ORDINARY COUNCIL MEETING

ATTACHMENTS BOOKLET

Under Separate Cover

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Planning Proposal

79-81 Queens Road and 2-12 Spencer Street, Five Dock

Prepared for DPG Projects 37 Pty Ltd
Submitted to City of Canada Bay Council

28.01.26
24082

Beam Planning acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia. We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we work with.

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Executive Summary

Where is the site?	79-81 Queens Road and 2-12 Spencer Street, Five Dock
What are the existing planning controls?	The site is located within Area 17 of the Kings Bay Precinct and is therefore, subject to Part 8 of the *Canada Bay Local Environmental Plan 2013* (CBLEP 2013), which prescribes the following planning controls for the site: • **Zoning:** Part MU1 Mixed Use and part RE1 Public Recreation (along William Street). • **Floor Space Ratio (FSR)**: An incentive FSR of up to 3:1 (Note: Clause 8.9 of the CBLEP 2013 provides for an additional 5% FSR if the proposal achieves certain sustainability requirements and the development will not adversely impact adjoining land or the amenity of the neighbourhood, considering visual bulk and overshadowing). • **Height:** An incentive height of up to 67m over the MU1 par of the site and 2.5m over the RE1 zoned land. In order to achieve the incentive height and FSR, the consent authority must be satisfied that the requirements in Clauses 8.4-8.8 are met. These clauses require a minimum site area of 4,096m^2 for Area 17 as well as the following setbacks: • An 8m wide setback on land that fronts William Street, Five Dock, and • A 3m wide setback on land that fronts Queens Road and Spencer Street, Five Dock.
What are the proposed amendments and why?	The Planning Proposal seeks to amend the CBLEP 2013 to modify the amalgamation boundary of Area 17 of the Kings Bay Precinct. This is because the proposed development cannot achieve the minimum site area of 4,096m^2 required under Clause 8.4 because of the inability to acquire the adjoining land at 10-12 Spencer Street even after multiple attempts of negotiation as documented in **Appendix C**. Additionally, the proposal seeks to rezone a portion of the site zoned RE1 Public Recreation to MU1 Mixed use. This is because Clause 4.5(4) of the CBLEP 2013 excludes land on which the proposed development is prohibited from the site area, which ultimately impacts the amount of gross floor area (GFA) achievable on the site. Given the FSR and building massing prepared for the site to date under the PRCUTS includes the site area, it is prudent to rezone the relevant portion of land to MU1 to ensure the site can be delivered as envisaged under the relevant plans. As such, to avoid the site from remaining undeveloped, the Planning Proposal is lodged to allow for the staged redevelopment of the site, entirely in line with the provisions of the CBLEP 2013 and site-specific Development Control Plan (DCP).
Why does the proposal have strategic and site-specific merit?	The Planning Proposal has strategic and site-specific merit for the following reasons: • It is directly aligned with regional and local planning policies and strategies in that it facilitates the timely delivery of additional housing, which will assist in alleviating the current housing supply, realising the vision of the Kings Bay Precinct. • It is a direct response to unforeseen circumstances prohibiting the ability to consolidate the land pertaining to the existing Area 17, which is due to the inability to acquire the adjoining land. • It has been designed accordingly with regard to the natural environment and amenity. • It is located on a site within a well-serviced area that has access to existing and future public transport, as well as an abundance of social infrastructure.
What are the technical studies that have been relied upon?	The Indicative Design Concept has been guided off the recommended built form outlined within the site-specific DCP proposed by Council and therefore, the proposal is not anticipated to give rise to any adverse environmental impacts that have not already been considered under the Parramatta Road Corridor Urban Transformation Strategy (**PRCUTS**) Planning Proposal. Notwithstanding, in response to the inability to acquire the adjoining land, additional environmental assessment has been undertaken to ensure that the proposed development will not compromise the vision for the site and its ability to achieve a positive built form and amenity outcome, and that the adjoining land can still be redeveloped in the future. As such, this Planning Proposal has been informed by the following documents: • Independent Urban Design Assessment prepared by Studio GL • Valuation Report prepared by Titan Advisory Group
Why should it be approved?	The Planning Proposal should be approved because it will support the redevelopment of Area 17 in a coordinated and staged manner, whilst preventing fragmentation or isolation of the adjoining land. It will also realise the full development potential on the site and ensure that the built form outcome and vision for Area 17 will be delivered as originally anticipated under the DCP despite the proposal to amend the amalgamation boundary. Most importantly, it will facilitate the timely delivery of critical housing and community infrastructure on a site that is ready to be redeveloped, which is directly aligned with several Federal and State government planning priorities.

1.0 Introduction

This Planning Proposal has been prepared by Beam Planning on behalf of DPG Projects 37 Pty Ltd (Develotek, the **Proponent**) and is submitted to the City of Canada Bay Council (**Council**) in support of a proposed amendment to the *Canada Bay Local Environmental Plan 2013* (**CBLEP 2013**) with respect to land controlled by Develotek at 79-81 Queens Road and 2-8 Spencer Street, Five Dock, as well as adjoining land at 10-12 Spencer Street, Five Dock.

1.1 Proposed Amendment

The objective of the Planning Proposal is to identify 10-12 Spencer Street as Area 17A of the Kings Bay Precinct and prescribe new planning controls for both sites, to allow the land controlled by Develotek to be redeveloped as a standalone development without the requirement to consolidate the site, whilst ensuring that any future development on both sites will still meet and achieve the desired built form and public domain outcome identified for the site under Section K20 Kings Bay (PRCUTS) of the Canada Bay Development Control Plan (**CBDCP**).

Both sites will continue to be subject to Part 8 of the CBLEP 2013, which prescribes incentive development standards for development within the Kings Bay Precinct that meet certain requirements. The planning proposal is supported by proposed amendments to the CBDCP to facilitate orderly redevelopment of both sites and ensuring acceptable amenity is maintained. Refer to **Section 5.2.2** for further details of the proposed amendments to CBDCP.

1.2 Background and Rationale

The Kings Bay Precinct is located between the established activity centres of Burwood (located approximately 1km to the southwest) and Five Dock (1km to the east). It spans both sides of Parramatta Road to the north and south, bounded by Queens Road and Kings Road to the north, and Dalmar Street, Grogan Street, and Wychbury Avenue to the south. The precinct is characterised by industrial, residential, educational, and recreational land uses.

The Kings Bay Precinct is undergoing significant transformation, guided by the *Parramatta Road Corridor Urban Transformation Strategy* (**PRCUTS**) (2016), a NSW Government initiative aimed at revitalising the Parramatta Road Corridor. The precinct is envisioned as a new residential and mixed-use urban village, with an active main street, strong links to the open space network along Sydney Harbour, and a focus on sustainability. The population of the Kings Bay Precinct is projected to increase to 5,170 people by 2050, from 2,740 people in 2023, with the number of dwellings also expected to increase from 1,410 in 2023, to 2,510 in 2050. Following the release of the PRCUTS, comprehensive master planning was undertaken to guide the future development of the Kings Bay Precinct. Subsequently, amendments to the CBLEP 2013, and CBDCP, and a contributions plan was gazetted to align with the vision for the precinct.

The CBLEP 2013 and Section K20 of the CBDCP provide specific controls for land within the Kings Bay Precinct. The subject site is located within Area 17, which forms part of the Spencer Street Centre. The land controlled by Develotek comprises most of Area 17 (3,158.4m^2 or 76.6%). In accordance with Clause 8.3 of the CBLEP 2013, subject to meeting the requirements in Clauses 8.4-8.8 (where applicable), redevelopment of the site could achieve a maximum height of 67m and a maximum floor space ratio (**FSR**) of 3:1 (excluding additional uplift under the CBLEP 2013 or other planning policy). However, per Clause 8.4, achieving the maximum height and FSR requires a minimum site area of 4,096m^2. Achieving the minimum site area requires amalgamation of the Develotek site with the adjoining land at 10-12 Spencer Street, Five Dock. The amalgamation aims to facilitate the orderly redevelopment of Area 17 in accordance with the CBLEP 2013 and CBDCP controls.

Notwithstanding, the owner of the adjoining land, 10-12 Spencer Street, does not wish to sell or redevelop their land in the near future as evidenced within **Appendix C** and noting that they recently signed a 10-year lease extension to the major tenant of the building. Therefore, the Planning Proposal has resulted from the need to facilitate the redevelopment of the site without the complete consolidation of Area 17. As such, this Planning Proposal is intended to facilitate the timely redevelopment of the site for mixed-use retail and residential uses in line with the State Government and Council's vision for the Kings Bay Precinct, however, independently from 10-12 Spencer Street. The Planning Proposal, as demonstrated by the indicative design concept (refer to **Appendix A**), will support the coordinated, however, staged redevelopment of Area 17, preventing future fragmentation or isolation of 10-12 Spencer Street and ensuring Council's objectives in preparing the site isolation clauses are still achieved.

1.3 Report Structure

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and includes the requirements as set out in the '*Local environmental Plan Making Guideline'* (August 2023) published by the NSW Department of Planning and Environment (DPE). This report addresses the following specific matters in the guideline:

- Part 1 – Objectives and intended outcomes.
- Part 2 – Explanation of provisions.
- Part 3 – Justification of strategic and site-specific merit.
  - Need for the Planning Proposal.
  - Relationship to strategic planning framework.
  - Environmental, social and economic impact.
  - State and Commonwealth interests.
- Part 4 – Mapping.
- Part 5 – Community consultation.
- Part 6 – Project timeline.

This report describes the site, outlines the proposed amendments to the CBLEP 2013, sets out the justification for the Planning Proposal and provides an assessment of relevant matters, including relevant strategic plans, state environmental planning policies, ministerial directions, and the environmental, social and economic impacts of the proposed amendment. This report should be read in conjunction with the Indicative Design Concept (Architectural Plans) prepared by Projected Design Management (refer to **Appendix A**).

2.0 Site Identification

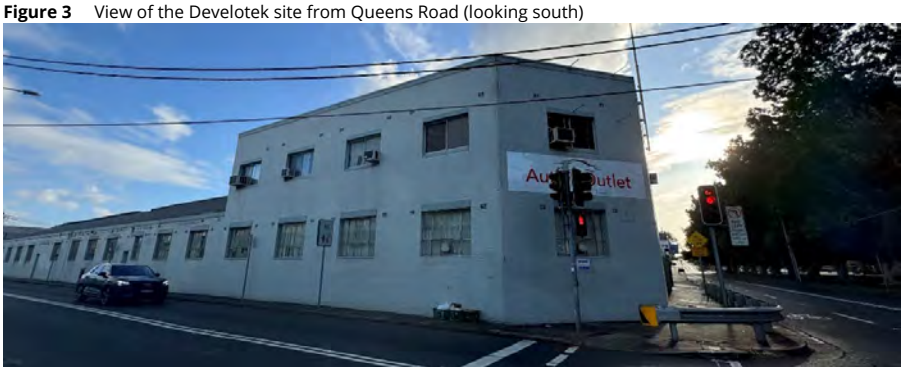
This section of the report describes the site and the surrounding land. It identifies the key site features and the opportunities and constraints relevant to the proposed amendment.

2.1 Site Description

	Develotek Site	Adjoining Land
Address	79-81 Queens Road and 208 Spencer Street, Five Dock	10-12 Spencer Street, Five Dock
Legal Description	Lots 17, 20, 21, and 22, Section 3, DP1117, Lot 18, DP651570 Lot 1, DP540151	Lot 15 and 16, Section 3, DP1117
Site Area	3,158.4m^2	977.7m^2
Owner	Antonio Purazzo Nancy Purazzo	Roy Sachetti Charles Sachetti

Figure 1 Location Plan

Green: 79-85 Queens Road and 2-8 Spencer Street
Red: 10-12 Spencer Street
Figure 2 Aerial Photo

Existing Development	The Develotek site is currently occupied by light industrial uses including vehicle workshops and warehouses. 10-12 Spencer Street is occupied by light industrial uses including vehicle workshops and a microbrewery.  **Figure 3** View of the Develotek site from Queens Road (looking south)  **Figure 4** View of the Develotek site from the corner of Queens Road and Williams Street (looking south-west)  **Figure 5** View of 10-12 Spencer Street from Spencer Street (looking north)
Vegetation	There is no existing vegetation on the site.
Site Access	The site's closest train station is Burwood Station, approximately 1.5km from the site, and accessible via bus. The site has access to an existing bus stop located approximately 150m south of the site on Parramatta Road at Alfred Street, which services bus routes 415 (Campsie to Chiswick), 530 (Burwood to Chatswood, 461N, and 461NX (burwood to Sydney CBD). The site is also located approximately 1.3km to the future Burwood North Metro Station and 1.4km from the future Five Dock Metro Station, which will offer fast and direct and trips to Sydney CBD and North Sydney.

Heritage	The site does not contain, or directly adjoin to, any heritage items (Aboriginal and non-Aboriginal) or conservation areas listed under CBLEP 2013 or the State Heritage Register.
Topography	The site's topography is relatively flat with a slight slope of 0.4m across the site from the south to the north.

2.2 Surrounding Development Context

The surrounding area is characterised by industrial, residential, educational, and recreational land uses, including car dealerships, Rosebank College, the Five Dock Leisure Centre, and Bardwell Park Golf Course, which forms part of a network of green spaces connecting the area to the Parramatta River. Parramatta Road and Queens Road are the two primary east-west vehicular links. Both are heavily congested with vehicle traffic.

A description of surrounding development is provided in **Table 1** below.

Table 1 Surrounding Development

North	Directly to the north of the site is state road, Queens Road. To the north of the site is RE1 Public Recreation zoned land, including Charles Heath Reserve, Five Dock Leisure Centre and Barnwell Park Golf Course. Further north of the site is the Hen and Chicken Bay. To the north-east, is a high proportion of R3 (medium density) housing.
South	The site is bound by Spencer Street, which comprises of similar light industrial uses along the street. Further south of the site is Parramatta Road, a state road running 23km east-west, connecting the Sydney CBD with Parramatta. Zoning along Paramatta Road is predominantly E3 (productivity support) and R3 (medium density residential), with R2 (low density residential) zones located behind.
East	Immediately east of the site is the Deicorp site, which currently comprises light industrial uses, however, has plans to be redeveloped into a new mixed use development. Further east of the site is the Rosebank College, a local heritage item.
West	To the immediate west of the site is similar scale light industrial uses, with mixed use and residential uses located beyond. Further west of the site is RE1 (public recreation) zoned land, Concord Oval, St Lukes Park, and Cintra Park, consisting of tennis and netball courts, cricket ground, oval, bowling green, and open space.

2.3 Strategic Context

2.3.1 Future Kings Bay Precinct

The site is in the Kings Bay Precinct. The precinct is located between the established activity centres of Burwood (located approximately 1km to the southwest) and Five Dock (1km to the east). It spans both sides of Parramatta Road to the north and south, bounded by Queens Road and Kings Road to the north, and Dalmar Street, Grogan Street, and Wychbury Avenue to the south.

