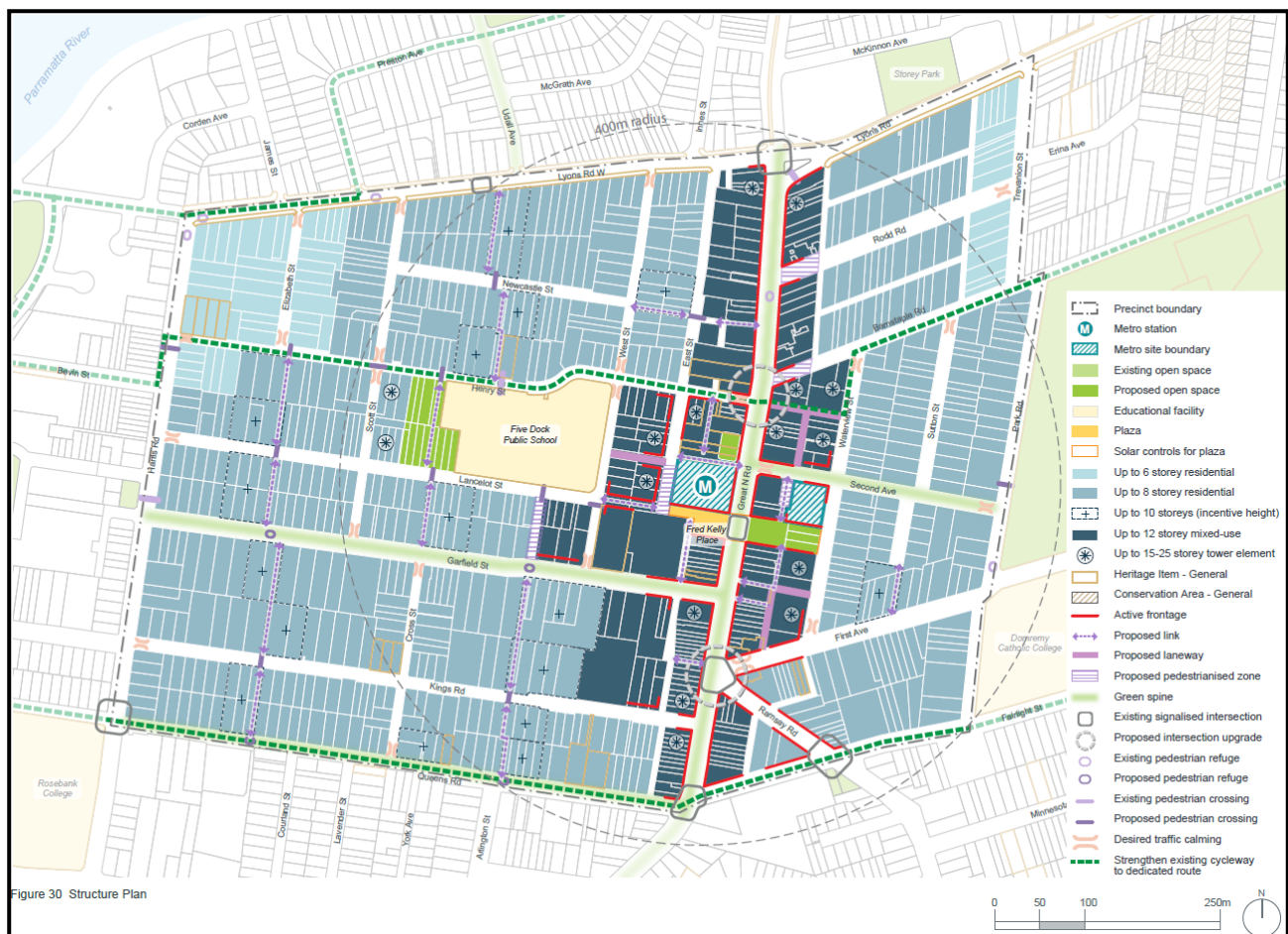
Improve accessibility across the Precinct





Structure plan

The proposed structure plan for the Five Dock Precinct is shown in Figure 3. The full draft Masterplan is provided at Attachment A1.



Key elements of the Structure Plan are:

- *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.
- *More Homes Close to the Metro station*
 - A transition to higher density residential across the Precinct, providing capacity for approximately 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 3,397 people).
- *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 four (4) storey street walls in podium form.
 - Slim tower elements setback from podium edges, positioned to protect solar access and reduce visual bulk.
- *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 its civic role and expand 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 portion 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.
- *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.
- *Improved Walking and Cycling Links*
 - Over 15 new laneways and accessible pedestrian links to create a walkable precinct and improve 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 widened 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 adequacy 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 development to protect and enhance heritage significant items, places and areas. (Attachment A5).
- *Infrastructure Strategy* (Colliers) - identifies local infrastructure required to support density, the planning nexus between the infrastructure and future development, and the planning mechanism used to enable timely 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 public domain improvements required alongside development to achieve active and people-centred public spaces. (Attachment A7)
- *Social Infrastructure and Open Space Assessment* (Cred Consulting) – reviews existing social infrastructure and outlines additional infrastructure needed to service 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 potential network upgrades to minimise traffic. (Attachment 19)
- *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 also provided on pages 18-19 of the Masterplan.

PLANNING PROPOSAL - AMENDMENTS TO CANADA BAY LOCAL ENVIRONMENTAL PLAN 2013

The Planning Proposal seeks to implement the Masterplan through amendments to Land Use Zoning, Height of Building, Floor Space Ratio and other development standards within the *Canada Bay Local Environmental Plan 2013* (LEP). The Planning Proposal is provided at Attachment 1.

Strategic Merit

This Planning Proposal demonstrates strong strategic merit and supports the broader objectives of concentrating housing growth and employment in accessible, well-served locations, particularly around the new Five Dock Metro station. Strategic merit is shown through:

- consistency with the *Greater Sydney Region Plan* and the *Eastern City District Plan*, particularly Planning Priority E5, which seeks to deliver more housing supply, choice and affordability in locations with access to jobs, services and public transport. It enables increased residential density, new affordable housing (in perpetuity), and additional employment space within an established centre with excellent transport connectivity.
- consistency with the *Draft Sydney Plan 2025* which has a strengthened focus on housing targets and the provision of affordable housing and positions Five Dock as an 'emerging retail centre'.
- building on recent State Government reforms, including the *Transport Oriented Development* (TOD) Program and the *Low and Mid-Rise Housing* reforms, which emphasise leveraging mass transit investment by supporting higher density housing and mixed-use development around stations and town centres.
- Alignment with the City of Canada Bay *Local Strategic Planning Statement*, which calls for coordinated, precinct-based planning around new metro stations to ensure growth is sequenced with infrastructure delivery. It gives effect to the *Local Housing Strategy*, 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.

