

11 June 2024

James Shelton  
Department of Planning, Housing and Infrastructure

By email: [james.shelton@planning.nsw.gov.au](mailto:james.shelton@planning.nsw.gov.au)

Dear James

**Rezoning Review - 171-179 Great North Road & 1A-1B Henry Street, Five Dock (RR-2024-18)**

Thank you for notifying Council of the Rezoning Review for 171-179 Great North Road & 1A-1B Henry Street, Five Dock.

I confirm that the proposal submitted with the Rezoning Review is the same as the planning proposal that was submitted to Council.

To date, Council Officers have assessed the planning proposal and it has been considered by the Canada Bay Local Planning Panel. It was recommended that the planning proposal proceed, but only where it is revised consistent with the recommendations of Council's independent urban design and heritage consultants and the advice of the Canada Bay Local Planning Panel. Unfortunately, however, the elected Council was unable to achieve a quorum when the matter was considered at a Council meeting on 21 May 2024 and so was not able to determine the proposal at that meeting. The possibility of an Extraordinary Council meeting was explored, however did not proceed due to lack of quorum.

Comments provided on the proposal (Attachment A) are therefore the combined views of Council's Officers, an independent urban designer and heritage consultant (Attachment B) and the advice of the Canada Bay Local Planning Panel (Attachment C). They are not the endorsed views of the elected Council.

Council Officers, independent heritage and urban design consultants and the Canada Bay Local Planning Panel are jointly of the view that the proposal lacks sufficient site-specific merit, primarily due to the adverse impacts the proposal will have on the surrounding context, public domain and heritage attributes of the site.

It is recommended that the planning proposal only progress where it is revised to be consistent with the alternative scheme outlined in the Council report (Attachment D), draft LEP maps (Attachment E) and independent Urban Design Review (Attachment F – Option A).

If you would like to discuss our comments, please contact Helen Wilkins on [helen.wilkins@canadabay.nsw.gov.au](mailto:helen.wilkins@canadabay.nsw.gov.au) or 9911 6292.

Yours sincerely,



Monica Cologna  
**Director, Environment & Planning**

## Attachment A

### **Recommendation by Council Officers, independent urban design and heritage consultant and the Canada Bay Local Planning Panel**

It is recommended that the Planning Proposal progress to a Gateway Determination subject to the following amendments:

- a) The maximum Floor Space Ratio be retained at 2.5:1.
- b) The maximum Height of Buildings be reduced, consistent with the draft Height of Buildings Map, provided at Attachment E - Recommended Draft CBLEP Map Amendments.
- c) Application of Active Street Frontages, consistent with the draft Active Street Frontages Map, provided at Attachment E - Recommended Draft CBLEP Map Amendments.
- d) Identification of the Site on the draft Design Excellence Map, provided at Attachment E - Recommended Draft CBLEP Map Amendments.
- e) An Economic Impact Assessment and Waste Management Plan be prepared prior to the planning proposal being placed on public exhibition.
- f) A draft Development Control Plan be developed and placed on public exhibition.
- g) A draft Planning Agreement be negotiated, outlining public benefits arising from this planning proposal in accordance with the Canada Bay Planning Agreements Policy.

Rationale for these amendments to the planning proposal were arrived at through the assessment of strategic and site specific merit outlined in the Council Report (Attachment D – Council Report 21 May 2024).

### **Background**

On 22 December 2023, planning proposal (the Proposal) for land at 171-179 Great North Road & 1A-1B Henry Street, Five Dock was uploaded to the NSW Portal by Mecone for the Proponent, Traders in Purple, a property development group, who had been appointed by the landowner, the Anglican Property Trust.

The Proposal was seeking to redevelop the site through an amendment to Canada Bay Local Environmental Plan 2013 to:

- increase the maximum building height from 15m to a maximum of 75m, to facilitate a range of building heights across the site ranging from the existing heritage-listed two-storey church, rectory and shops, up to two 20-storey towers (plus the potential for an additional 30% height as a result of the 15% affordable housing proposed); and
- increase the maximum Floor Space Ratio from 2.5:1 to 4.5:1 (approximately 17,057sqm gross floor area, comprising 13,965sqm of residential GFA for 162 dwellings, 1,932sqm of commercial/retail/childcare, and 1,161sqm of church uses).

An assessment of the Proposal was undertaken by Council officers, including commissioning of an independent Urban Design Review by SGL (Attachment B – Urban Design Review (SGL) – May 2024) and consideration of social, economic, traffic/transport, heritage and urban design matters within the context of relevant state and local government strategies. Specific consideration was given to whether the proposed built form would respond to the future character of the area, and whether it would be appropriate within the context of three locally listed heritage items (one of which the planning proposal was seeking to partly demolish).

## **Advice from Local Planning Panel**

On 10 April 2024, the Local Planning Panel (LPP) considered the Proposal and Council officers' assessment report and recommendation of a more moderate scheme generally in line with Council's adopted Metro Local Planning Study for Five Dock. In regard to the Proponent's Proposal, the LPP advised that "the height, scale and siting of the concept underlying the Planning Proposal is excessive...and unduly compromises the heritage significance of the site". ([Attachment C – LPP Minutes 10.04.2024](#))

## **Site specific merit**

The Proposal does not align with Council's strategic planning, as published in the Council-endorsed Metro Local Planning Study for the Five Dock Town Centre. The Metro Local Planning Study identified development uplift of up to 7-storeys along Great North Road within the Five Dock Town Centre Core, stepping down to 5-storeys and then 3-storeys to the east and west. The proposed two 20-storey towers are inconsistent with the current and future vision for the area, including the vision for uplift in association with the new Metro station.

The Metro Local Planning Study also proposes a new Town Square, comprising Fred Kelly Place adjacent to the Metro and an extension on the eastern side of Great North Road. The Town Square is an important public space and necessary to support the future uplift in the Five Dock Town Centre and wider Metro area. The Proposal will overshadow this important public space, including in mid-winter.

The Proposal has little regard to the heritage qualities of the site, does not reflect the existing or desired future context of the Five Dock town centre, and will create significant negative impacts.

Following the LPP meeting, Council officers commissioned an additional urban design analysis to determine whether it would be possible to redistribute the building massing recommended in the Council officer LPP report differently within the site so that the existing landscaped area in front of the church could be retained, without resulting in adverse impacts on the new Town Centre and surrounds (Refer Option A in [Attachment F - Urban Design Review \(SGL\) – Additional Analysis – May 2024](#)).

The analysis found that a re-massing of floorspace on the site could be achieved without adversely impacting the new Town Centre. This, together with the retention of the landscaped area in front of the church, is considered to be the most desirable outcome for the site as it achieves maximum development potential, whilst balancing adverse impacts on the public domain and retains the existing heritage items, including via adaptive reuse.