The Kings Bay Precinct is undergoing significant transformation, guided by the PRCUTS, a NSW Government initiative aimed at revitalising the Parramatta Road Corridor. The precinct is envisioned as:

> *"... a new residential and mixed-use urban village on Parramatta Road, with an active main street and strong links to the open space network along Sydney Harbour" (City of Canada Bay Development Control Plan, K20.3, p.K-304).*

The precinct will feature a commercial mixed-use centre along Spencer Street (to which the site fronts). The centre will provide fine-grained ground floor retail and commercial uses, to support and service the local community. New high-rise residential tower development will step down towards the existing low-scale low-density residential areas adjoining the precinct. The public domain will be characterised by a network of inter-connecting parks, wide footpaths, laneways and cycle ways. This includes a new north-south wider public domain along William Street, adjoining the site to the east and connecting Queens Road and Spencer Street. The population of the Kings Bay Precinct is projected to increase to 5,170 people by 2050, from 2,740 people in 2023, with the number of dwellings also expected to increase from 1,410 in 2023, to 2,510 in 2050. The site, as part of Area 17, is identified as Lot B5 in the Kings Bay Precinct Master Plan, prepared by Group GSA.

3.0 Existing Planning Controls

3.1 Canada Bay Local Environmental Plan 2013

The CBLEP 2013 is the principal planning instrument applying to the site. The key provisions relating to the site, and of relevance to this Planning Proposal are outlined in **Table 2** below.

Table 2 Key provisions of the Canada Bay Local Environmental Plan 2013

Clause	Provision
2.1 Land use zones	The site is zoned part MU1 Mixed Use, part RE1 Public Recreation (frontage to William Street). Shop-top housing is permissible with consent in the MU1 zone.
4.3 Height of buildings	The site has a base maximum height of buildings (HOB) of 12m.
4.4 Floor space ratio	The site has a base floor space ration (FSR) of 1:1.
6.1 Acid sulfate soils	The site is identified as containing Class 2 and Class 5 land on the Acid Sulfate Soils Map.
6.11 Mix of dwelling sizes in residential flat buildings and mixed-use development	This clause applies to development that will result in at least 10 dwellings. Development consent must not be granted unless: • At least 20% of the dwellings, to the nearest whole number of dwellings, in the development will be studio or 1-bedroom dwellings, and • At least 20% of the dwellings, to the nearest whole number of dwellings, in the development will have at least 3 bedrooms.
6.12 Affordable housing	The site is in the Kings Bay affordable housing contribution area. This clause applies to development on land in an affordable housing contribution area that meets the provisions of clause 6.12(1), including the erection of a new building with a gross floor area (GFA) more than 200m^2. The affordable housing contribution for development in the Kings Bay area is 4% of the relevant floor area. The contribution by dedication of dwellings, or monetary contribution.
6.14 Design excellence	The site is in the "Design Excellence Area". Development within this area, involving a building higher than 28m or 8 storeys, or both, must not be granted development consent unless – • *(2)(b)(i) a competitive design process is held in relation to the development, and* • *(2)(b)(ii) the consent authority takes into account the results of the competitive design process.* Accordingly, future redevelopment of the site will be the subject of a competitive design process.
8.3 Additional floor space ratio and building heights for Areas 1-35	The site is in Area 17 of the Kings Bay Precinct on the Key Sites Map (see **Figure 6**). Subject to meeting the requirements specified in clauses 8.4-8.8: • The maximum HOB is part 67m and part 2.5m (street frontages), and • The maximum FSR is 3:1.  **Figure 6** Key Sites Map – Sheet -KYS_005 (Develotek site outlined in red and adjoining land in blue). *Source: Canada Bay Local Environmental Plan 2013*
8.4 Minimum site area requirements	The minimum site area for Area 17 is 4,096m^2.
8.6 Setback requirements	For Area 17: • An 8m wide setback on land that fronts William Street, and • A 3m wide setback on land that fronts Queens Road and Spencer Street.
8.9 Additional floor space for BASIX buildings	A BASIX building at the site may exceed the permissible FSR by up to 5% if the building: • Exceeds the BASIX commitment for energy for the building by at least 15 points, and • Exceeds the BASIX commitment for water for the building by at least 20 points. With the additional 5% added to the Incentive FSR under Clause 8.3, Area 17 has a maximum FSR of 3.15:1.

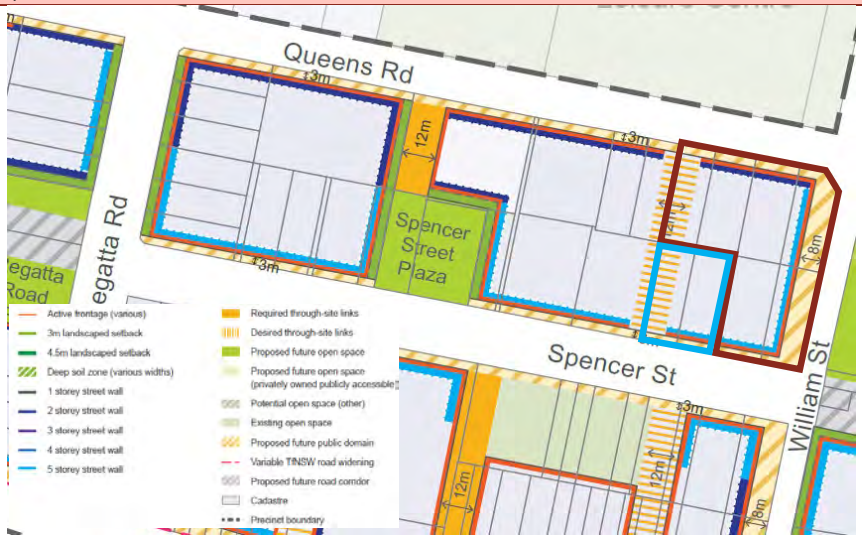
3.2 Canada Bay Development Control Plan

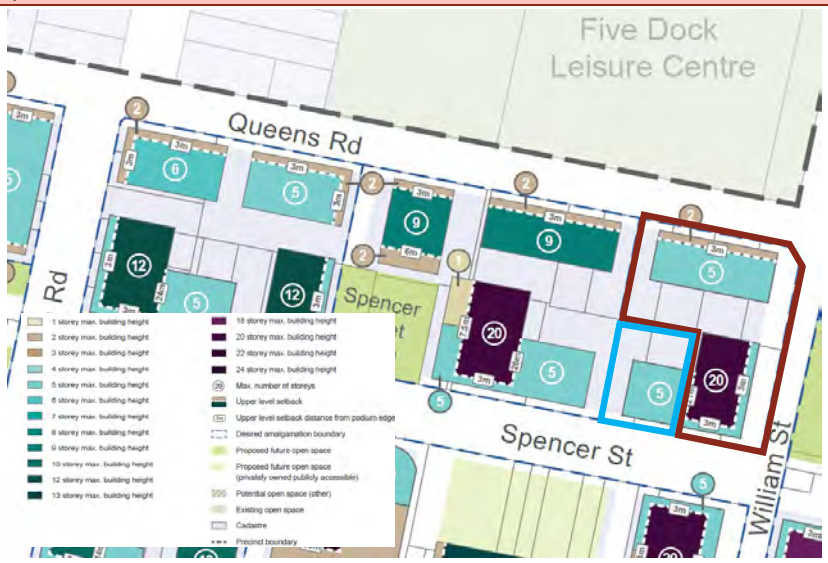
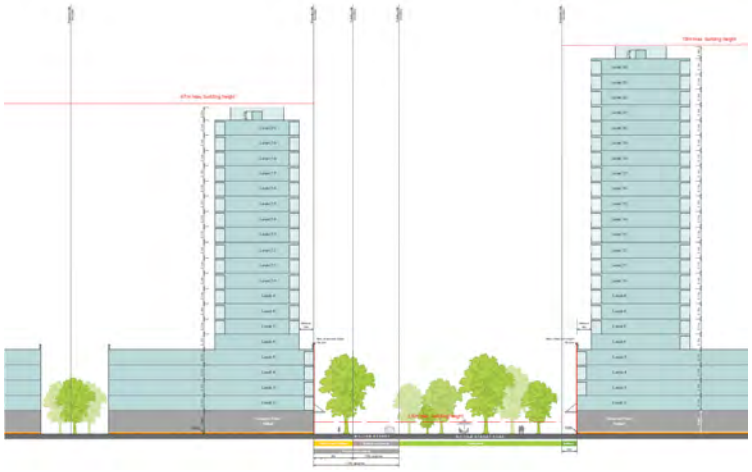
The CBDCP provides additional detailed design guidance which builds on the provisions of the CBLEP 2013. The key provisions relating to the site, and of relevance to this Planning Proposal are outlined in **Table 3** below.

Section K20 of the CBDCP was prepared to deliver the desired future character envisaged in the Kings Bay Precinct under the PRCUTS (with some refinements to achieve better urban design and community outcomes). The provisions in Section K20 describe the planning controls permitted when a development achieves the minimum lot size and/or identified community infrastructure is delivered (pursuant to Part 8 of the CBLEP 2013).

Table 3 Key provisions of the City of Canada Bay Development Control Plan

Section	Controls
K20 Kings Bay (PRCUTS)	
K20.6 Block Configuration	C1. New development is to consider future development on adjoining sites by providing sufficient separation and setbacks, and avoid creating isolated sites. New development is to follow the desired Site Amalgamation Plan (see **Figure 7**). The site is in Area 17.  **Figure 7** Figure K20-7 Site Amalgamation Plan (Develotek site outlined in red and adjoining land in blue). *Source: The City of Canada Bay Development Control Plan (p.K-312)*
	C2. The delivery of identified amalgamation and community infrastructure is a prerequisite for the heights and densities identified in the LEP. If this is achieved new development is to conform to the maximum number of storeys and the permissible building envelope (see below).
	C3. The maximum length of any building above 5 storeys is 60m.
	C4. Residential towers above podium level shall have a maximum enclosed area of 750sqm (including circulation and excluding balconies) and a maximum total floor area of 875sqm (including and assuming 15% for balconies).
K20.7 Access Network	C1. The existing access network is retained, and new streets, through-site links and cycle routes are provided in accordance with the Public Domain Plan (see **Figure 8**). The site is identified as having: • Future public domain adjacent Queens Road (3m setback), William Street (8m setback) and Spencer Street (3m setback), and • A desired through-site link (on the western boundary) connecting Queens Road and Spencer Street (6m setback).

Section	Controls
K20 Kings Bay (PRCUTS)	
	 **Figure 8** Figure K20-8 Public Domain Plan – western part (Develotek site outlined in red and adjoining land in blue). *Source: The City of Canada Bay Development Control Plan (p.K-315)*
K20.9 Active Frontages	C1. Active frontages are to be provided as identified in the Future Active Frontages plan (see **Figure 9**). The William Street and Spencer Street frontages are identified as 'Vibrant façade'. The Queens Road frontage is identified as a 'Mixed façade'  **Figure 9** Figure K20-10 Future Active Frontages (Develotek site outlined in red and adjoining land in blue). *Source: The City of Canada Bay Development Control Plan (p.K-318)*
	C3. Vibrant Facades: • d) Vehicle access and servicing zones are not permitted along Vibrant Façade.
K20. 10 Street Wall Heights and Setbacks	C1. All development is to comply with the setbacks shown on the Building Envelopes Plan (see **Figure 10**). A setback of 3m applies from the street frontages, and a setback of 21m applies from the western boundary to the proposed tower form.
	C5. The following maximum street wall heights apply to the site (see **Figure 10**): • Queens Road frontage – 2 storeys. • William Street frontage – 5 storeys. • Spencer Street frontage – 5 storeys.

Section	Controls
K20 Kings Bay (PRCUTS)	
	 **Figure 10** Figure K20-12 Building Envelopes Plan – western part (Develotek site in red outline and adjoining land in blue). *Source: The City of Canada Bay Development Control Plan (p.K-321)*
	 **Figure 11** Figure K20-21 Built Form Envelope – Section G (east) *Source: The City of Canada Bay Development Control Plan (p.K-329)*
K20.20 Access and Parking	C4. Vehicle access points are not permitted along active frontages that are identified as Vibrant and are to be minimised on Friendly and Mixed Facades. As outlined above, William Street and Spencer Street are identified as Vibrant Façade and Queens Road is identified as a Mixed Façade.
	C6. Parking is designed to be 'adaptable' and able to be converted to other uses in the future. Underground car parking and basement spaces are to have a minimum floor to floor height of 3.7m to be able to be converted to commercial uses.
	C9. Development sites are encouraged to provide below-ground car parking that is interconnected to and shared with or is able to be interconnected in the future to, the below-ground car parking on adjoining sites and developments in order to facilitate rationalisation of vehicle entry points and to increase future planning flexibility.
	C25. Commercial and medium/ high density residential developments are to have common loading docks and facilities for freight and service vehicles, including trades, home deliveries etc.

4.0 Indicative Development Concept

This section of the report describes the indicative development concept prepared by Projected Design Management Pty Ltd (refer to **Appendix A**). The indicative development concept has been informed by consultation with Council and an independent Urban Design Review prepared by Studio GL. It demonstrates the way in which the site can be developed, generally in accordance with the CBLEP 2013 and relevant DCP controls, without the complete consolidation of Area 17, and whilst still enabling the future intended redevelopment of the adjoining land at 10-12 Spencer Street.

It is noted that Develotek intends on lodging an application under the Infill Affordable Housing Division of the Housing SEPP to take advantage of the 30% height and FSR bonus for the provision of an additional 15% affordable housing within the site. The indicative development concept does not reflect this additional height and FSR which will be the subject of the detailed State Significant Development Application at the relevant time.

4.1 Key Numbers

The key numeric details of the indicative development concept as illustrated in **Figure 12** are provided in **Table 4** below.

Table 4 Key numeric details of the indicative development concept

Component	Indicative Development Concept		
	The Develotek Site (79-81 Queens Road & 2-8 Spencer Street)	**Adjoining land (10-12 Spencer Street)**	**Combined site**
Site Area	3,158.4m^2	977.7m^2	4,136.1m^2
Land use	Mixed-use – residential, retail, open space		
GFA	9,918m^2 (Note: max. GFA for the site alone is 9,925.7m^2)	2,090m^2 (Note: max. GFA for 10-12 Spencer Street alone is 3030.3m^2)	12,008m^2 (Note: the max. GFA for the consolidated site is 12,956m^2, however, relies on future development meeting the provisions of clauses 8.3, 8.4, 8.6 and 8.9 of the CBLEP 2013).
FSR	3.3:1 (Note: max. FSR for the site alone is 3.3:1)	1.8:1 (Note: max FSR for 10-12 Spencer Street alone is 1.8:1)	3:1 (Note: the max. FSR for the consolidated site is 3:1, however, relies on future development meeting the provisions of clauses 8.3, 8.4, 8.6 and 8.9 of the CBLEP 2013).
Height	67m	19m	-
Storeys	• 2 storey podium to Queens Road and 5 storey podium to William Street and Spencer Street • 5 storey building to Queens Road and 20 storey tower to William Street and Spencer Street	Max. 5-storeys	-
Ground Level Setbacks: • North • South • East • West	• North: 3m • South: 3m • East: 8m • West: - Min 6m to north-western boundary (through site link) - 0m setback to south-western boundary (10-12 Spencer Street)	• North: 6m • South: 3m • East: 0m at Spencer Street, increasing to minimum 6m behind the Spencer Street frontage for Levels 2-5 • West: 6m	-

Component	Indicative Development Concept		
Min. Above Podium Setbacks: • North • South • East • West	• North: - 3m to Queens Road - 6m building separation between two buildings • South: 3m • East: 3m above Level 5 • West: - Min 6m to north-western boundary (through site link) - Min 3m to south-western boundary above Level 5 (10-12 Spencer Street)	Nil. The building envelope on 10-12 Spencer Street does not contain a tower.	-
Residential units	Approximately 82 Note: The number of dwellings will increase to approximately 116 once SSDA is lodged with 30% infill affordable housing bonus.	Approximately 16	Approximately 98 Note: The number of dwellings will increase to approximately 134 once SSDA is lodged with 30% infill affordable housing bonus. The urban design analysis and environmental assessment has assessed the proposal on the basis of a 30% uplift scheme and therefore, it has assessed the worst-case scenario.
Retail units	4	2	6

4.2 Development Staging

The indicative development concept demonstrates the way in which Area 17 can be developed in a coordinated, however, staged manner (see **Figure 12**). The first stage (Stage 1) comprises the redevelopment of the Develotek site for mixed-use development, including a shared basement, ground floor retail, with residential towers above (from 5-20 storeys), communal open space, and public open space. This will include the primary frontages, and public domain to Queens Road, William Street and Spencer Street.