Together, these strategic directions confirm Five Dock as a location suitable for managed growth, with the Proposal providing an integrated framework to deliver additional housing, employment, public benefit and high-quality urban design in a planned and coordinated way.

Planning Proposal scope

To implement the outcomes of the draft Masterplan, a planning proposal (PP) has been prepared. The planning proposal (Attachment 1) includes amendments to the *Canada Bay LEP 2013* (LEP) written instrument and LEP maps (Attachment A11), including introduction of a new Part 10 – Five Dock Precinct. Below is an outline of the proposed amendments, with these reflecting recommendations of the Masterplan and supporting technical documents:

- Amendments to land zoning to facilitate housing delivery and creation of a thriving local transit oriented centre.
- Creation of Key Sites to facilitate community infrastructure provision, improve the quality and amenity of the public domain and address heat island effect.
- Changes to Height of Buildings to achieve intended densities and respond to land use constraints (i.e. heritage), and provision of Incentive Height of Building controls for land required to deliver community infrastructure.
- Introduction of a clause to specify a maximum podium height.

- Amendments to Floor Space Ratios, to correspond to proposed heights and rezoning objectives, and provision of Incentive Floor Space Ratio controls for land required to deliver community infrastructure.
- Revision of heritage schedule to adjust heritage listings, including the removal of part of one item and an update to two items.
- Identification of Active Street Frontages to deliver a safe and activated Town Centre.
- Reservation of land for acquisition to support provision of additional public open space and road widening.
- Provisions to support delivery of a minimum of 2% affordable housing across the Precinct, and up to 10% on key sites proposed for higher densities.
- Inclusion of sun access protection controls to protect amenity of critical open space and public domain.
- Requirements for design excellence to ensure high quality buildings.
- Requirements for minimum non-residential floor space to protect the future economy of the town centre.
- Inclusion of requirements to require dual water reticulation.
- Application of maximum parking rates.

The planning proposal also proposes amendments to *State Environmental Planning Policy (Housing) 2021* as outlined below:

- Removal of the outer areas of the Five Dock Precinct (outside the mapped Five Dock Precinct Inner Area) from the application of Chapter 2, Part 2, Division 1 - In-fill Affordable Housing. i.e. the SEPP will only apply to the mapped Inner Area.
- Removal of the entirety of the Five Dock Precinct from the application of Chapter 6 - Low and Mid Rise Housing (LMRH), noting that Chapter 6 will still apply to the LMR areas outside the Five Dock Precinct.

Land Use Zoning

The proposal seeks to make the following zoning changes:

- Expand the town centre by rezoning four locations from existing residential zoning to MU1 – Mixed Use zone and requiring non-residential uses on both the ground and first floor for all buildings in the zone.
- Rezone all R2 – Low Density Residential and R3 – Medium Density Residential areas to R4 - High Density Residential.
- Provide an RE1 Public Recreation zone to create a new park west of Five Dock Public School.
- Amend the zoning of Five Dock Public School from R2 – Low Density Residential to a more appropriate zone of SP2 Infrastructure - School.

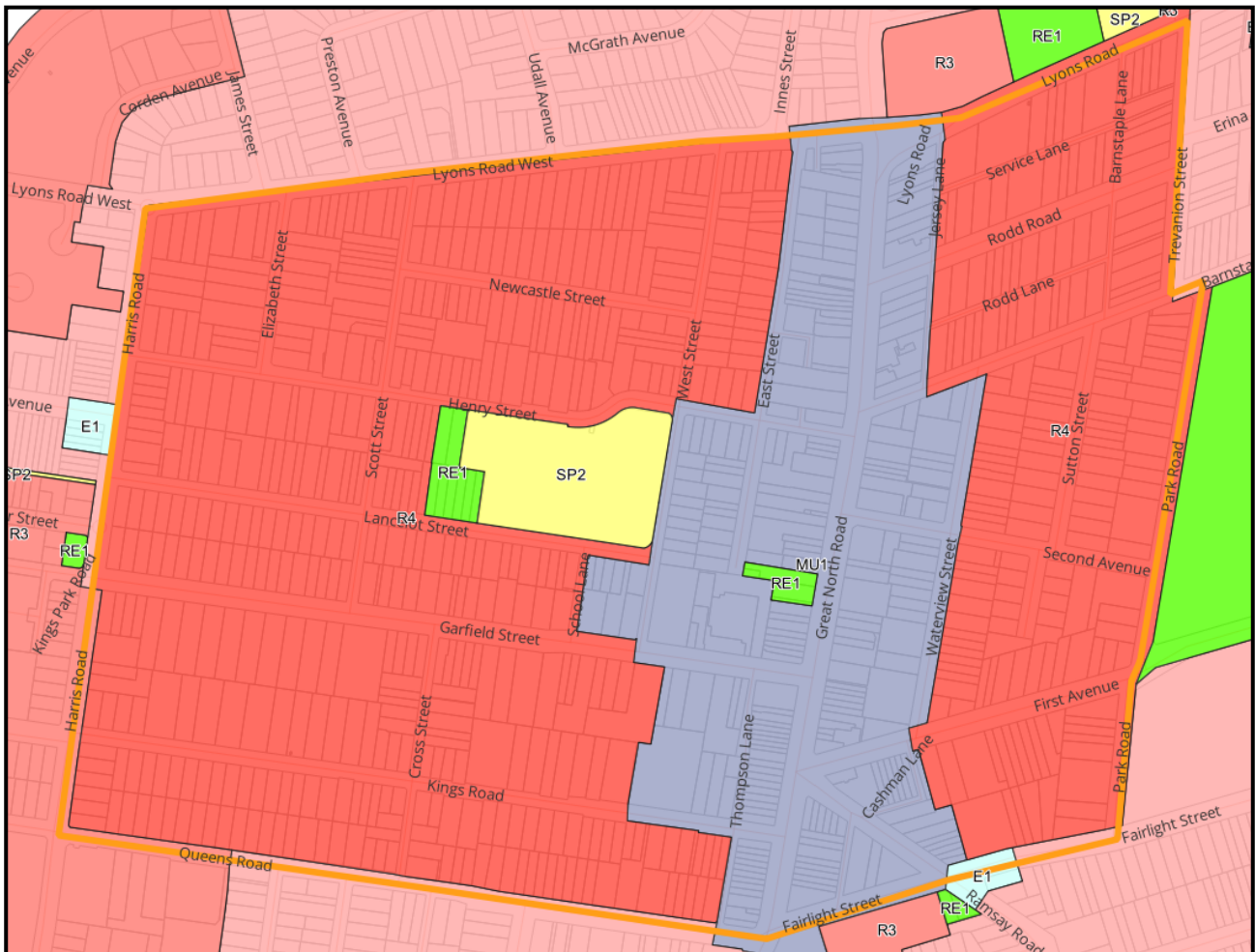


Figure 4: Proposed LEP zoning map

Height of Buildings

Detailed testing of built form, amenity, feasibility, affordable housing requirements and local infrastructure needs has resulted in a height strategy for the Precinct.

The Low and Mid-Rise Housing Policy controls were generally considered as a base height (minimum) for development in the proposed residential zones within the Precinct.

The height strategy is shown in Figure 4 and proposes:

- Areas within the existing Mixed Use (MU1) zone are proposed to have building heights between eight (8) and twelve (12) storeys. Several key sites in the Town Centre can access incentive heights of between fifteen (15) to twenty-five (25) storeys when they also provide the relevant community infrastructure on their site.
- An opportunity for gateway sites with increased height (fifteen (15) to twenty (20) storeys) at the northern end of Great North Road, facilitated by generous intersection width at Lyons Road. At the southern end of Great North Road, narrower roads and overshadowing of low-density areas to the south of Queens Road and Fairlight Street limits opportunities for increased gateway heights (eight (8) to twelve (12) storeys).
- Development within proposed residential zones in the Precinct are typically between four (4) and eight (8) storeys. Several 'Key Sites' across residential areas can access incentive heights of ten (10) storeys, with two sites able to access up to fifteen (15) and twenty (20) storeys, when they also provide the relevant community infrastructure on their site.

- Development on the north-east and north-west corners of the Precinct, close to R2 Low Density Residential zones outside the Precinct, are proposed to have a maximum building height of six (6) storeys.
- Reduced heights are proposed for a number of sites that adjoin smaller scale heritage items. Some exceptions to the above criteria have also occurred on a case-by-case basis after consideration of existing lot patterns, street character and desired future lot amalgamations.
- A minimum height of 6.8 metres (2 storey) and a maximum height of 16 metres (4 storeys) for podiums, to reinforce buildings with a human scale and maximise sunlight to the street.

A Floor Space Ratio (FSR) strategy has been prepared to accompany the height strategy and is outlined in the Draft Masterplan.

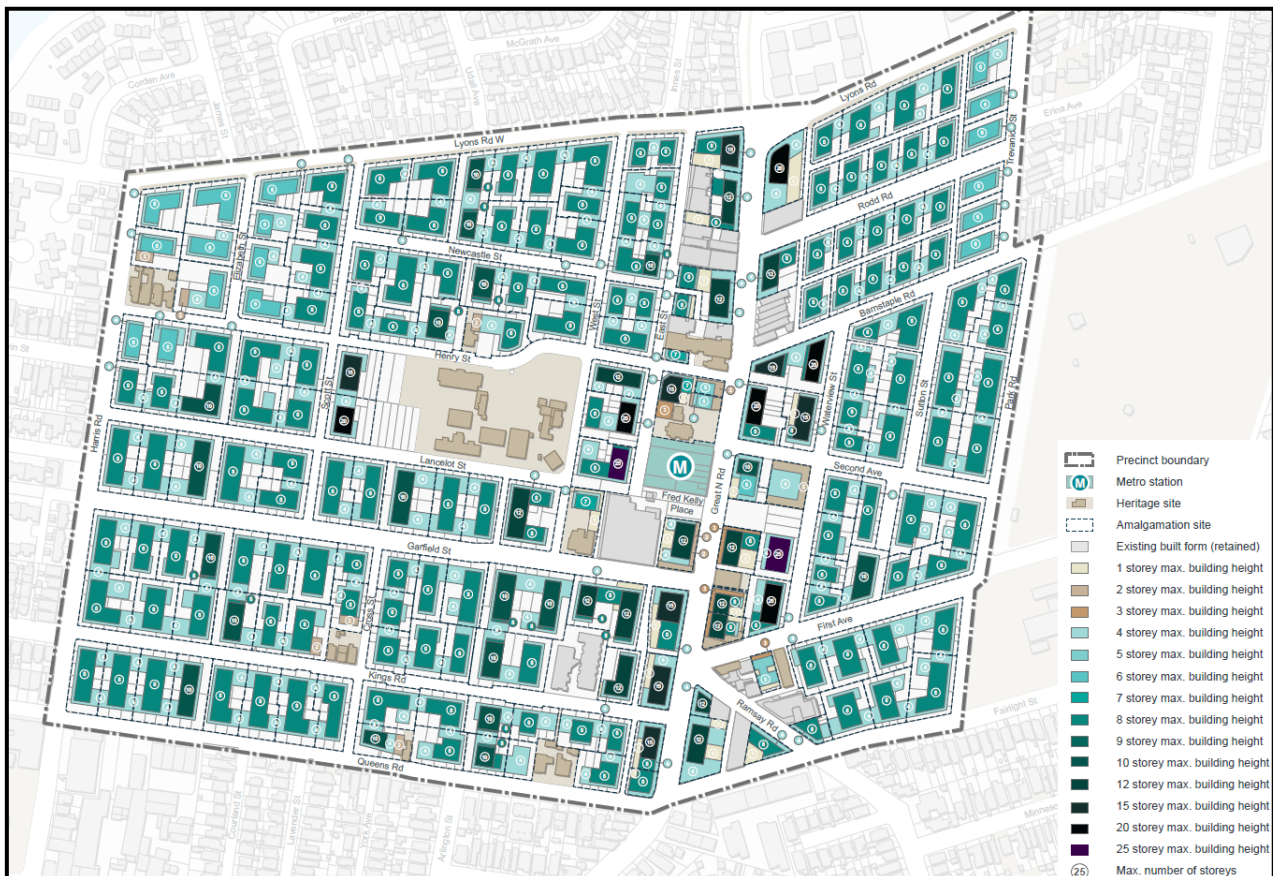


Figure 5: Draft Masterplan building height strategy (storeys) (Source: Five Dock Precinct draft Masterplan)

Affordable housing

Council is committed to enabling affordable housing in the City of Canada Bay to maintain a diverse, vibrant and healthy community and to alleviate housing stress experienced by certain individuals and families in the private rental housing market. To secure affordable housing, the Canada Bay LEP includes requirements for certain developments to provide an affordable housing contribution to Council. The affordable housing contribution is determined by an assessment of development feasibility using the proposed planning controls.