The potential second stage (Stage 2), also known as 'Area 17A' comprises the redevelopment of the adjoining land at 10-12 Spencer Street, also for mixed-use development, including a shaded basement, ground floor retail with residential above. This will complete the frontage, and public domain to Spencer Street, as well as the through site link between Queens Road and Spencer Street. It is noted that shared vehicle access will be provided as part of Stage 1, with future ground-floor and basement connections provided to Stage 2 (refer to **Section 4.4** for further details). The future development on the Develotek site intends to provide a 'right of access' easement on the land title.

The indicative development concept demonstrates that development can occur, generally in accordance with the CBLEP 2014 and CBDCP controls, without future fragmentation or isolation of 10-12 Spencer Street (refer to **Section 5.3.3** for further discussion).

Figure 12 Indicative Development Concept Site Plan

Source: Projected Design Management Pty Ltd

4.3 Built Form and Public Domain

The indicative development concept has been designed in collaboration with Council and with consideration to the urban design principles outlined in Section K20.4 of the DCP. Specifically:

- **Create an active and permeable public domain:** the concept provides a 3m setback from the northern and southern boundaries, an 8m setback from the eastern boundary, and a 6m setback from the north-western boundary to accommodate future public domain, including a through-site link and public open space (fronting Spencer Street).
- **Define a building height strategy:** the concept generally reflects the building envelopes proposed for Area 17 under the DCP. This includes a variation in building heights from 2-storeys (Queens Road street wall height) to 20-storeys (tower form), with a maximum height of 67m. The tower is located along William Street, as a key focal point within the centre, and to reduce overshadowing of adjoining open space and minimise impact to 10-12 Spencer Street (Area 17A).
- **Active frontages:** the concept provides for active ground floor uses, including to the adjacent through site link to the west. Refinement of the proposed built form, as part of the future development applications, will address the provisions of Section K20.9 of the DCP.
- **Create character precincts to celebrate the industrial character of Kings Bay:** refinement of the proposed built form, as part of future development applications, will address this principle through detailed façade articulation, expression, and placemaking reflecting the former industrial character of the site and the Kings Bay Precinct.
- **Maximise solar access and amenity:** the concept demonstrates that the proposed residential dwellings are capable of maximising solar access and amenity (refer to **Section 5.3.3** for further discussion).
- **Promote fine grain and active frontages:** as outlined above, the concept provides for active ground floor uses. The promotion of fine grain and active frontages will be addressed in further detail as part of future development applications.
- **Integrated servicing and access:** as outlined above, the concept provides for shared access and integrated servicing in at the ground floor and basement levels (refer to **Section 5.3.3** for further discussion).
- **Minimise the impacts of parking:** the concept includes shared basement level carparking (refer to **Section 5.3.3** for further discussion).

The indicative development concept generally reflects the built form envisaged for Area 17 under the DCP, as proposed to be amended by Council, and again demonstrates that development of the site can occur without future fragmentation or isolation of 10-12 Spencer Street (refer to **Section 5.3.3** for further discussion).

Figure 13 below illustrates the proposed elevations, with the subject site highlighted in yellow and the adjoining land at 10-12 Spencer Street highlighted in blue.

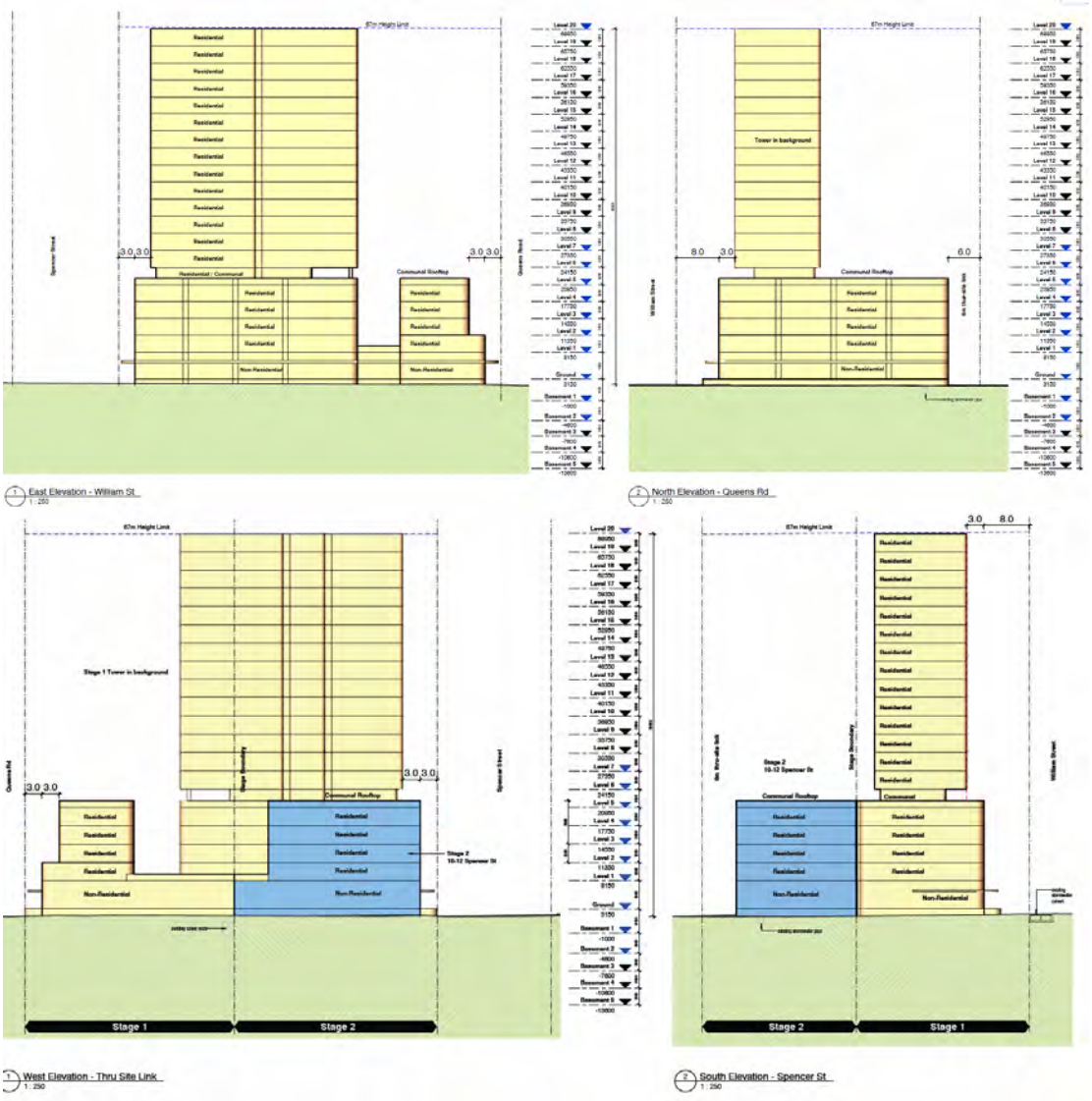


Figure 13 Indicative Building Elevations

Source: Projected Design Management Pty Ltd

4.4 Access and Parking

As outlined above, the indicative development concept provides for shared vehicle access from Spencer Street (delivered as part of Stage 1), with future ground-floor and basement connections provided to Stage 2 (see **Figure 14** and **Figure 15**). This seeks to rationalise vehicle entry points, reducing disruption to the public domain, and increase future planning flexibility in accordance with Section K20.20 of the DCP (refer to **Section 5.3.3** for further discussion). Shared access further reinforces that Area 17 can be developed in a coordinated, however, staged manner.

Figure 14 Indicative Development Concept Ground Floor Plan (access outlined in red)

Source: Architectural Drawings (Appendix A) Projected Design Management Pty Ltd

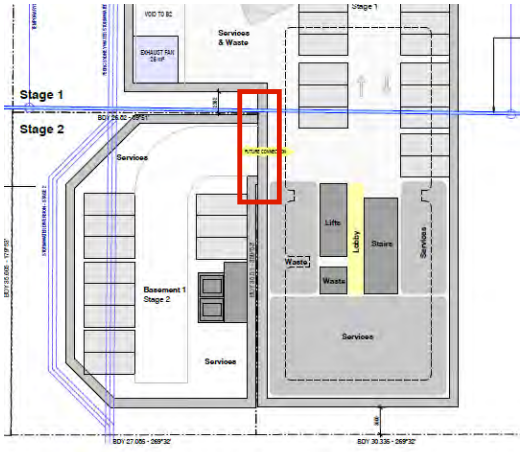


Figure 15 Indicative Development Basement 1 (access outlined in red)

Source: Architectural Drawings (Appendix A) Projected Design Management Pty Ltd

5.0 Planning Proposal

5.1 Part 1 – Objectives and Intended Outcomes

5.1.1 Objectives

The objective of the Planning Proposal is to separately identify 10-12 Spencer Street as Area 17A of the Kings Bay Precinct and introduce new planning controls to support separate redevelopment on both sites in an orderly and coordinated manner. The intent of the proposal is to remain consistent with the development incentive provisions under Part 8 of the CBLEP 2013 and achieve the desired built form and public domain outcomes as identified in Section K20 Kings Bay (PRCUTS) of the CBDCP.

Both sites will continue to be subject to Part 8 of the CBLEP 2013, which prescribes incentive development standards for development within the Kings Bay Precinct that meet certain requirements. The planning proposal is supported by proposed amendments to the CBDCP to facilitate orderly redevelopment of both sites and ensuring acceptable amenity and the envisaged built form outcome is maintained.

Section 5.2 below provides an explanation of the provisions.

5.1.2 Intended Outcomes

The intended outcomes of the Planning Proposal include:

- Support the transformation of the Kings Bay Precinct, including the Spencer Street centre, as envisioned by Council's Kings Bay Precinct Masterplan (reflected in Section K20 of the DCP) as well as the PRCUTS.
- Support redevelopment of Area 17 in a coordinated, however, staged manner, preventing isolation of the adjoining land at 10-12 Spencer Street but ensuring the delivery of housing in a timely manner.
- Realise the development potential of the site, including eligible bonuses outlined in other planning policy, within the maximum incentive height of up to 67m and FSR of 3.3:1 (per clauses 8.3 and 8.9 of the CBLEP2013).
- Realise the redevelopment of the site generally in accordance with the envisaged building envelope and built form and public domain outcomes prescribed under Clauses 8.3, 8.4 and 8.6 of the CBLEP 2013 and the DCP.
- Facilitate the timely redevelopment of the site, avoiding unnecessary delays and sterilisation of a key strategic site, particularly as redevelopment proposals for surrounding land advance as part of the transformation of the Kings Bay Precinct.
- Facilitate the timely delivery of critical housing, including affordable housing.
- Facilitate the timely delivery of critical community infrastructure, including public open space and active transport connections.

5.2 Part 2 – Explanation of Provisions

5.2.1 Amendments to the CBLEP 2013

To achieve the objectives and intended outcomes, this Planning Proposal seeks to amend the CBLEP 2013 to identify the adjoining land at 10-12 Spencer Street as Area 17A and prescribe new development standards for each site to ensure the recommended built form outcome and vision of the Kings Bay Precinct as identified under the site-specific DCP can still be achieved. A summary of the proposed amendments to the CBLEP 2013 planning controls is provided in **Table 5** and further detailed in the below sections.

Table 5 Proposed CBLEP 2013 Amendments

Development Standard	Existing Control	Proposed Control	
		Subject Site	10-12 Spencer St (Area 17A)
Clause 2.1 – Land Use	MU1 Mixed Use for majority of the site RE1 Public Recreation for a small portion of the site along William Street	Rezone the RE1 portion of the land to MU1	No change
Clause 4.3 – Height of Building	12m	No change to principal development standards as the site is subject to Part 8 of the CBLEP 2013.	No change to principal development standards as the site is subject to Part 8 of the CBLEP 2013.
Clause 4.4 – Floor Space Ratio	1:1		
Clause 8.3 – Additional floor space ratio and building heights for Areas 1-35	**Height:** Part 67m and part 2.5m **FSR:** 3:1	**Height:** No change **FSR:** 3.3:1	**Height**: Part 19m and Part 2.5m **FSR:** 1.8:1
Clause 8.4 – Minimum site area requirements	4,069m^2	3,095m^2	936m^2
Clause 8.6 – Setback requirements	• 8m wide setback on land that fronts William Street, Five Dock • 3m wide setback on land that fronts Queens Road and Spencer Street, Five Dock	No change	No change

Due to the inability to acquire the adjoining land, this Planning Proposal seeks to identify 10-12 Spencer Street as Area 17A of the Kings Bay precinct to enable the subject site to be redeveloped on its own without relying on the acquisition of the adjoining land, which as evidenced in **Appendix C** has been attempted on multiple occasions.

To do this, Clause 8.4 of the CBLEP 2013 will need to be amended to reduce the minimum site area required for Area 17 from 4,069m^2 to 3,095m^2 (2% less than the actual site area as per the site survey), and introduce a new site area requirement for Area 17A (10-12 Spencer Street) of 936m^2 (2% less than the actual site area as per the site survey). This approach is consistent with the land areas required under Clause 8.4 and will ensure that the objectives and intended outcomes of this Planning Proposal can be achieved and will facilitate the timely redevelopment of the site and delivery of much needed housing without unnecessary delays.

Furthermore, to ensure that the desired vision and outcome for Area 17 under the CBDCP can still be achieved, Clause 8.3 of the CBLEP 2013 is proposed to be amended to apply new incentive height and FSR development standards to each site. Specifically, the subject site will be granted an incentive height of part 2.5m and part 67m and an FSR of 3.3:1, while 10-12 Spencer Street (Area 17A) will be granted an incentive height of 19m and FSR of 1.8:1. These amended development standards have been nominated in accordance with the built form and massing for Area 17 as recommended under the CBDCP. Mapping is required to be amended to reflect the new area boundary and the new height and FSR development standards (refer to **Section 5.4**).

In addition to the above, this planning proposal seeks to rezone the portion of the land that is currently zoned RE1 Public Recreation along William Street at the eastern boundary of the site to MU1 Mixed Use. This amendment is necessary as Clause 4.5(4) of the CBLEP 2013 stipulates that land on which the proposed development is prohibited must be excluded from the site area when calculating floor space ratio (FSR).

To date, the FSR and building massing undertaken for the site under the PRCUTS have been based on the total site area, including the RE1 portion of the land. Retaining this area as RE1 would therefore, result in a reduction in GRA that has already been envisaged and tested for the site.