Council engaged Atlas Economics to test economic feasibility of the draft Masterplan across a range of sites. Testing showed that a rate of 2% of the relevant floor area is generally feasible across the Precinct, with some sites having potential to provide a greater affordable housing contribution of between 3% and 10%.

Updates to the *Canada Bay Affordable Housing Contribution Scheme* are proposed to occur concurrently with the Planning Proposal to implement these rates and ensure consistency.

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

Recent amendments to the *State Environmental Planning Policy (Housing) 2021* have implications for development and the delivery of supporting infrastructure. Changes of note include the introduction of Low to Mid Rise Housing provisions and the Infill Affordable Housing bonus.

Low and Mid-Rise Housing

Low and Mid-Rise Housing (LMRH) provisions were introduced into *SEPP (Housing) 2021* on 28 February 2025. The policy seeks to increase housing density and diversity within 800 metres of shops, services, and frequent public transport by applying tailored development controls across various residential zones. These provisions apply to the Five Dock Precinct outside the existing MU1 Mixed Use Zone, enabling a broader mix of housing types – including multi-dwelling housing, residential flat buildings, and shop-top housing.

Large areas of the Five Dock Precinct are currently zoned R2 Low Density Residential, where LMRH allows a maximum building height of 9.5 metres (two storeys) and a Floor Space Ratio (FSR) of 0.8:1. Under the planning proposal, these areas would be rezoned to R4 High Density Residential, resulting in application of the higher LMRH controls, i.e. base building heights and FSR increasing to up to 24 metres (six storeys) and 2.2:1.

These higher LMRH base controls will reduce the uplift between base and incentive yields in the Planning Proposal, diminishing the attractiveness of the Incentive Height of Building and Incentive Floor Space Ratio standards. These incentives are critical for securing contributions towards infrastructure. Retaining LMRH provisions would therefore undermine this mechanism and compromise the ability to fund and deliver essential infrastructure across the Precinct.

To address this issue, it is recommended that the *SEPP (Housing) 2021* be amended to remove the Five Dock Precinct from the application of LMRH provisions, on the basis that:

- The draft Masterplan proposes significantly greater densities than those achievable under current LMRH provisions.
- Applying LMRH controls would conflict with the strategic objective to maximise housing supply and urban renewal outcomes in the Precinct, limiting the benefits of the proposed rezoning.
- Applying LMRH controls would conflict with the strategic objective of aligning infrastructure with planned growth (Draft Sydney Plan - Response 5)

Infill Affordable Housing

Recent amendments to the *SEPP (Housing) 2021 – In-fill Affordable Housing* introduced an FSR and building height bonus of 20% to 30% for residential flat buildings or shop-top developments that include at least 10% and up to 15% of total floor space for affordable housing (AH) for a temporary period of 15 years. These bonuses are taken up at the developer's discretion and apply above and beyond maximum LEP standards, effectively increasing the ultimate Height of Building and FSR standards proposed by the draft Masterplan.

If applied, this provision would significantly alter the development and built form outcomes envisaged by the Masterplan - outcomes that have been rigorously tested to deliver both significant density while minimising undesirable impacts. For example, adoption of the bonus could lead to a 30% increase in population, height, building bulk, congestion and demand for services beyond the proposed maximum development capacity.

For this reason, blanket application of the AH Infill Bonus across the Precinct was not recommended. In response, the Local Planning Panel advised Council to retain opportunity for 'bonus' affordable housing immediately adjacent the metro station, where additional impacts can be better managed, and exclude the remainder of the Precinct from application of the Infill Affordable Housing provisions. This approach provides a pragmatic response to supplying affordable housing while also protecting local amenity. Figure 5 shows the 'Inner Area' where the bonus is proposed to be retained.

A request to remove application of the SEPP (Housing) 2021 – Infill Affordable Housing from the outer areas of Five Dock Precinct will be included in the Gateway Application to DPHI.

This approach is considered appropriate as:

- The Masterplan proposes maximum development capacity based on the precinct's unique local constraints and the Five Dock Town Centre's role in Sydney's centres hierarchy, supported by complementary infrastructure and detailed analysis.
- A precedent exists for this outcome, where Infill Affordable Housing provisions were not applied in the NSW Government's Accelerated Transit Oriented Development precincts.
- Affordable Housing will be required in perpetuity through provisions in the LEP and associated *Affordable Housing Contribution Scheme*.

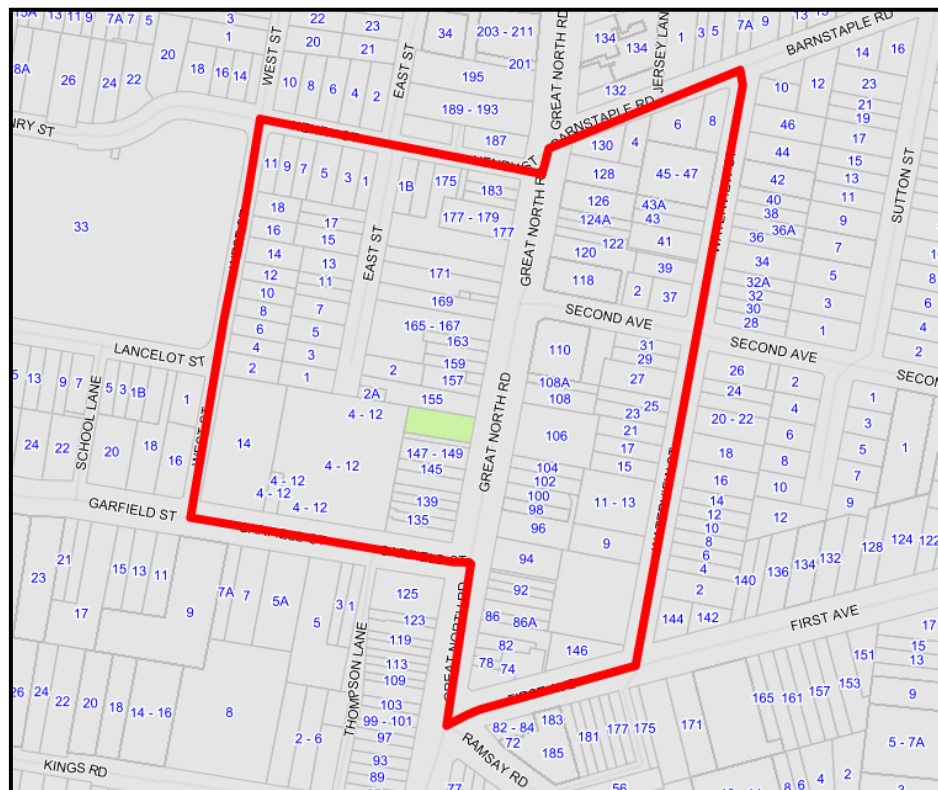


Figure 6: Five Dock Precinct Inner Area (where Infill Affordable Housing will be permitted)

DEVELOPMENT CONTROL PLAN

A draft amendment to the *Canada Bay Development Control Plan* (DCP) is currently being prepared to guide detailed planning outcomes. The draft DCP is expected to be exhibited concurrently with the Planning Proposal.

Amendments to the DCP are proposed in two parts:

1. Modifications to the existing Five Dock Town Centre chapter, including an amended boundary to reflect the expanded MU1 zone.
2. 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.

INFRASTRUCTURE DELIVERY

The Masterplan proposes significant increases in development density, which can only be supported through the delivery of corresponding infrastructure. Without this, the Precinct cannot accommodate the planned growth. The *Social Infrastructure and Open Space Assessment* (Attachment A8) and Masterplan identify the required local infrastructure, with the Infrastructure Strategy outlining mechanisms for its delivery. Figure 7 illustrates the community infrastructure needed to support the proposed growth within the Precinct.

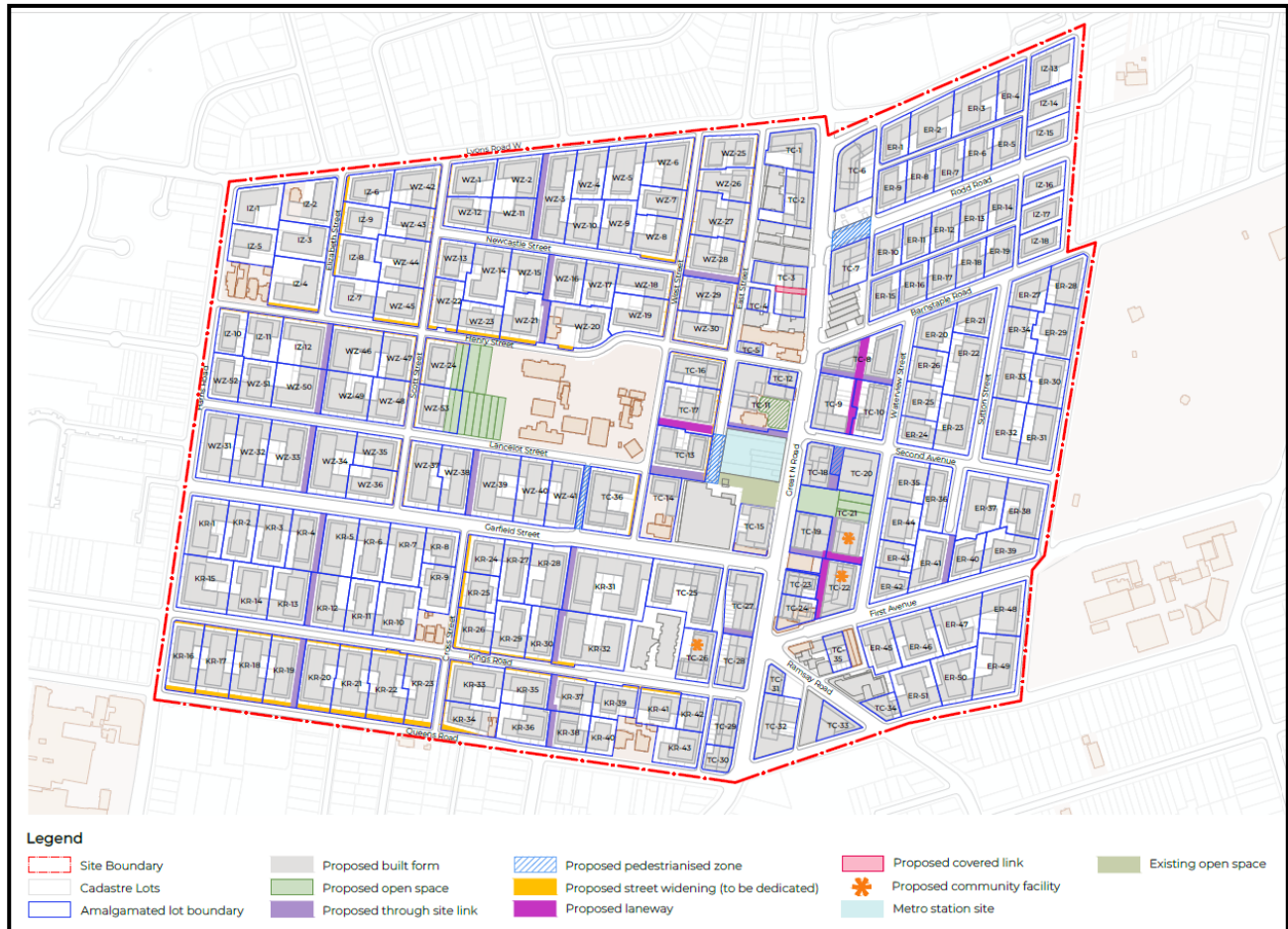


Figure 7: Five Dock Precinct Community Infrastructure Requirements (Source: *Five Dock Infrastructure Strategy*)

To ensure efficient and timely delivery of this infrastructure, the Planning Proposal identifies 'Key Sites' that may access Incentive Height of Building Standards and Incentive Floor Space Ratio Standards where the identified infrastructure is provided as part of development. Table 1 provides a summary of the infrastructure required for the Precinct and the proposed mechanism for its delivery.

Infrastructure	Delivery
Accessible pedestrian and cycling links	- Embellished by developer. - Remains in private ownership. - Maintained by private owner. - Easements for public access.
Road widening	- Embellished by developer subject to the staging of works (subject to negotiation). - Dedicated to Council.