To address this, this proposal seeks to rezone the RE1 Public Recreation land to MU1 Mixed Use while retaining a maximum building height of 2.5m over this portion. This approach allows the land to be included in the FSR calculation, while preserving its intended use as public domain and passive recreation space. Furthermore, the rezoning will establish a consistent land use zoning across the site, aligning with the planning approach adopted for the Deicorp site, which includes a substantially larger open space contribution.

5.2.2 Amendments to the CBDCP

Section K20 of the CBDCP contains site-specific development controls for development within the Kings Bay Precinct. The indicative design concept has been prepared with reference to these development controls, however, to respond to the project-specific circumstances of not being able to acquire the adjoining land and allow the site to be independently redeveloped, amendments are required to Section K20 of the CBDCP.

In summary, the following amendments to the CBDCP are being sought:

- The Spencer Street façade type has been changed to Friendly Façade to enable shared driveway for both sites.
- Amendments to the tower setbacks as detailed within **Figure 17**.
- Introduction of new controls to ensure that blank walls that are visible from the public domain are to be integrated with the building as an architecturally finished surface that complements the main façade.
- Introduction of new control to ensure that all facades to provide depth and a balance of light and shadow via changes in texture, material and detail, building articulation, rebates, balconies, deeper winder reveals or the expression of structural elements of the building.
- Introduction of new controls around vehicular access and shared driveways between Area 17 and 17A, including future access for servicing and that a 'right of access' easement will be placed on the land title of Area 17 to the benefit of Area 17A.

The proposed amendments to the CBDCP are reasonable in these circumstances, along with the LEP amendments, and will facilitate the appropriate redevelopment of the site for residential accommodation, which would otherwise not occur.

5.3 Part 3 – Justification of strategic and site-specific merit

The following section outlines the ways in which the Planning Proposal demonstrates strategic and site-specific merit. **Table 6** summarises how the Planning Proposal addresses the assessment criteria for strategic and site-specific merit outlined in the '*Local Environmental Plan Making Guideline' (August 2023).*

Table 6 Assessment against the strategic and site-specific merit criteria

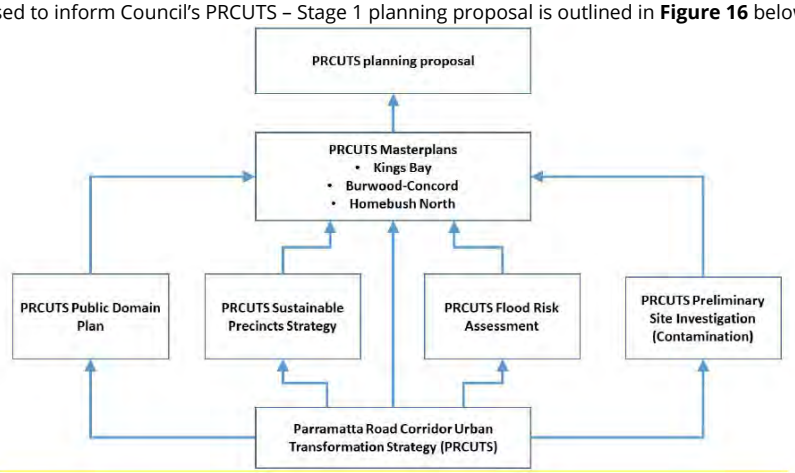
Assessment Criteria	Response
Strategic merit	
Does the proposal: • Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or	This Planning Proposal is directly aligned with regional and local planning policies and strategies in that it will facilitate the timely delivery of additional housing, which will assist in alleviating the current housing supply, whilst realising the vision of the Kings Bay Precinct.
• Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or	As demonstrated in **Table 9**, this Planning Proposal is consistent with the relevant planning priorities and the associated actions of the Local Strategic Planning Statement (LSPS).
• Respond to a change in circumstances that has not been recognised by the existing planning framework.	This Planning Proposal is a direct response to unforeseen circumstances prohibiting the ability to consolidate the land pertaining to the existing Area 17, which is due to the inability to acquire the adjoining land at 10-12 Spencer Street, Five Dock. This is evidenced within the negotiation documentation provided at **Appendix C**, which clearly demonstrates that Develotek has attempted to purchase the adjoining land on multiple occasions and that the adjoining landowner is not interested in selling or redeveloping their land. In response to these circumstances, this Planning Proposal seeks to identify the adjoining land as Area 17A as detailed in **Section 5.2** above, which will allow the subject site to continue to be redeveloped in accordance with the desired vision and built form outcome of the Kings Bay Precinct. Notwithstanding, appropriate mechanisms and provisions are proposed to be introduced to ensure a high-quality redevelopment on both sites.
Site-specific merit	
Does the proposal give regard and assess impacts to: • The natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources, or hazards),	Yes. The indicative design concept accompanying this Planning Proposal has given regard to the natural environment on the site as detailed within **Section 5.3.3** of this report.
• Existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates,	The proposal will see the delivery of a new mixed-use development on the site, comprising approximately 98 new dwellings (which will increase to approximately 116 once SSDA for infill affordable housing is lodged) and therefore, is directly aligned with the vision and desired outcome for the Kings Bay precinct.
• Services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	The site is located within a well serviced area that has access to existing and future public transport, as well as an abundance of social infrastructure. The site is therefore, provided with services and infrastructure, which will cater for the future population of the site. Any upgrades to existing services will be undertaken as part of the future development application.

5.3.1 Section A – Need for the Planning Proposal

Q1 – Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Yes – the Planning Proposal has resulted from the need to realise the objectives and intended outcomes of the State Government's PRCUTS, and Council's LSPS, Local Housing Strategy (LHS) and other supporting studies. The land use, built form and sustainability controls applying to the site under the CBLEP 2013 and CBDCP were previously amended by Council in line with the strategic vision for the transformation of the Kings Bay Precinct and wider Parramatta Road Corridor. The amendments were an outcome of the State Government's PRCUTS (2016), which was approved by the then Secretary of Planning.

Direction 7.3 issued by the Minister for Planning under Section 9.1 of the EP&A Act 1979 (refer to **Table 11**) gives the PRCUTS and the Implementation Tool Kit statutory weight. The amendments were also consequential to Council's LSPS, which received assurance by the Greater Sydney Commission on 25 March 2020. The LSPS sets out how the LGA will respond to the PRCUTS, including the location of new housing and infrastructure. The LSPS is supported by the LHS, which was endorsed by the DPHI (formerly known as DPE) on 1 May 2021. The Kings Bay Precinct Masterplan (reflected in the Section K20 of the CBDCP) synthesises the PRCUTS with the LSPS and other relevant studies. The hierarchy of studies used to inform Council's PRCUTS – Stage 1 planning proposal is outlined in **Figure 16** below.



Hierarchy of studies to inform the planning proposal. Note that the studies were also informed by the Eastern City District Plan and the City of Canada Bay Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS).

Figure 16 Hierarchy of studies to inform The City of Canada Bay PRCUTS planning proposal

Source: Planning Proposal – Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) – Stage 1. PP2021/0001. (p.12)

Notwithstanding, redevelopment of the site as envisioned by the above studies, and in line with the subsequent CBLEP and CBDCP controls, requires achieving the minimum site area for Area 17 (per clause 8.4 of the CBLEP 2013). Achieving this site area requires amalgamation of the site with the adjoining land at 10-12 Spencer Street. However, the owner of 10-12 Spencer Street does not wish to sell or redevelop their land in the foreseeable future, having rejected offers to sell or joint as a party to a combined DA, and most recently signed a 10-year lease extension to the major tenant occupying the building. Therefore, the Planning Proposal has resulted from the need to facilitate the redevelopment of the site independently of the adjoining land and ensure that this land identified for additional housing can be delivered in a timely manner. The Planning Proposal, as demonstrated by the indicative design concept (refer to **Appendix A**), will support the coordinated, however, staged redevelopment of Area 17, preventing future fragmentation or isolation of 10-12 Spencer Street. In doing so, the Planning Proposal will ensure the intended outcomes of the PRCUTS, LSPS, LHS and supporting studies outlined above, are realised in a timely manner.

Q2 – Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes – noting that the owner of 10-12 Spencer Street does not wish to sell or redevelop their land at the current time, to achieve the intended outcomes of the PRCUTS, LSPS, LHS and other supporting studies, as well as the intended outcomes outlined in **Section 5.1**, four options have been considered:

- **Option 1:** Do nothing.
- **Option 2:** Lodge a compliant Development Application (DA) within the maximum HOB and FSR controls under the principal development standards prescribed under Clause 4.3 and 4.4 of the CBLEP 2013.
- **Option 3:** Lodge a non-compliant State Significant Development Application (SSDA), subject to a Clause 4.6 Variation Request to vary the maximum HOB and FSR and minimum site area controls pertaining to the site under clauses 4.3, 4.4 and 8.4 of the CBLEP 2013.
- **Option 4:** Prepare a Planning Proposal to amend the minimum site area control for Area 17 under clause 8.4 and establish new incentive height and FSR development standards for each site under Clause 8.3 of the CBLEP 2013.

Option 1: Do nothing

Option 1 sees the continued operation of the existing light industrial uses at the site. Continued operation of these uses does not align with the strategic vision for the site and represents the underutilisation of strategically identified land. This approach also considers waiting until the owner of 10-12 Spencer Street wishes to sell or redevelop their land, which will result in the delayed redevelopment of Area 17 and realisation of the Kings Bay Precinct.

As such, Option 1 is not consistent with the strategic vision for the site or public interest to deliver housing in a well-located area with high amenity as well as preventing the delivery of key public domain outcomes that play a key role in the overall amenity planned for the Kings Bay Precinct.

Option 2: Compliant Development Application

Option 2 involves the preparation and lodgement of a development application for a mixed-use development scheme, consistent with the amended land use zoning for the site, however, compliant the base HOB (12m) and FSR (1:1) controls under Clauses 4.3 and 4.4 of the CBLEP 2013. Again, this does not align with the strategic vision for the site and represents the underutilisation of strategically identified land. This approach is also financially unviable.

As such, Option 2, is not a viable option.

Option 3: Non-compliant Concept SSDA (with Clause 4.6 Variation)

Option 3 involves the preparation and lodgement of a Detailed SSDA in accordance with Division 4.4 of the EP&A Act. This pathway assumes that the proposed development, comprising an affordable housing component of at least 10% of dwellings, will meet the criteria set out in clause 26A 'In-fill affordable housing', Schedule 1, of the State Environmental Planning Policy (Planning Systems) 2021, including:

(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—
(a) the part of the development that is residential development has an estimated development cost of—
(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than $75 million, or
(ii) ...
(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.

The SSDA will be accompanied by a Clause 4.6 Variation Requests to vary the HOB, FSR and Minimum site area development standards under clauses 4.3, 4.4, and 8.4 of the CBLEP 2013. It will argue the variation on account of the incentive controls under Clause 8.3 otherwise applying if the minimum site area for Area 17 was achieved. This would facilitate the redevelopment of the site as envisioned by the strategic plans, as well as the incentive CBLEP 2013 and CBDCP controls.

Whilst Option 3 is available to the Proponent, it does result in a number of significant numerical variations to the controls by virtue of the way they are drafted which carries an inherent planning risk. As a result, Option 4 has been pursued given the uncertainty surrounding acquisition of the adjoining land or obtaining landowners consent, which is ultimately outside of the Proponent's control.

Option 4: Planning Proposal (with subsequent State Significant Development Application)

Option 4 involves the preparation of this Planning Proposal. As outlined in **Section 5.2**, it seeks to amend Clause 8.4 of the CBLEP 2013 to reduce the minimum site area for Area 17, and Clause 8.3 to facilitate the redevelopment of the site independently of land at 10-12 Spencer Street, whilst in accordance with the desired future outcome for the site as outlined under the CBDCP.

Additionally, amendments to the CBDCP are proposed to align with the proposed amendments to the CBLEP 2013 and ensure the future development of both sites are in alignment with the envisaged built form and desired vision for the precinct.

Whilst it remains the intention of the Proponent to get landowners consent or acquire 10-12 Spencer Street, given it is ultimately outside the Proponent's control and the risk associated with relying on a Clause 4.6 Variation, this option provides the best alternative pathway to achieving the intended outcomes.

5.3.2 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)?

Yes – the Planning Proposal will support the development of strategically identified land and the realisation of the intended outcomes of the PRCUTS, LSPS, LHS and other supporting studies. In doing so, the Planning Proposal gives effect to the Greater Sydney Region Plan and the Eastern City District Plan to which the above documents respond.

Draft Sydney Plan

The NSW Government have recently released the Draft Sydney Plan, which is on exhibition from 10 December 2025 to 27 February 2026. The Draft Sydney Plan is the new strategic land-use plan for the Sydney region, designed to guide growth over the next 20 years. It sets the framework for how the region will manage population growth, housing supply, infrastructure investment, jobs, sustainability and liveability across 33 government areas. The Draft Sydney Plan is intended to replace the existing *Greater Sydney Region Plan – A Metropolis of Three Cities* (2018) and associated district plans once finalised.

The Draft Sydney Plan has developed the following priorities which will inform local strategic planning and assessment processes, infrastructure planning and prioritisation of public and private investment decisions. The Planning Proposal and its alignment with these priorities are outlined below:

- **Housed:** The Planning Proposal directly responds to the need to provide increased housing in response to demand, facilitating the delivery of new dwellings in a highly accessible and strategic location. The draft Sydney Plan recognises the need to provide greater housing diversity and choice. The future development application intends to utilise the 30% height and FSR bonus by providing a minimum of 15% affordable housing and therefore, the proposal will facilitate a diverse range of housing tenure and sizes.
- **Prosperous:** The Planning Proposal will facilitate the delivery of a residential-led, mixed use development, co-locating employment generating uses with housing in alignment with the Draft Sydney Plan.
- **Connected:** The draft Sydney Plan emphasises that land use planning should create compact and transport-oriented cities, where housing and jobs are delivered alongside public transport and supported by cycling connections. The proposal is strategically aligned with this priority, seeking to deliver a mixed-use development within proximity to the future Five Dock Metro and the new and improved Parramatta Road. Furthermore, the proposal, subject to detailed design will also deliver cycling infrastructure along William Street, which is immediately aligned with this priority.
- **Resilient:** The amendments proposed to the CBLEP 2013 under this Planning Proposal will not impact the proposal's ability to provide a resilient and sustainable building. Clause 8.9 of the LEP grants floor area bonuses to incentivise buildings to be designed at a high-quality standard above the BASIX requirements. Subject to detailed design, the proposal aims to utilise this bonus by implementing sustainability measures, ensuring a resilient and high quality building.
- **Liveable:** The proposed development will ensure a high quality building that achieves good residential amenity, ensuring a liveable building. The proposal will facilitate the delivery of diverse housing tenures, co-located with activate street frontages and new and high quality public domain that will enhance the overall wellbeing and quality of life for residents.
- **Coordinated:** The draft Sydney Plan outlines that growth is to be coordinated with infrastructure upgrades to promote the orderly delivery of developments. The proposed development is located within the Kings Bay precinct of the PRCUTS, and therefore, will benefit from access and proximity to the future Five Dock and Burwood Metro station, as well as the new and improved Parramatta Road.

In accordance with the above, this Planning Proposal aligns with the key priorities of the draft Sydney Plan.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan (GSRP) is currently the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision. The Plan includes objectives and strategies for infrastructure and collaboration, liveability, productivity, and sustainability.