Infrastructure	Delivery
New roads	- Embellished by developer subject to the staging of works (subject to negotiation). - Dedicated to Council.
Publicly accessible open space - (St Albans Church – Great North Road)	- Embellished by developer. - Remains in private ownership. - Maintained by private owner. - Easements for public access
Public open space - new Henry Street Park (adjacent Five Dock Public School)	- Four land parcels embellished by developer and dedicated to Council. - Eight parcels acquired by Council in accordance with <i>Land Acquisition (Just Terms Compensation) Act 1991</i> and embellished by Council. Further details are provided in section 'Land Acquisition'.
Public open space – Fred Kelly Place - New town square	- Embellished by developer. - Portions outside Council ownership dedicated to Council.
Community facilities	- Constructed by developer to a warm shell. - Dedicated to Council. - Fit out by Council.

Table 1: Infrastructure and proposed delivery mechanisms

LAND ACQUISITION

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 18 Queens Road (Lot B DP 320559).

Henry Street Park

A large area of the Five Dock Precinct on the western side of Great North Road is currently outside a 400m walking catchment of a public open space greater than 0.3ha in size. Opportunities to create new open space in this area are constrained by fragmented land ownership, requiring multiple small lots to be acquired to form a usable park.

To address this need, a new public open space of approximately 0.46ha, adjacent to Five Dock Public School is proposed. The open space has two street frontages, extending to Henry Street to the north and Lancelot Street to the south.

Co-location of the proposed open space and Five Dock Public School has several benefits:

- It allows a new north south link providing more direct access to the foreshore parks on the northern side of Lyons Road.
- It provides potential for an additional 'front door' for the school, creating more flexibility and opportunities for drop-off and pick-ups.
- It increases separation between the school and potential surrounding development providing a buffer and reducing privacy and overshadowing risks.
- It allows the school to effectively use the public open space for additional recreation if agreed with Council and may encourage wider sharing of school facilities (outside of school hours) with the local community.

The new park is comprised of twelve (12) existing land parcels with eight (8) of those parcels proposed to be acquired by Council. The land would be acquired under the *Land Acquisition (Just Terms Compensation) Act 1991* either through negotiation with affected landowners or where necessary, through compulsory acquisition.

Investigations are currently being undertaken to determine the most appropriate and fiscally responsible method of funding these acquisitions.

Widening of Kings Road at 18 Queens Road

It is proposed to acquire approximately 6sqm of the Kings Road frontage of the property at 18 Queens Road to ensure this site contributes to local road widening.

Road widenings are proposed in various locations on both sides of Kings Road. The majority of these road widenings will be delivered via the Key Site incentives. However, 18 Queens Road (Lot B DP 320559) is an existing heritage item with a secondary frontage to Kings Road and is not proposed to be a Key Site. As such, there is no incentive for the site to deliver the road widening.

LOCAL PLANNING PANEL (LPP)

The LPP considered the Planning Proposal on 3 December 2025 (see Attachment A12 for minutes) and provided advice as discussed below:

LPP Advice	Comment
1. The affordable housing target and outcome is low, and surprisingly so, given the significant uplift. While it is understood feasibility analysis was undertaken, a 2% affordable housing target was not supported by the Panel. It is common for comparable areas to have an affordable housing requirement of 3-5% and a target of 5% would have been anticipated/expected given the significant uplifts here. Further feasibility testing should be done, particularly for sites with greater density. Given the importance of this matter, its resolution and greater ambition should be settled prior to exhibition, and preferably Gateway. It is also noted the 'non-key site' may not be amalgamated to the extent indicated in the Masterplan, while still meeting existing LEP controls for site area/widths. As such, this is expected to change economic/feasibility modelling. Also, such sites do not have infrastructure requirement liabilities, such that affordable housing contributions may be less onerous than otherwise would be the case.	The <i>Eastern City District Plan</i> and <i>Canada Bay Local Strategic Planning Statement</i> require affordable housing to be provided, subject to viability. At the time of the Planning Proposal being reported to the Local Planning Panel, feasibility testing had been undertaken to determine the capacity of development throughout the Precinct to include affordable housing, with the aim of applying a consistent rate across the Precinct. This testing found that up to 2% affordable housing would be viable generally across the Precinct. Additional feasibility testing had commenced but not finalised at the time of reporting to the LPP. Further testing has confirmed that sites experiencing significant uplift have potential to provide up to 10% affordable housing. The Planning Proposal has been updated to provide a range of affordable housing contributions throughout the Precinct.
2. Partly related to the issue of affordable housing is the recommendation to "switch off" the affordable housing bonuses under Chapter 2 of <i>SEPP (Housing) 2021</i> . The rationale for that position is understood and justifiable, like in other State-led TOD	It is appropriate to allow additional building height and density on certain land in the core of the centre that is immediately adjacent to the station and offers high levels of accessibility. This will strengthen the centre, focussed on the Metro station, Fred Kelly

LPP Advice	Comment
rezonings, which undertook an urban design led significant uplift around a key transport node, like here. However, the Panel was of the view this provision and mechanism to support increased affordable housing (albeit only for 15 years) with 30% increased FSR and height could be acceptable within the core area of the MU-1 Mixed Use zoning.	Place and the new town square. Additional floor space ratio and building height can also more readily be managed in the core of the town centre where taller building forms are proposed, as opposed to areas outside of the core of the town centre where additional height and floor space ratio would result in compromised amenity outcomes and non-compliance with the requirements of the Apartment Design Guide. To facilitate this outcome, an area of the centre, identified as Five Dock Precinct Inner Area, has been added. In order to enable SEPP affordable housing in the Precinct Inner Area only, the Planning Proposal has been updated to include a provision to <i>Amend State Environmental Planning Policy (Housing) 2021</i> to remove the outer areas of the Five Dock Precinct (outside the mapped Five Dock Precinct Inner Area) from the application of Chapter 2, Part 2, Division 1 - In-fill Affordable Housing i.e. the SEPP will only apply to the mapped Inner Area.
3. The recommendation to 'switch off' the Low to Medium Rise development provisions in <i>SEPP (Housing) 2021</i> is supported by the Panel and policy-consistent, noting the proposed controls exceed such density and the alternative LMR approach would undermine key site provisions and linking greater densities with infrastructure on such key sites.	Noted.
4. It is likely that applicants will seek to challenge the required amalgamated sites, either related to Key Sites or those non key sites envisaged in the Masterplan. For example, one owner may refuse to sell. There may be instances where this is acceptable, such as where the built form and infrastructure outcomes are not compromised. There will be instances where it is not acceptable and lead to uncoordinated development or infrastructure, or isolated sites. Either way, guidelines should be included in the DCP of how approaches to vary the specified amalgamation pattern will be assessed.	The proposed Key Site amalgamations ensure infrastructure is delivered in required locations (i.e. open space, through site links, community facilities, road widenings and laneways). The draft DCP will provide flexibility for amalgamation patterns of non-Key Sites through minimum site areas and frontages. It will also provide guidance for sites that are not Key Sites and that do not achieve the desired amalgamation proposed by the masterplan. In this regard, developments that do not achieve the required site area will be required to address the Land and Environment Court Planning principles relevant to isolated sites.
5. The approach of podium building forms is understood and supported in principle, to provide mediation of higher forms and a human scale at street. However, a uniform	Agreed. The Planning Proposal has been amended to require podiums to be a minimum of 2 storeys and a maximum of 4 storeys. This control will be included in the

LPP Advice	Comment
height across the whole area would lack diversity and visual interest. There is likely to be some developer push back to podium requirements, as greater value floor space occurs at greater height rather than lower levels, aligned to views. An approach recommended of a maximum 4-storey height is not supported, as zero is less than that maximum. A range could be considered, especially where street widths vary, such as between 2 to 4 storeys. Varying heights (and building typologies) could relate to creating urban character areas which relate to existing or desired future urban places such as parks, key street corners or narrow streets. This would deliver great a variety of building typologies across the precinct.	LEP, supported by objectives to provide certainty around the underlying purpose of the requirement for podiums. The objectives for this LEP standard include: • Ensure buildings present a human-scaled interface to the street, enhancing comfort and walkability. • Reinforce and complement the desired neighbourhood and streetscape character through podium design. • Create visual interest and variety within a consistent framework that defines and strengthens the street's character. • Provide a sense of enclosure and contribute to a cohesive built form scale across the precinct over time. • Design podiums that respect and respond to the scale of adjacent heritage items. Detailed guidance for the design of podiums will also be included in the DCP.
6. It is noted the existing LEP has development standards for minimum site widths and areas, related to development types and zones. These controls may warrant review at this stage, after considering the controls and guidelines within the recent NSW Pattern Book for medium density development. This review may reference the 'Key Metrics' for building types as set out in the Pattern Book to ensure alignment across State and Local planning frameworks.	Clause 4.1A of the LEP specifies a minimum lot size of 1,500sqm for residential flat buildings in the R4 High Density Residential Zone. There are 27 proposed development lots within the Five Dock Precinct that are below 1,500sqm. To address this inconsistency, it is recommended that the minimum lot size for residential flat buildings in the R4 High Density Residential Zone be decreased to 1,100sqm to enable redevelopment as envisaged by the masterplan. The NSW Housing Pattern book for mid-rise apartments includes bespoke design responses that apply to a range of building lots sizes and frontages. The lot sizes and frontages proposed under the Masterplan are generally consistent with the lot sizes and frontages outlined in the Pattern book. However, the development lots in the Masterplan permit additional height (8 storeys) in comparison to the Pattern book (4 to 6 storeys), respond to the existing cadastre and enable the delivery of local infrastructure. It is acknowledged that the Pattern book provides an alternate pathway for approval, however it is designed for development types at lower densities than those proposed by the

LPP Advice	Comment
	Masterplan and is not directly transferable to larger scale development.
7. The approach to supporting non-residential development near the centre is sound and the recommended method is practical, while a lack of demand for stand-alone commercial space is not surprising for the location, despite the pending Metro station. This may change over time. However, the Panel questions whether there will be demand to fill all the first floors of all the significant MU1-zoned developed land. Anecdotally, filling ground floor non-residential space is challenging enough in suburban centres. Another option may be to reduce the extent of this requirement to a smaller central area and/or design for higher ceiling heights for flexibility over time at first floor.	Several strategic directions support the proposed retail and commercial function of Five Dock. While Five Dock was previously identified as a local centre, recent strategic work and State planning policy now indicate a stronger role for the centre. The Draft <i>Sydney Plan</i> (exhibited 10 December 2025) identifies Five Dock as an emerging retail centre, defined as a major service-oriented centre with 6,000–10,000 jobs. Action 4.3 requires councils to update statutory provisions to support job creation, reflecting the need to serve an additional 29,000+ residents. Council's existing strategies also reinforce the need for additional commercial space, including: • LSPS Action 9.4, which requires commercial floorspace above ground-floor retail along Great North Road and near future Metro stations. • The LSPS and <i>Employment and Productivity Strategy</i>, which prioritise strengthening the commercial core. • The <i>Employment Land Use Assessment</i> (Atlas Economics), which highlights opportunities from an expanded mixed-use zone, including a supermarket and non-retail uses to reduce escape expenditure. In recognition of Five Dock's evolving role, the exhibited Planning Proposal retains the requirement for ground and first-floor commercial floorspace within the MU1 zone.
8. Consider a special entertainment precinct for a central area around the Metro station to support vitality, life and the night-time economy.	It is intended to investigate the opportunity for a Special Entertainment Precinct in relevant centres in the LGA including Five Dock. This will be subject to a separate planning proposal.
9. Given the width of the area and distances at the edges from key services within the main road (up to 800m), consideration should be given to the permissibility of other non-residential and services uses, especially at such extremities and on busier roads, where ground floor residential uses may be compromised	The Canada Bay LEP includes an Additional Permitted Use clause (APU 19) that permits development for the purpose of commercial premises (business, office, retail), with consent, on the ground floor of residential flat buildings in the R4 High Density Residential zone.