While the GSRP is set to be replaced by the Draft Sydney Plan as detailed above, a detailed assessment of the Planning Proposal against the relevant objectives of the GSRP has been undertaken and is outlined in **Table 7**.

Table 7 Consistency of the Planning Proposal with the Greater Sydney Region Plan: A Metropolis of Three Cities

Objective	Response
Objective 7 – Communities are healthy, resilient, and socially connected.	The Planning Proposal, and subsequent redevelopment of the site, will support the delivery of walkable and socially connected places, through of mix of uses and new public domain.
Objective 10 – Greater Housing Supply.	The Planning Proposal, and subsequent redevelopment of the site, will provide critical housing, including affordable housing, in an accessible location. New housing will contribute to the housing targets for the Eastern City District.
Objective 11 – Housing is more diverse and affordable.	The Planning Proposal, and subsequent redevelopment of the site, will deliver a diversity of apartment sizes, from 1-bedroom to 4-bedroom dwellings. It is the intention of the Proponent to deliver new in-fill affordable housing per the requirements of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).
Objective 12 – Great places that bring people together.	The Planning Proposal, and subsequent redevelopment of the site, will help deliver the Spencer Street centre, which is envisioned to comprise a walkable, fine grain urban form; a mix of uses; active transport infrastructure; and new public open space and enhanced public domain to support social connectivity.
Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.	The Planning Proposal, and subsequent redevelopment of the site, will support the delivery of '30-minute cities', or '15-minute neighbours' by delivering a mix of uses and active transport infrastructure, along the Parramatta Road Corridor.
Objective 22 – Investment and business activity in centres.	The Planning Proposal, and subsequent redevelopment of the site, will contribute to the Spencer Street centre, providing a mix of retail and commercial uses.
Object 24 – Economic sectors are targeted for success.	The Planning Proposal, and subsequent redevelopment of the site, will deliver commercial floor space that is flexible and can provide for the spatial and functional requirements of a variety of urban support services, as required.
Objective 30 – Urban tree canopy cover is increased.	The Planning Proposal, and subsequent development of the site, will deliver additional tree canopy within the proposed public domain and open space. The DCP requires a minimum of 15% projected tree canopy coverage for all private land in the mixed-use zone (see K20.18 Landscape Design).
Objective 31 – Public open space is accessible, protected and enhanced.	The Planning Proposal, and subsequent development of the site, will deliver new public open space, that is accessible and of a high-quality.
Objective 31 – The Green Grid links parks, open spaces, bushland and walking and cycling paths.	The Planning Proposal, and subsequent redevelopment of the site, will deliver new parks, public domain, walking and cycling paths that will connect to the wider Green Grid.
Objective 33 – A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.	The Planning Proposal, and subsequent redevelopment of the site, will support sustainability initiatives established by the State Government and Council, including BASIX, reduced car parking, increased tree canopy, green infrastructure, and water sensitive urban design (WSUD).
Objective 34 – Energy and water flows are captured, used and re-used.	The Planning Proposal, and subsequent redevelopment of the site, will support the capture and re-use of energy and water. The DCP requires recycled water pipes for the purposes of all available internal and external water uses (see K20.19 Sustainability and Resilience).
Objective 36 – People and places adapt to climate change and future shocks and stresses.	The Planning Proposal, and subsequent redevelopment of the site, will support resilience initiatives established by the State Government and Council.
Objective 37 – Exposure to natural and urban hazards is reduced.	The Planning Proposal, and subsequent redevelopment of the site, will manage identified flood risk in accordance with the flood planning area controls in the DCP, including minimum floor levels (see K20.15 Safety and Accessibility and B8 Flooding Control).
Objective 38 – Heatwaves and extreme heat are managed.	The Planning Proposal, and subsequent redevelopment of the site, will help to combat the urban heat island effect through increased tree canopy, and appropriately orientate and treat buildings to mitigate excessive heating or cooling.
Objective 39 – A collaborative approach to city planning.	The Planning Proposal supports the realisation of the intended outcomes of the Eastern City District Plan, PRCUTS, LSPS, LHS and other supporting studies.

Our Greater Sydney 2056: Eastern City District Plan

The Eastern City District Plan is a 20-year plan to manage growth and change across the district. The District Plan contains strategic directions, planning priorities and actions that support the implementation of the Greater Sydney Region Plan at a district-level, as well as inform local strategic planning statements, environmental plans and other strategic documents.

The Planning Proposal will give effect to the relevant planning priorities of the District Plan as outlined in **Table 8**. The responses are largely similar to those provided in the review of the Greater Sydney Region Plan above.

Table 8 Consistency of the Planning Proposal with the Eastern City District Plan

Planning Priority	Response
E1 – Planning for a city supported by infrastructure.	The Planning Proposal, and subsequent development of the site, will support the delivery of new infrastructure, including active transport links and public open space.
E2 – Working through collaboration.	The Planning Proposal, and subsequent development of the site, will support the collaborative delivery of the Parramatta Road Corridor collaboration area.
E3 – Providing services and social infrastructure to meet people´s changing needs.	The Planning Proposal, and subsequent development of the site, will support the delivery of local services and infrastructure catering to the needs of the future Kings Bay Precinct population. This includes flexible commercial spaces, public open space and active transport infrastructure.
E4 – Fostering healthy, creative, culturally rich and socially connected communities.	The Planning Proposal, and subsequent redevelopment of the site, will support the creation of a walkable, socially connected neighbourhood for all people, through a mix of uses and new public domain, open space and active transport infrastructure.
E5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.	The Planning Proposal, and subsequent redevelopment of the site, will provide critical housing, including affordable housing, in an accessible location, close to jobs, services and public transport. New housing will contribute to the supply targets for the City of Canada Bay Local Government Area (LGA).
E6 – Creating and renewing great places and local centres and respecting the District´s heritage.	The Planning Proposal, and subsequent redevelopment of the site, will help deliver the Spencer Street centre, which is envisioned to comprise a walkable, fine grain urban form; a mix of uses; active transport infrastructure; and new public open space and enhanced public domain. Redevelopment of the Kings Bay Precinct will pay homage to its industrial heritage and character.
E10 – Delivering integrated land use and transport planning and a 30-minute city.	The Planning Proposal, and subsequent redevelopment of the site, will support the delivery of '30-minute cities', by delivering a mix of uses and active transport infrastructure, along the Parramatta Road Corridor.
E17 – Increasing urban tree canopy cover and delivering Green Grid connections.	The Planning Proposal, and subsequent development of the site, will deliver additional tree canopy within the proposed public domain and open space. The public domain and open space will connect to the wider Green Grid via walking and cycling paths.
E18 – Delivering high quality open space.	The Planning Proposal, and subsequent development of the site, will deliver new public open space, that is accessible and of a high-quality.
E19 – Reducing carbon emissions and managing energy, water and waste efficiently.	The Planning Proposal, and subsequent redevelopment of the site, will support sustainability initiatives established by the State Government and Council, including BASIX, reduced car parking, increased tree canopy, green infrastructure, and water sensitive urban design (WSUD), and reuse of energy and water, where viable.
E20 – Adapting to the impacts of urban and natural hazards and climate change.	The Planning Proposal, and subsequent redevelopment of the site, will manage the impact of natural hazards, including flood hazard, as well as the impacts of climate change through built form and urban design responses, including minimum floor levels, building orientation and treatment, as well as increased tree canopy.

Q4 – Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another local strategy or strategic plan?

Yes – the Planning Proposal will support the redevelopment of strategically identified land, and the realisation of the intended outcomes of the State Government's PRCUTS, as well as Council's LSPS, LHS and other supporting studies, including the Kings Bay Precinct Master Plan. Except for the proposed variation to the envisaged consolidation of land within Area 17, the Planning Proposal remains consistent with the above strategic documents.

Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

In November 2016, Urban Growth NSW released the PRCUTS together with a package of implementation and reference documents. Direction 7.3 issued by the Minister for Planning under Section 9.1 of the EP&A Act gives the Strategy and Implementation Tool Kit statutory weight. Council's planning proposal, and the subsequent amendments to the CBLEP 2013 and DCP, were generally consistent with the PRCUTS, with some refinements made based on Council's suite of evidence-based studies. The Planning Proposal, and subsequent development of the site, is generally consistent with the principles and strategic actions of the PRCUTS, as reflected in Council's strategic plans (see below), the CBLEP 2013, and DCP.

City of Canada Bay Local Strategic Planning Statement (LSPS)

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, including the new housing and jobs to be delivered under the PRCUTS. The Planning Proposal is consistent with the relevant planning priorities, and their associated actions, of the LSPS as outlined in **Table 9**.

Table 9 Consistency of the Planning Proposal with the City of Canada Bay Local Strategic Planning Statement

Planning Priorities	Response
P1 – Planning for a City that is supported by infrastructure.	The Planning Proposal, and subsequent redevelopment of the site, will support this priority through the delivery of new infrastructure, including high-quality walking and cycling paths, and public open space, and a new local centre.
P4 – Foster safe, health, creative, culturally rich and socially connected communities.	The Planning Proposal, and subsequent redevelopment of the site, will deliver accessible and inclusive housing, public domain and open space. Future redevelopment will be subject to a competitive design excellence process.
P5 – Provide housing supply, choice and affordability in key locations.	The Planning Proposal, and subsequent redevelopment of the site, will deliver critical housing, including affordable housing, in the desired location.
P9 – Enhance employment and economic opportunities in Local Centres.	The Planning Proposal, and subsequent redevelopment of the site, will support the delivery of the Spencer Street centre, which is envisioned to comprise a walkable, fine grain urban form; a mix of uses; active transport infrastructure; and new public open space and enhanced public domain. Redevelopment of the Kings Bay Precinct will pay homage to its industrial heritage and character.
P12 – Improve connectivity throughout Canada Bay by encouraging a modal shift to active and public transport.	The Planning Proposal, and subsequent redevelopment of the site, will support this priority through the delivery of walking and cycle paths.
P16 – Increase urban tree canopy and deliver Green Grid connections.	The Planning Proposal, and subsequent redevelopment of the site, will support this priority through increase tree canopy within the public and private domain, and connecting new public domain and open space to the wider Green Grid.
P18 – Reduce carbon emissions and manage energy, water and waste efficiently.	The Planning Proposal, and subsequent redevelopment of the site, will support sustainability initiatives established by the State Government and Council, including BASIX, reduced car parking, increased tree canopy, green infrastructure, and water sensitive urban design (WSUD), and reuse of energy and water, where viable.
P19 – Adapt to the impacts of urban and natural hazards and climate change.	The Planning Proposal, and subsequent redevelopment of the site, will manage the impact of natural hazards, including flood hazard, as well as the impacts of climate change through built form and urban design responses, including minimum floor levels, building orientation and treatment, as well as increased tree canopy.

In addition to the above, Action 9.2 of the LSPS aims to ensure that the local centre at Spencer Street in the Kings Bay precinct will deliver fine grain and activated retail frontages to create a main street. The planning proposal does not result in any changes that will impact the activation of Spencer Street Furthermore, the proposal adopts appropriately sized floor plates and floor to ceiling heights that are consistent with the DCP. Further assessment against Action 9.2, will be undertaken as part of the detailed design and development application stage.

City of Canada Bay Local Housing Strategy (LHS)

On 1 May 2021, the DPE endorsed the Canada Bay Local Housing Strategy (LHS) 2019. The LHS identifies the need for new, diverse and affordable housing within the LGA. The LHS estimates that new housing will be delivered under the PRCUTS, including within the Kings Bay Precinct. The Planning Proposal, and subsequent redevelopment of the site, remain entirely consistent with the LHS. Specifically, the Planning Proposal, and subsequent development of the site will:

- Support the delivery of housing within the Parramatta Road Corridor, the Kings Bay Precinct, and Spencer Street centre,
- Deliver approximately 98 residential dwellings (which will increase to approximately 116 dwellings once SSDA for infill affordable housing is lodged) (refer to indicative design concept at **Appendix A**), contributing to the estimated 2,779 dwellings in Kings Bay Precinct as outlined within the Kings Bay Precinct Master Plan.
- Deliver a diversity of dwelling sizes, from 1-bedroom to 4-bedroom apartments, and
- Deliver a percentage of in-fill affordable housing per the requirements of the Housing SEPP 2021.

City of Canada Bay Kings Bay Precinct Master Plan

The Kings Bay Precinct Master Plan, and supporting studies, including the PRCUTS Public Domain Plan and the PRCUTS Sustainable Precincts Strategy, were prepared by Council to synthesis the PRCUTS with the LSPS and other relevant studies. The Master Plan, prepared by Group GSA, informed the amendments to the DCP and the inclusion of precinct-specific provisions within Section K20 of the DCP. The site, as part of Area 17, is identified as Lot B5 in the Kings Bay Precinct Master Plan. Except for the proposed variation to the envisaged consolidation of land within Area 17, the Planning Proposal, and indicative development concept, are generally consistent with the Master Plan as reflected in the DCP objectives and controls (refer to **Section 5.3.3** for further discussion).

Q5 – Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

Yes – the Planning Proposal supports the redevelopment of strategic land. In demonstrating consistency with the Region Plan, District Plan, LSPS, and other supporting studies, the Planning Proposal remains consistent with the relevant priorities of State plans including (but not limited to), The Future Transport Strategy 2056. For example, by supporting the delivery of a 30-minute city, locating housing in an accessible area, and increasing walkability.

Q6 – Is the Planning Proposal consistent with applicable SEPPs?

Yes – the Planning Proposal is generally consistent with the relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs, as outlined in **Table 10**.

Table 10 Summary of consistency with State Environmental Planning Polices

State Environmental Planning Policy	Response	Consistent
SEPP (Biodiversity and Conservation) 2021	The State Environmental Planning Policy (Biodiversity and Conservation) 2021 relates to biodiversity, water catchments and conservation matters. The site is in an established industrial area, comprises industrial uses, does not contain koala habitat and is devoid of existing vegetation. Notwithstanding, the site is in the Sydney Harbour Catchment. The Planning Proposal does not contravene the relevant provisions of Chapter 6 Water catchments of the SEPP.	Yes
SEPP (Exempt and Complying Development Codes) 2008	The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 sets out the criteria for what qualifies 'exempt' and 'complying' development. The Planning Proposal does not contravene the relevant provisions of this SEPP.	Yes
SEPP (Housing) 2021	The State Environmental Planning Policy (Housing) 2021 applies to different types of residential development, including affordable housing. As outlined above, future development proposals relating to the site will seek approval for affordable housing in accordance with Division 1 of the Housing SEPP. Further, the provisions of Chapter 4 of the SEPP relating to the design of residential apartment development will be considered as part of future development proposals. The Planning Proposal does not contravene the relevant provisions of Division 1, or other divisions of the SEPP.	Yes
SEPP (Industry and Employment) 2021	The State Environmental Planning Policy (Industry and Employment) 2021 regulations industrial and employment-related uses, and advertising (previously SEPP 64) across the State. The Planning Proposal does not contravene the relevant provisions of this SEPP.	Yes
SEPP (Planning Systems) 2021	The State Environmental Planning Policy (Planning Systems) 2021 provides a framework for planning and development systems across the state. As outlined above, future development proposals relating to in-fill affordable housing with a value of more than $75 million, will constitute State Significant Development (SSD) per Schedule 1, of the Planning Systems SEPP 2021. The Planning Proposal does not contravene the relevant provisions of the SEPP.	Yes
SEPP (Resilience and Hazards) 2021	The State Environmental Planning Policy (Resilience and Hazards) 2021 relates to natural and manmade hazards, including contamination. Given the industrial uses at the site, future development proposals will need to consider the provisions of Chapter 4 Remediation of land of the SEPP. Notwithstanding, the previous amendments to the land use zone by Council's PRCUTS – Stage 1 planning proposal determined that the site can accommodate a mix of uses including residential uses. The Planning Proposal does not contravene the relevant provisions of this SEPP.	Yes
SEPP (Sustainable Buildings) 2022	The State Environmental Planning Policy (Sustainable Buildings) 2022 encourages the design and delivery of more sustainable buildings. Chapter 2 sets out the standards for residential development, including BASIX. Future development proposals will achieve BASIX standards in accordance with the SEPP and clause 8.9 of the CBLEP 2013. The Planning Proposal does not contravene the relevant provisions of this SEPP.	Yes

State Environmental Planning Policy	Response	Consistent
SEPP (Transport and Infrastructure) 2021	The State Environmental Planning Policy (Transport and Infrastructure) 2022 focuses on transport and infrastructure related development, including Development in or adjacent to road corridors (Chapter 2, Division 17, Subdivision 2) and childcare facilities (Chapter 3). The Planning proposal does not contravene the relevant provisions of this SEPP.	Yes

Q7 – Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1 Directions) or key government priority?

Yes – the Planning Proposal is generally consistent with the application Ministerial Directions (Section 9.1 Directions) and related government priorities, as outlined in **Table 11**.

Table 11 Summary of consistency with Section 9.1 Directions

Direction	Response	Consistent
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	As outlined above, the Planning Proposal achieves the overall intent of the Greater Sydney Region Plan – A Metropolis of Three Cities, and does not undermine the achievement of the vision, land use strategy, goals, directions and actions of the Plan. Further, the Planning Proposal will support the redevelopment of strategically identified land, and the realisation of the intended outcomes of the State Government´s Eastern City District Plan and the PRCUTS, as well as Council´s LSPS, LHS and other supporting studies, including the Kings Bay Precinct Master Plan. It is noted that Objective 23 of the Greater Sydney Region Plan – to plan, retain, and manage industrial and urban services land – does not apply to land within the PRCUTS.	Yes
1.3 Approval and Referral Requirements	The Planning Proposal does not seek to increase requirements for concurrence, consultation or referral provisions and does not identify any developments as designated development.	Yes
1.4 Site Specific Provisions	The Planning Proposal does not seek to introduce any site-specific provisions into the CBLEP 2013. Instead, amendments to the DCP are proposed to ensure the vision and intent of the site will be delivered.	Yes
Focus area 1: Planning Systems – Place-based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	As outlined above, the Planning Proposal seeks to facilitate redevelopment of the site in a manner that is generally consistent with the PRCUTS, and supporting documents, as reflected in the Kings Bay Precinct Master Plan and subsequent CBLEP 2023 and Section K20 'Kings Bay (PRCUTS)' of the DCP. Council's PRCUTS – Stage 1 planning proposal and supporting DCP amendment were largely consistent with the PRCUTS, with only some minor variations in response to more recent government policy, and/or Council´s strategic planning process undertaken to implement the PRCUTS. This includes: • A variation of the PRCUTS recommended building heights and FSRs. Council's planning proposal reduced the height from 80m under the PRCUTS to 67m (20 storeys) for Area 17. This allows the FSR of 3:1 under the PRCUTS to be fully taken up across both sites. • A reduction in the width of the linear park proposed on the western side of William Street as part of Area 17. This was justified on the basis that Council intends to deliver a larger park on the eastern side of William Street, the linear park is focused on delivering the Green Grid and active transport connections, and the reduced width enables the reduction in building heights (outlined above) and subsequent overshadowing. The Planning Proposal, and subsequent development of the site, will deliver the William Street linear park. At the Gateway Determination stage of Council's planning proposal, these inconsistencies were considered minor and justified. This Planning Proposal does not seek to further vary the maximum incentive HOB or FSR. This Planning Proposal will support delivery of the open space fronting William Street. The Planning Proposal, and subsequent development of the site: • Will give effect to the objectives of this Direction, • Is consistent with the Strategic Actions outlined in the PRCUTS, including (but not limited to: - Deliver residential uses, including affordable housing, as well as commercial, retail, and community uses, - Deliver active transport connections, including cycleway along Queens Road and William Street, a through-site link connecting Queens Road and Spencer Street, - Deliver open space, • Is generally consistent with the Parramatta Road Corridor Planning and Design Guidelines (2016), unless amended by Councils planning proposal,	No – justified

Direction	Response	Consistent
	• Is consistent with the staging and other identified thresholds for land use changed, having been rezoned as part of Council´s planning proposal, • Will support the provision of infrastructure to ensure the land is adequately serviced, and • Is consistent with the District Plan.	
Focus area 3: Biodiversity and conservation		
3.7 Public Bushland	The Planning Proposal does not apply to land containing public bushland. The Planning Proposal is not seeking to change or impact bushland in urban areas.	Yes
Focus area 4: Resilience and Hazards		
4.1 Flooding	The site is identified as Flood Prone Land. Notwithstanding, redevelopment of the site for mixed-use development was deemed acceptable, and the inconsistency with this Direction to be minor and justified, as part of Councils PRCUTS – Stage 1 planning proposal. The planning proposal was supported by the Parramatta Road Corridor Flood Risk Assessment (2020) (for the Kings Bay and Burwood-Concord Precincts). A Flood Impact Risk Assessment (FIRA) has also been prepared by SLR to support the planning proposal and is provided at **Appendix E**. The FIRA was prepared in accordance with the Flood Impact and Risk Assessment – Flood Risk Management Guide LU01 (2023), Flood Risk Management Manual (2023) and Attachment C of the LEP Making Guideline (2023). Modelling was undertaken on the existing conditions, the DCP conditions, and the proposed rezoning conditions. The results of the modelling indicated that the differences in flood characteristics between the DCP and the rezoning proposal are near identical. The differences in flood levels between the proposed rezoning and the DCP are not significant for the 1% AEP event, with changes modelled as below 0.01m in the 1% AEP event and up to a maximum of 0.02m in the PMF event, contained entirely within a 10m section of William Street, adjacent to the proposed building. Therefore, the report concludes that the rezoning proposal does not have a significant impact from a floor perspective, and is relatively similar to the existing approved DCP. Future redevelopment of the site will respond to the flood planning controls in Section K20.15 'Safety and Accessibility' of the DCP, including a flood planning level equal to the 1 in 100-year flood level plus freeboard for the Kings Bay Precinct	No – justified
4.4 Remediation of Contaminated Land	The site has been used for industrial purposes. Notwithstanding, Council´s PRCUTS – Stage 1 planning proposal rezoned the site on the basis that the land could be made suitable for mixed-use development. This Planning Proposal does not alter this conclusion. Future development proposals will need to consider the relevant provisions of Chapter 4 of the Resilience and Hazards SEPP 2021.	Yes
4.5 Acid Sulfate Soils	The site is identified as comprising Class 2 and Class 5 land. Council´s PRCUTS – Stage 1 planning proposal determined that the intensification of development on land identified as having a probability of containing Class 2 and Class 5 acid sulfate soils as acceptable. This Planning Proposal does not alter this conclusion. In accordance with clause 6.1 of the CBLEP 2013, an acid sulfate soils management plan, prepared in accordance with the Acid Sulfate Soils Manual, will need to accompany future development proposals, prior to a development consent being granted.	Yes
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	The Planning Proposal is generally consistent with the relevant aims, objectives and principles of Improving *Transport Choice* and *The Right Place for Business and Services*. Councils PRCUTS – Stage 1 planning proposal was informed by a precinct-wide Traffic and Transport Study. As outlined above, the Planning Proposal will support the implementation of the PRCUTS, which is an integrated land use planning and transport policy framework for the transformation of the Parramatta Road Corridor and that is approved by the Secretary of the Department of Planning, Industry and Environment. It will also support the Regional and District Plans.	Yes
5.2 Reserving Land for Public Purposes	The Planning Proposal does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.	Yes
Focus area 6: Housing		
6.1 Residential Zones	The Planning Proposal, and subsequent redevelopment of the site, will: • Deliver new housing, including affordable housing, • Make more efficient use of existing infrastructure and services, whilst delivering infrastructure to support new residential development, • Reduce the consumption of land for housing on the urban fringe, by supporting in-fill development/ urban renewal, and • Facilitate housing that is of good design, in accordance with the relevant SEPP and DCP provisions.	Yes

Direction	Response	Consistent
	The Planning Proposal does not contain provisions that would reduce the permissible residential density of land, rather it seeks to maximise the redevelopment potential of the site under the CBLEP 2013 and DCP.	
Focus area 7: Industry and Employment		
7.1 Employment Zones	The Planning Proposal, and subsequent redevelopment of the site will: • Give effect to the objectives of this Direction, encouraging employment growth in an accessible location and supporting the viability of the new Spencer Street centre. • Deliver the PRCUTS, which is approved by the Secretary of the Department of Planning and Environment. It is noted that Councils PRCUTS – Stage 1 planning proposal rezoned existing employment land, inconsistent with this Direction. However, this was justified noting consistency with Direction 7.1 and Direction 7.3. The strategic plans note that the Parramatta Road Corridor is exempt from the need to plan, retain and manage industrial and urban services land. The Planning Proposal will not alter this conclusion.	Yes

5.3.3 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 because of the proposal?

No – the Planning Proposal relates to land that is urban, has been continuously occupied for multiple decades and is devoid of vegetation. The Planning Proposal, and subsequent redevelopment of the site, seeks to improve the quality of the urban environment, including the provision of open space, tree planting and vegetation. The proposed redevelopment is not likely to result in any adverse effects on critical habitat for threatened species and/or ecological communities.

Q9 – Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

Given the proposed amendments are largely related to administrative changes to development standards to remove the requirement for site amalgamation and enable the subject site to be redeveloped as a standalone development with regard to the adjoining land, this Planning Proposal is not anticipated to give rise to any significant environmental effects that haven't already been identified or addressed in the broader Kings Bay Precinct rezoning, undertaken by City of Canada Bay Council.

Specifically, this Planning Proposal is not expected to pose any significant impacts on the following matters:

- Design Excellence
- Traffic and Parking
- Geotechnical and contamination
- Flooding Impacts
- Noise Impacts
- Wind Impacts
- Visual Impacts

A detailed assessment of all relevant environmental matters will be undertaken as part of any future development assessment.

Site Amalgamation

Clause 8.4 of the CBLEP 2013 establishes minimum site area requirements, which ultimately form the amalgamation pattern for the Kings Bay Precinct. As outlined within the PRCUTS Planning Proposal finalisation report, the key site areas were established by the Masterplans for the Kings Bay and Burwood-Concord Precincts. In developing the amalgamation pattern, consideration was given to the current land ownership status, public domain dedication requirements, built form efficiency and desired urban design outcomes with the priority being to prevent fragmentation or isolation of land.

As noted throughout this report, the site is identified as Area 17 of the Kings Bay Precinct and is required to have a minimum site area of 4,096m^2, however, due to the inability to acquire the adjoining land at 10-12 Spencer Street, Five Dock, the proposed development can only achieve a minimum site area of 3,158.4m^2.

This issue was raised by the owner at the time through a submission made during the public exhibition of the PRCUTS Planning Proposal. The submission requested an amendment to the amalgamation boundary and the minimum site area for Area 17, specifically to exclude the adjoining land at 10-12 Spencer Street due to several unsuccessful negotiation attempts to acquire the land. Despite this request, Council officers in their finalisation report, recommended against supporting the proposed amendments for the following reason:

'The requested Key Site area boundary amendment would constrain the creation of the proposed 5-storey and 20-storey buildings, as Apartment Design Guide (ADG) and Building Code of Australia (BCA) requirements would be compromised. Further, this could create a blank party wall between two subdivided sites, which would lead to undesirable visual impacts. Splitting the sites would also lead to part of the land benefiting from opportunity arising from the change to development standards.'

Following the finalisation of the PRCUTS Planning Proposal, further attempts to negotiate the purchase of 10-12 Spencer Street were made, however remained unsuccessful as documented in **Appendix C**. Notwithstanding, to prevent the land from remaining undeveloped, extensive design analysis has been undertaken to address Councils concerns. This analysis demonstrates that the minimum site area and site boundary can be amended without constraining the future development potential of the site or resulting in isolation of the adjoining land.

Specifically, the Indicative Design Concept provided at **Appendix A**, which has been developed in consultation with Council and informed by an independent urban design analysis by Studio GL, demonstrates that the recommended built form outcome for the site, including a 5-storey building and a 20-storey building can still be achieved in line with the CBDCP and through a staged approach, ultimately ensuring that both the Develotek site and the adjoining land can be redeveloped independently.

To ensure that the site in isolation is economically viable to redevelop, a Valuation Analysis has been undertaken by Titan Advisory Group (**Appendix B**). This Valuation Analysis confirms that the adjoining land is currently worth $5,750,000 as an industrial property, however, if redeveloped in line with the indicative design concept provided under this Planning Proposal, its market value significantly increases to $8,360,000. Therefore, it is evident that the adjoining land can feasibly be redeveloped in isolation and that the redevelopment of the subject site will not result in any fragmentation or isolation of 10-12 Spencer Street.

Furthermore, the indicative concept plan addresses Councils concerns in that:

- It will still achieve a high level of residential amenity and comply with the objectives of the ADG.
- While a blank wall is required to be proposed between the two sites for the podium levels, this will only be temporary until 10-12 Spencer Street is redeveloped. To mitigate undesirable visual impacts, a site-specific DCP control will be adopted to require an interim wall treatment to ensure a visually aesthetic building.
- To ensure that the adjoining land can still benefit from the incentive development standards, this Planning Proposal recommends the introduction of a site-specific provision that allows for an uplift on 10-12 Spencer Street, but only if it aligns with the built form outcome and vision for the site as outlined in the DCP.

In addition to the above, despite the amendment to the amalgamation pattern, this Planning Proposal still achieves the block configuration objectives outlined in Section K20.6 of the site specific DCP by ensuring that:

- Future development on the site reinforces the desired character of the area and protects valued character attributes.
- A high level of residential amenity is facilitated for both sites, particularly with regard to solar access, ventilation, and visual and acoustic privacy.
- The proposal has been designed and scaled appropriately to respond and consider the adjoining site in both its current form as well as its future development condition, demonstrating an appropriate response to the Land and Environment Court Planning Principle for site isolation under *Karavellas v Sutherland Shire Council.*
- Permeable ground surfaces and deep soil zones are maximised to support planting and high canopy coverage.

Therefore, as highlighted above, the proposal to amend the minimum site area and amalgamation pattern is justified and should be supported, as it will not undermine the built form outcome or vision for the precinct outlined in the site specific DCP but rather, protect it by providing a suitable pathway that enables Area 17 to be developed accordingly in a staged approach. This ensures that housing can be delivered quickly on the subject site, directly addressing state government objectives, whilst ensuring that the long-term vision and aim for the precinct can still be delivered.

Built form and urban design

The proposed building envelope has generally been guided by the strategic vision and built form outcome envisaged for the site under the site specific DCP in that it comprises a 5-storey building along Queens Road and a 20-storey tower along the southern boundary with the open space located at the centre of the site.