LPP Advice	Comment
and/or in locations that relate to creating urban character areas.	The use of this clause in the Five Dock Precinct will enable landowners, and the market, to determine if additional commercial floor space outside of the Mixed Use zone is viable.
10. The Panel supports a constrained and 'maximum' approach to parking provision. However, the proposed rates are very low and equivalent, and in instances lower, than the very constrained rates in the Sydney CBD. A variable rate based on distance from the Metro Station may be more appropriate.	It is accepted that the rates are low in comparison to other accessible locations/precincts. The rates proposed by the traffic study are lower than those currently required for high density, transit oriented areas in the City of Canada Bay DCP and the NSW Government Guide to Transport Impact Assessment. The DCP and Guide to Transport Impact Assessment are generally consistent and it is therefore recommended that the current DCP rates be retained.
11. Road widening decisions should emphasise place making, pedestrian and active transport options, rather than sole primacy to cars.	A road reserve is the entire strip of public land, stretching from one property boundary to the opposite property boundary, encompassing not just the road, but also footpaths, nature strips, kerbs and gutters. Road widening proposed in the masterplan relates to widening of the road reserve, not necessarily just trafficable lanes. There are many narrow road reserves in the Precinct, and the primary purpose of the proposed widenings is to create opportunities for improved active transport infrastructure through wider pedestrian paths and bicycle lanes. Public domain improvements will also include additional space for more landscaping and street tree planting.
12. Some targeted further testing of actual development sites is warranted (and reviewed over time with development) to ensure the proposed FSRs align with recommended heights. It places unnecessary pressure and tension in development assessment if the maximum FSRs are not aligned with the proposed heights, which seem sound, or if landscaped and tree canopy objectives are compromised due to such misalignment. Achieving the FSR within the height limit whilst also achieving site amenity may be challenging in some locations due to the propensity of long and narrow sites which often have a low	Additional testing was undertaken on various proposed Masterplan sites. The result of this testing indicates that the proposed Floor Space Ratio and heights are achievable within the suggested building footprints illustrated in the Masterplan. The testing also confirms the reasonableness of the Masterplan building efficiency assumptions and illustrates that Apartment Design Guide solar, ventilation and deep soil requirements are also achievable. The Masterplan predominantly orients tower forms north-south to maximise the amount of solar access to future apartments and minimise the overshadowing to neighbours. This also maximises building separation from side boundaries, creating space for deep soil

LPP Advice	Comment
site efficiency particularly where a block edge form is mandated.	and allowing naturally cross-ventilated apartments. Testing potential poor design outcomes such as reduced building separation, open breezeways, thick external walls, and oversized balconies illustrates possible ways the proposed FSR and height can technically be achieved while also substantially increasing the overall bulk and scale of buildings envisioned in the Masterplan. To minimise the risk of some of these undesirable results, the proposed Development Control Plan for the Precinct should include detailed deep soil, setback and built form controls.
13. The infrastructure requirements with development of Key Sites is not onerous or likely too difficult (apart from timing and alignment), with the exception of the new central open space area. That will require a proactive approach and ongoing review and monitoring ahead for success.	Noted.

Table 2: LPP recommendations and Council response

CONSULTATION AND RISK CONSIDERATIONS

Consultation/exhibition

In accordance with the *Environmental Planning & Assessment Act 1979* and the *Canada Bay Community Participation Plan*, the Planning Proposal is required to be placed on public exhibition for a minimum of 28 days to enable community feedback.

It is proposed that, at a minimum, the exhibition involve:

- Notification on the City of Canada Bay Collaborate website
- Notification in Council's City of Canada Bay News and social media platforms
- Notification on the NSW Planning Portal
- Individual notification letters sent to all owners and occupiers within the Precinct
- Individual notification letters sent to all owners and occupiers within approximately 400m of the Precinct

The current program aims to publicly exhibit the planning package Q2/3 2026, subject to timing of a Gateway Determination from the Department Planning, Housing and Infrastructure.

Risks

Successful implementation of the Masterplan may be influenced by the following risks:

- *Council funding of acquisition* – Rising land values may lead to escalating costs for acquiring open space, increasing financial exposure for Council. A strategy is being prepared to provide financial advice and identify funding options.
- *Timely delivery of infrastructure* – Infrastructure delivery could be delayed if amalgamation of key sites proves challenging or if development uptake is slower than anticipated. This may result in essential community infrastructure not aligning with growth rates. Feasibility testing and strong demand for housing near metro stations are expected to help mitigate this risk. It is also proposed to request that the Low and Mid-Rise provisions of the Housing SEPP not be applied to the Five Dock Precinct to ensure that they do not act as an impediment to realising additional density that is supported by infrastructure.
- *State Government aspirations* – NSW Government may at any time announce their intent to prepare precinct planning for the Five Dock Precinct, as occurred with North Strathfield and Burwood North Metro precincts. This would likely result in Council's draft Masterplan and Planning Proposal being delayed or halted. Staff will continue to liaise with the Department of Planning, Housing and Infrastructure to identify risks early and negotiate outcomes. To safeguard against this outcome, land use benchmarking has been prepared which shows that the masterplan achieves densities (dwellings per hectare) consistent with other TOD precincts.
- *Gateway Determination* – Council has no control over the timing of the Gateway Determination by the Department of Planning, Housing and Infrastructure, or any conditions imposed prior to exhibition. Amendments required by the Department could extend the program and delay exhibition. Staff will maintain ongoing engagement with the Department to manage these risks proactively.
- *Exhibition* – Lack of community support for the Masterplan could complicate issue resolution and delay finalisation of the Planning Proposal. Staff will monitor feedback and develop strategies to address concerns as they arise.

Probity

As Council owns land within the Five Dock Precinct, it has been essential to ensure that the Masterplan process is transparent and undertaken in accordance with probity principles. A Probity Plan was prepared to clearly define roles, responsibilities and conduct requirements, ensuring that integrity risks are identified and appropriately managed. To maintain impartiality, a clear separation has been upheld between Council's commercial property interests and the planning and decision-making processes for the Precinct.

FINANCIAL CONSIDERATIONS

Contributions

Successful implementation of the Masterplan will likely result in the following contributions to Council:

- *Local infrastructure* – development will be required to make s7.11 or s7.12 contributions under the *Canada Bay Local Infrastructure Contributions Plan* (LICP). Items that will be included in a draft LICP include:
 - Acquisition of land for new Henry Street Park
 - Acquisition of part of the land at 18 Queens Road
 - Embellishment of Council acquired land for the new Henry Street Park
 - Embellishment of land for the new Town Square
 - Construction of community facilities

- Fit out of community facilities
- Road infrastructure – widenings (local roads), traffic calming, refuges, crossings etc where not required to be delivered by the landowner
- Public domain upgrades

A review of the LICP is scheduled for Quarter 3/4 2026. Eligible works from the masterplan will be included in the draft plan. The draft plan will be reported separately to Council and placed on public exhibition prior to adoption.

- *Affordable housing* – development will be required to make contributions towards affordable housing under an amendment to the *Canada Bay Affordable Housing Contributions Scheme* (AHCS).
- *Key Sites* - development that is seeking to access the Incentive Height of Building and Incentive Floor Space Ratio will be required to provide identified infrastructure items, including land dedication, as appropriate.

LEGISLATIVE AND POLICY CONSIDERATIONS

The Planning Proposal has been reviewed against relevant legislation, including the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*.

Consideration has also been given to the *Sydney Region Plan*, *Eastern City District Plan* and the *Canada Bay Local Strategic Planning Statement*.