To mitigate the impacts on the adjoining land at 10-12 Spencer Street and to move the tower away from the boundary, the building envelope has been adjusted to include a greater setback of 3m along the western boundary than originally required. To accommodate the 3m setback, the tower has been shifted further north to offset against the future building

on the adjoining land. The adjustment in the positioning of the tower is reflected within Council's proposed amendments to the site-specific DCP controls, which has been informed by an independent urban design assessment by Studio GL. Projected Design Management have given careful consideration to the built form ensuring that the proposal can still achieve a high level of residential amenity and an overall positive outcome for the site. The proposed design has been driven by the following design principles, along with the urban design analysis by Studio GL:

- **Orientation and Placement:** The alternative positioning of the tower further north ensures that setbacks to William Street and the adjoining site can still be maintained while still achieving yield and high quality amenity given its orientation to the north.
- **Building Separation and Adjoining Development Opportunity:** The design allows the tower to be oriented east-west to maximise visual privacy. Any apartments on the lower levels of the tower that are oriented north must be appropriately screened to mitigate overlooking to the apartments in the Queens Road building.
- **Reducing Bulk and Scale:** Despite the slight repositioning of the tower, it maintains a slender built form, with a consistent relationship between the podium and tower, ensuring minimum visual bulk and scale.
- **Increasing Verticality:** By incorporating appropriate façade articulation and building expression, the tower will be sculpted accordingly to express a slender and vertical form.
- **Maximising Solar Access and Outlook:** The indicative design concept prioritises 100% north-facing or dual aspect apartments, providing an abundance of daylight and views over surrounding areas like the Five Dock Leisure Centre, Barnwell Park Golf Club and the Hen and Chicken Bay. Any apartments on the lower levels of the tower will be designed accordingly to minimise overlooking to the northern apartments in the Queens Road building.
- **Maintaining Continuous Street Wall Height and Active Frontages:** The development involves a continuous street wall height, which will ultimately protect the public domain and enhance opportunities for an active street frontage by minimising vehicular crossover.

As such, despite the minor amendments the DCP building envelope, the proposal is entirely appropriate in that it still achieves the objectives of the DCP, whilst also ensuring an efficient and well-designed development that takes into consideration the potential future development surrounding the site. **Figure 17** below provides a comparison of the DCP compliant and proposed building envelope.

DCP Compliant Envelope **Proposed Building Envelope**

Figure 17 DCP Compliant vs Proposed Building Envelope

Source: Projected Design Management

In addition to the above, an independent assessment on the built form and urban design was undertaken by Studio GL, which has ultimately informed the alternative building envelope. The assessment concluded the current DCP building envelope was derived for an amalgamated site, whereas the alternative scheme provides a far better urban design outcome for the development of the site in isolation particularly when considering the BCA requirements, the National Construction Code and the Apartment Design Guide setback.

As such, it is emphasised that the proposed building envelope, although requiring amendments to the DCP achieves a positive planning and design outcome, whilst ensuring that the built form and vision envisaged for the site can still be achieved.

Furthermore, it is noted that Clause 6.14 of the CBLEP 2013 identifies the site within the "Design Excellence Area", meaning that development within this area, involving a building higher than 28m or 8 storeys, or both, must not be granted development consent unless:

(a) a competitive design process is held in relation to the development, and
(b) the consent authority takes into account the results of the competitive design process.

Accordingly, future development proposals will be subject to a competitive design process, which will ensure further design refinement of the proposed building envelope and urban design outcomes aligned with the DCP.

Landscaping and public domain

The proposed development has been designed accordingly with the public domain requirements specified under the CBLEP 2013. Key considerations include the incorporation of appropriate setbacks, which facilitate landscaped setbacks along all boundaries and ensure the provision of a through site link along the western boundary, which will connect Queens Road and Spencer Street, promoting accessibility and a permeable ground plane.

However, due to the inability to acquire the land at 10-12 Spencer Street, further consideration to the public domain will be required during the detailed design phase and future planning applications. The following summarises the key considerations:

Blank Wall Treatment

Upon review of the finalisation report for the PRCUTS Planning Proposal, it is understood that one of Council's primary concerns relating to the amendment of the minimum site area relates to the tower being positioned on the boundary, which leads to consequential negative impacts, particularly in terms of compliance with the BCA and the undesirable visual impact of a blank wall between the two buildings. Therefore, as detailed above, the built form approach adopts a 3m tower setback to the western boundary to ensure an appropriate BCA solution and removing the need for a blank wall on the tower.

Notwithstanding, it is acknowledged that the podium of the subject site will result in a temporary blank wall condition on the western boundary until the adjoining land at 10-12 Spencer Street is redeveloped, which will then present as a consolidated 5-storey podium. To address the interim blank wall condition, architectural treatment, such as public art, murals, and façade materiality and expression will need to be incorporated within the development to minimise the visual impact of the blank wall.

To ensure that this is undertaken in future stages, this Planning Proposal recommends the introduction of a site-specific control via an amendment to the DCP to ensure that interim blank wall treatment is considered within the detailed design to avoid poor public domain and urban outcomes at the street level.

Through site link

Section K20.8 of the DCP identifies a 'desired through site link' on the western boundary of the site, connecting Queens Road and Spencer Street. Although not a requirement under the CBLEP 2013 or being tied to the incentive development standards, the indicative design concept has accommodated this through site link into the scheme, however, due to the inability to acquire the adjoining land, it is emphasised that it will be delivered in two stages. It is noted that the through site link will only be delivered when 10-12 Spencer Street is developed in the future.

As such, the proposed redevelopment of the subject site will design the building accordingly with ground level retail to ensure an active frontage as well as the relevant crime prevention measures to ensure a safe and secure pathway both in the interim and once the through site link is completely delivered. This will be detailed throughout the future competitive design and development application process.

Vehicular Access

The proposed development comprises a consolidated vehicular access point along Spencer Street, which will serve both the subject site and the adjoining land at 10-12 Spencer Street once it is redeveloped. This arrangement is illustrated in Error! Reference source not found. below, which clearly highlights the loading servicing arrangements and vehicular access plan for both stages of the development.

Therefore, despite the Planning Proposal to amend the amalgamation pattern, the development will result in the same built form outcome as outlined under the DCP. By minimising the number of vehicle crossovers, the development will continue to contribute to a high quality, well designed and safe public domain, ultimately achieving a key objective of the precinct.

To ensure the implementation of this outcome, a site-specific provision is proposed to be introduced into the DCP (refer to **Section 5.2**), which guarantees the consolidation of vehicular access across both sites.

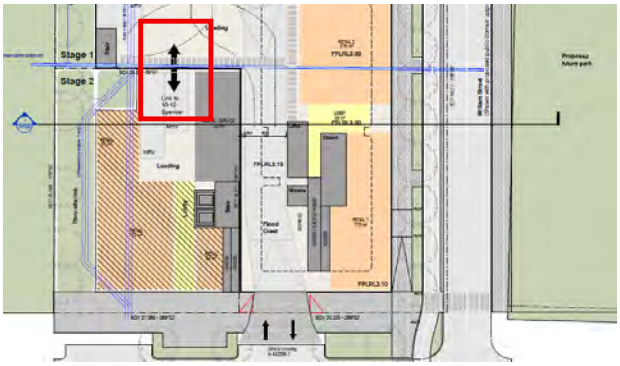


Figure 18 Proposed Basement Connection

Source: Projected Design Management

Residential amenity

Residential amenity outcomes have strongly influenced the design of the proposed alternative building envelope. Specifically, achieving a high level of solar access, cross ventilation, minimising overshadowing and quality communal open space have acted as key design features of the proposal. The supporting indicative design concept prepared by Projected Design Management demonstrates a high level of residential amenity and compliance with the ADG, which is summarised below:

- Apartments are consistent with the ADG minimum size requirements.
- At least 70% of apartments will receive a minimum of two hours solar access across both sites.
- At least 60% of apartments will be naturally cross ventilated across both sites.
- Building separation distances have been adopted accordingly to ensure visual and acoustic privacy.
- Multiple lift cores are provided across the two buildings, ensuring good circulation throughout the site.
- Communal open space will be provided accordingly and will equate to more than 25% of the total site area.

Q10 – Has the Planning Proposal adequately addressed any social and economic effects?

Yes – the planning proposal will result in beneficial effects as it is seeking to facilitate much needed housing, local infrastructure and jobs that will otherwise be prevented from occurring if the LEP is not amended.

The ongoing housing crisis presents significant social, economic and political challenges across Australia, including within the Canada Bay LGA. Similar to other regions within NSW, Canada Bay is experiencing rising house prices, low vacancy rates and declining affordability, which further exacerbates cost of living pressures for households. In response to this, addressing housing supply has become a key priority for all levels of government, which is evidenced through the several initiatives adopted to deliver new housing in well-located areas to alleviate this prevalent and severe housing shortage in a timely manner.

Of particular note is the National Housing Accord, a nationwide commitment by the Federal Government to deliver 1 million new homes in Australia by 2029, with NSW expected to contribute approximately 372,000 dwellings, including

3,100 affordable homes. The proposal to deliver approximately 82 new dwellings directly contributes to the housing target and is completely aligned with several planning objectives to deliver new housing.

Additionally, Develotek intend to submit an application under the Infill Affordable Housing Division of the Housing SEPP to leverage the 30% height and FSR bonus for providing an additional 15% affordable housing on the site (on top of the 4% required under the CBLEP 2013). This will result in an additional 36 dwellings on site, 15% of which will be dedicated to affordable housing and therefore, supporting NSW's goal of delivering 3,100 affordable homes by 2029.

Given the above, the proposal plays a vital role in addressing the housing crisis and will help alleviate the social and economic pressures resulting from the significant housing shortage in NSW. Furthermore, it is emphasised that if this Planning Proposal not proceed, the site will remain undeveloped and therefore, the proposed residential development will not occur. This would overall have a detrimental impact and would completely contradict both the vision of the Kings Bay Precinct, as well as the key planning objective of all levels of government to deliver more housing.

As such, the proposal will facilitate the delivery of 82 much needed dwellings (which will increase to approximately 116 dwellings once SSDA for infill affordable housing is lodged) as well as key public infrastructure identified for the precinct, which will otherwise not occur.

Further to the above, the proposed development will result in an overall increase in employment opportunities on the site. The existing light industrial uses currently accommodate approximately 18 operational jobs. In comparison, the proposed development will introduce retail premises at ground level, supporting an estimated 22 ongoing operational jobs, in addition to 2 building management jobs. The proposed development will also generate approximately 200 construction jobs.

5.3.4 Section D – Infrastructure (Local, State and Commonwealth)

Q11 – Is there adequate public infrastructure for the Planning Proposal?

Yes – The Planning Proposal does not place any additional demand on public infrastructure above the existing LEP. It is noted that the public infrastructure to support the development at the site was considered as part of the Kings Bay Planning Proposal and the redevelopment of the site that is facilitated by this Planning Proposal plays an important role in realising the delivery of public open space (RE1 zoned land fronting William Street) and public domain enhancement (William, Queen and Spencer Street), public pedestrian through-site links (along the western boundary) as well as making a monetary contribution to the overall infrastructure requirements of the precinct.

5.3.5 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 Kings Bay Planning Proposal process was the subject to extensive consultation with government agencies. The Planning Proposal will facilitate the delivery of a development that is consistent with, and has already been subject to consultation, and therefore is unlikely to generate additional comments.

It is noted that the proponent has consulted with Transport for NSW in relation to the future development of the site. TfNSW did not express any concerns with the development but has confirmed that it would not support access from Queens Road as a classified road. As a consequence, the accompany DCP amendment incorporates an amendment to reflect future access being located via Spencer Street rather than Queens Road as currently proposed in the DCP.

5.4 Part 4 – Mapping

The Planning Proposal seeks to identify the adjoining land at 10-12 Spencer Street as Area 17A of the Kings Bay Precinct. To reflect this change, the following maps need to be amended to adjust the boundary of Area 17 to include only the Develotek site and clearly identify Area 17A.

Figure 19 CBLEP 2013 Key Sites Map

Figure 20 CBLEP 2013 Land Zoning Map

**Note: The 2.5m height limit is maintained to Spencer Street and Queens Road.*

Figure 21 CBLEP 2013 Incentive Height of Building Map

Figure 22 CBLEP 2013 Incentive Floor Space Ratio Map

These amendments will ensure that the boundary for Area 17 and Area 17A is accurately updated and reflective of the new built form controls for 10-12 Spencer Street. The maps are also provided at **Appendix D**.

5.5 Part 5 – Community Consultation

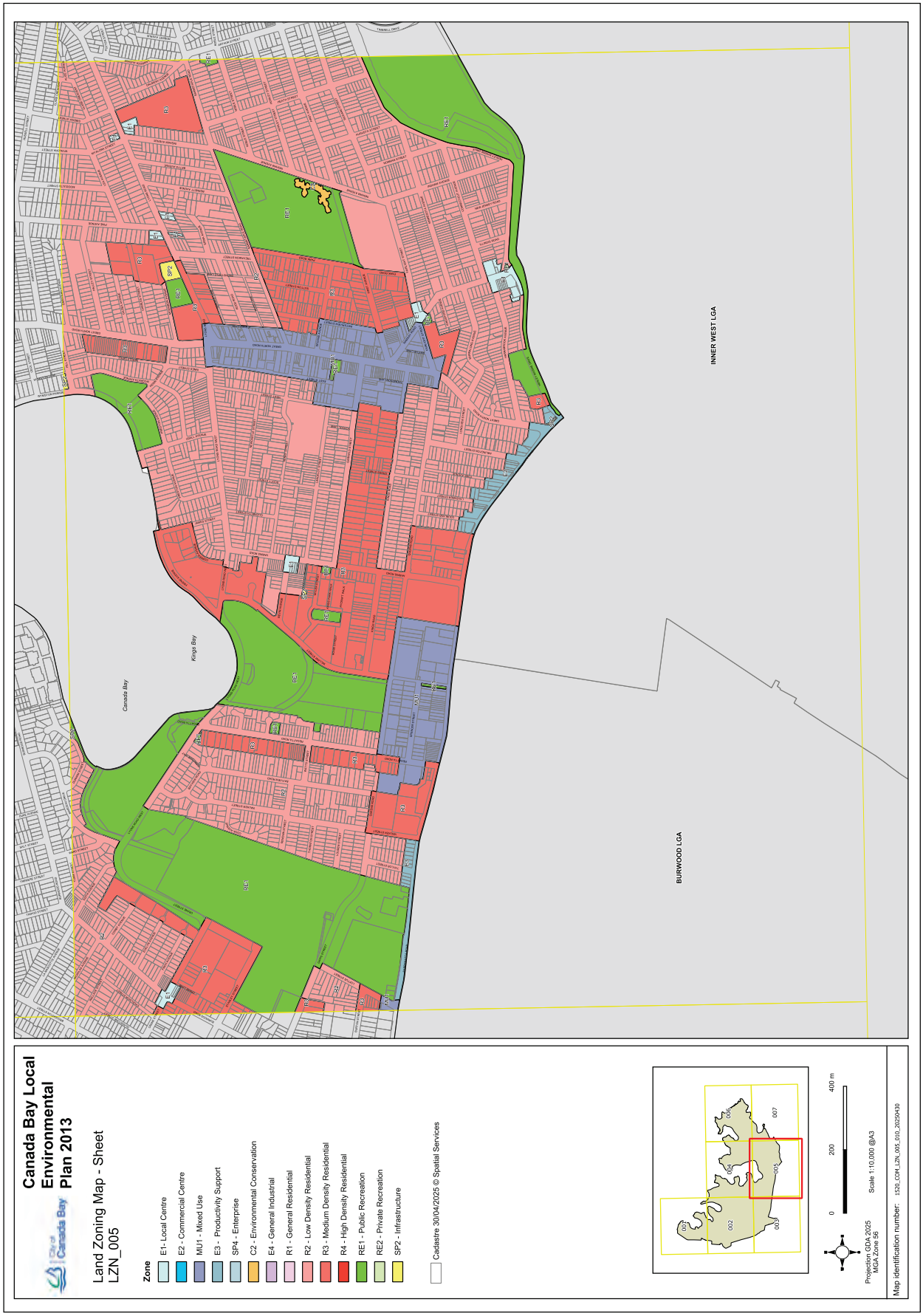
Section 3.34 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the requirements of the Gateway Determination. It is proposed that, at a minimum, this will involve the notification of the public exhibition of the Planning Proposal on the City of Canada Bay website and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups. It is expected the Planning Proposal will be publicly exhibited for at least 28 days in accordance with section 5.5.2 of 'Local Environmental Plan Making Guideline' (August 2023). Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway Determination. Any issues raised will be incorporated into the final Planning Proposal and the LEP amendments.

5.6 Part 6 – Project Timeline

The anticipated project timeline is outlined in **Table 12**. The timeline has been prepared based on DP&E Guidelines, however, will be subject to further detailed discussions with Council and the DP&E, and confirmed once the Planning Proposal has been endorsed by Council.

Table 12 The anticipated project timeline

Action	Timeframe
Lodgement of Planning Proposal	January 2025
Submission for Gateway Determination	April 2025
Gateway Determination	October 2025
Government Agency Consultation	TBC
Exhibition Period	February 2026
Consideration of submissions	March 2026
Consideration of proposal	March 2026
Council meeting	April 2026
Date of submission to the Department for drafting and finalisation	April 2026


Canada Bay Local Environmental Plan 2013
Land Zoning Map - Sheet LZN_005
Zone
E1 - Local Centre
E2 - Commercial Centre
MU1 - Mixed Use
E3 - Productivity Support
SP4 - Enterprise
C2 - Environmental Conservation
E4 - General Industrial
R1 - General Residential
R2 - Low Density Residential
R3 - Medium Density Residential
R4 - High Density Residential
RE1 - Public Recreation
RE2 - Private Recreation
SP2 - Infrastructure
Cadastre 30/04/2025 © Spatial Services
INNER WEST LGA
BURWOOD LGA
Canada Bay
Kings Bay
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400 m
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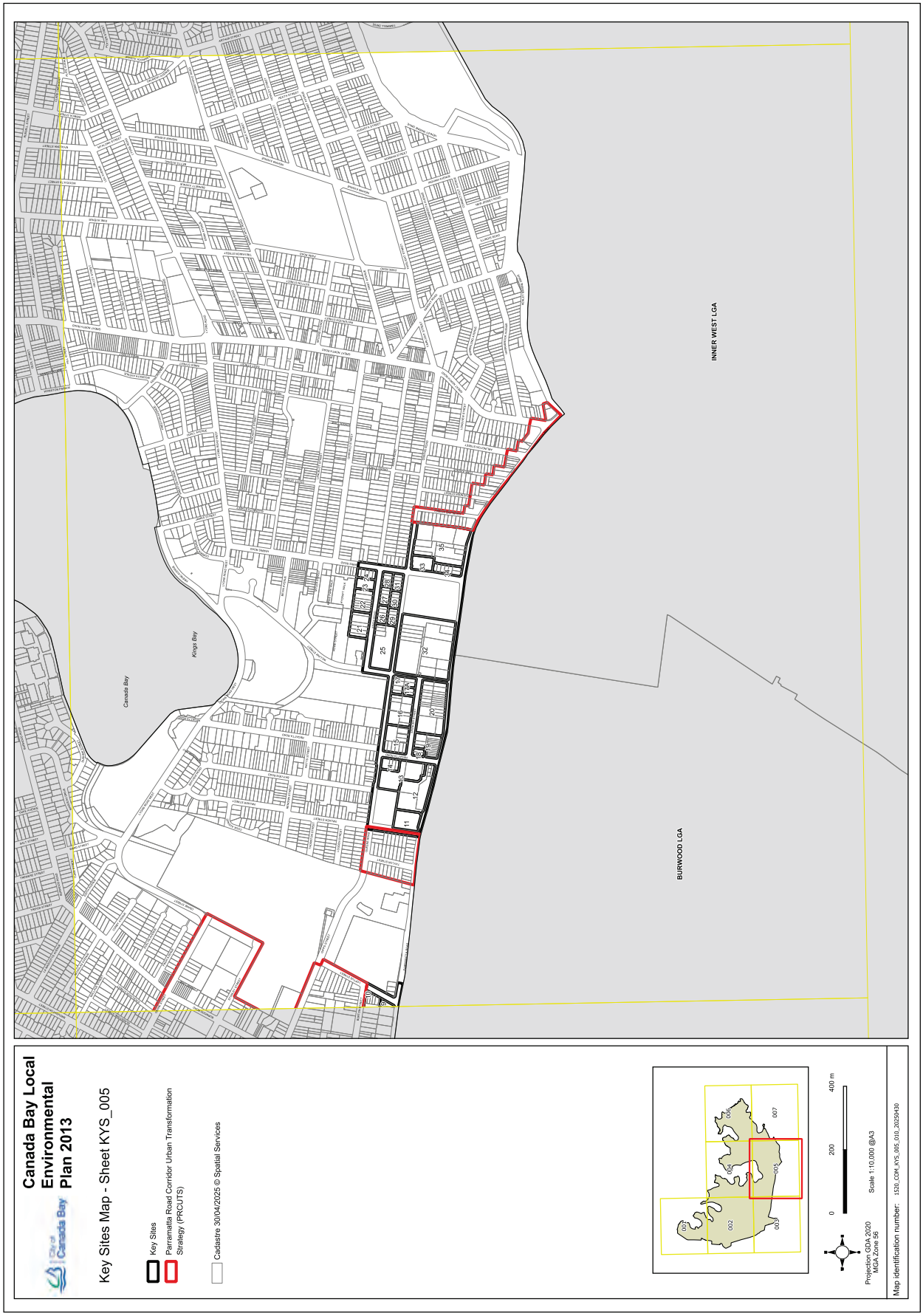
Projection GDA 2025 MGA Zone 56
Map identification number: 1520_COM_LZN_005_010_20250430


Canada Bay Local Environmental Plan 2013
Key Sites Map - Sheet KYS_005
Key Sites
Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)
Cadastre 30/04/2025 © Spatial Services
INNER WEST LGA
BURWOOD LGA
Kings Bay
Canada Bay
Projection GDA 2020
MGA Zone 56
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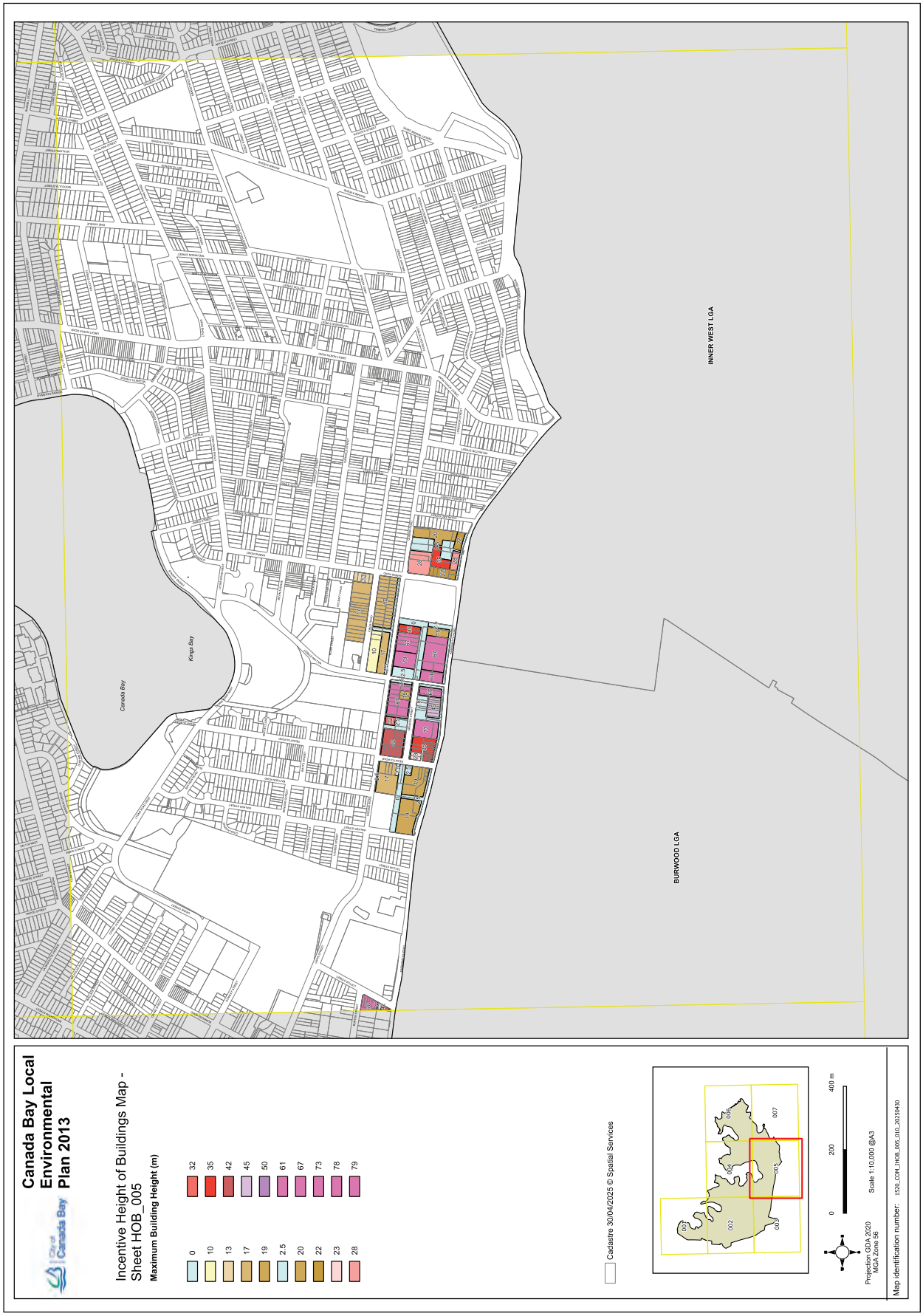
Map identification number: 1520_COM_KYS_005_010_20250430


Canada Bay Local Environmental Plan 2013
Incentive Height of Buildings Map - Sheet HOB_005
Maximum Building Height (m)
0
10
13
17
19
2.5
20
22
23
28
32
35
42
45
50
61
67
73
78
79
Cadastre 30/04/2025 © Spatial Services
INNER WEST LGA
BURWOOD LGA
Canada Bay
Kings Bay
Projection GDA 2020
MGA Zone 56
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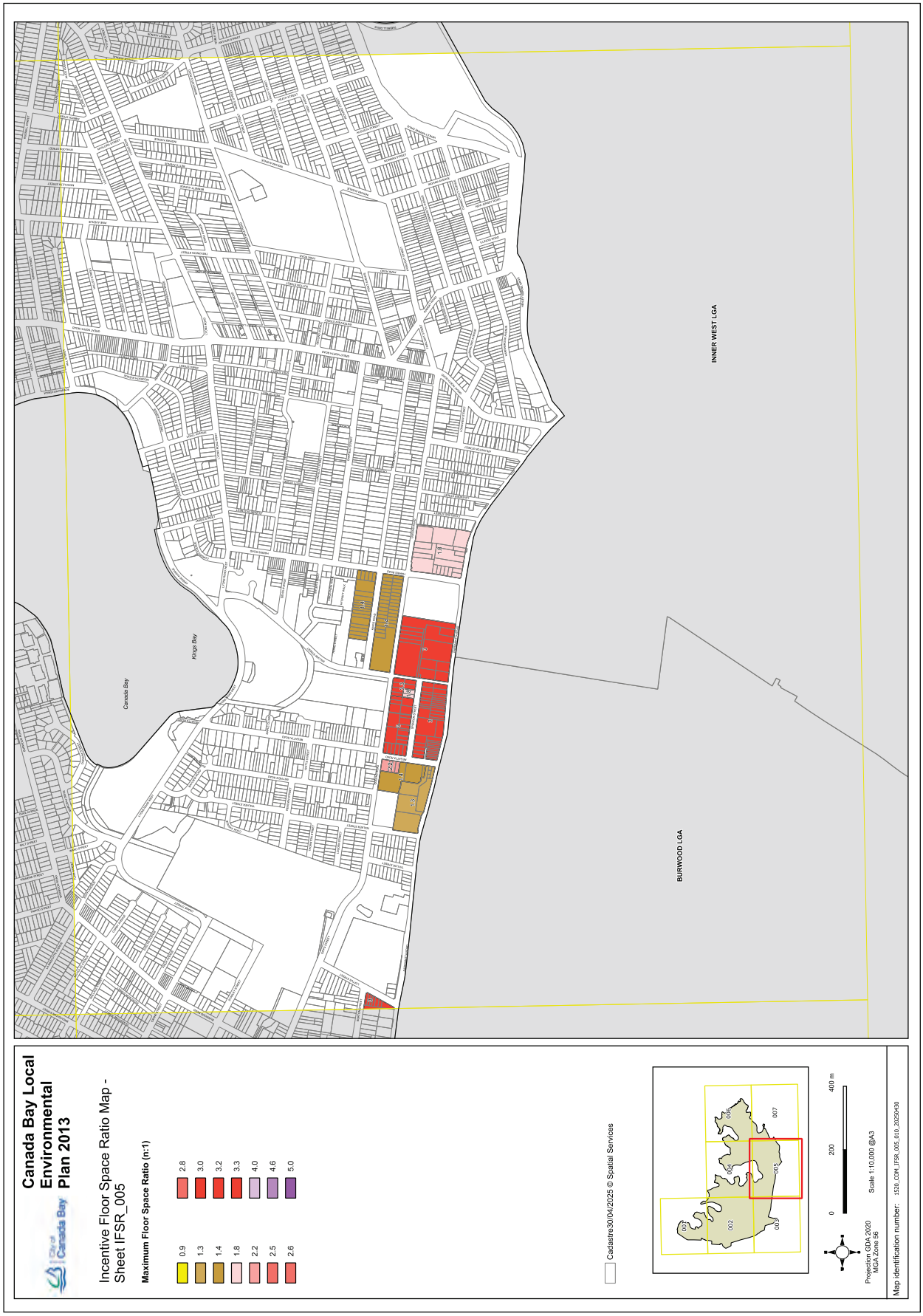
Canada Bay Local Environmental Plan 2013
Incentive Floor Space Ratio Map - Sheet IFSR_005
Maximum Floor Space Ratio (n:1)
0.9
1.3
1.4
1.8
2.2
2.5
2.6
2.8
3.0
3.2
3.3
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INNER WEST LGA
BURWOOD LGA
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Canada Bay

K20 Kings Bay (PRCUTS)

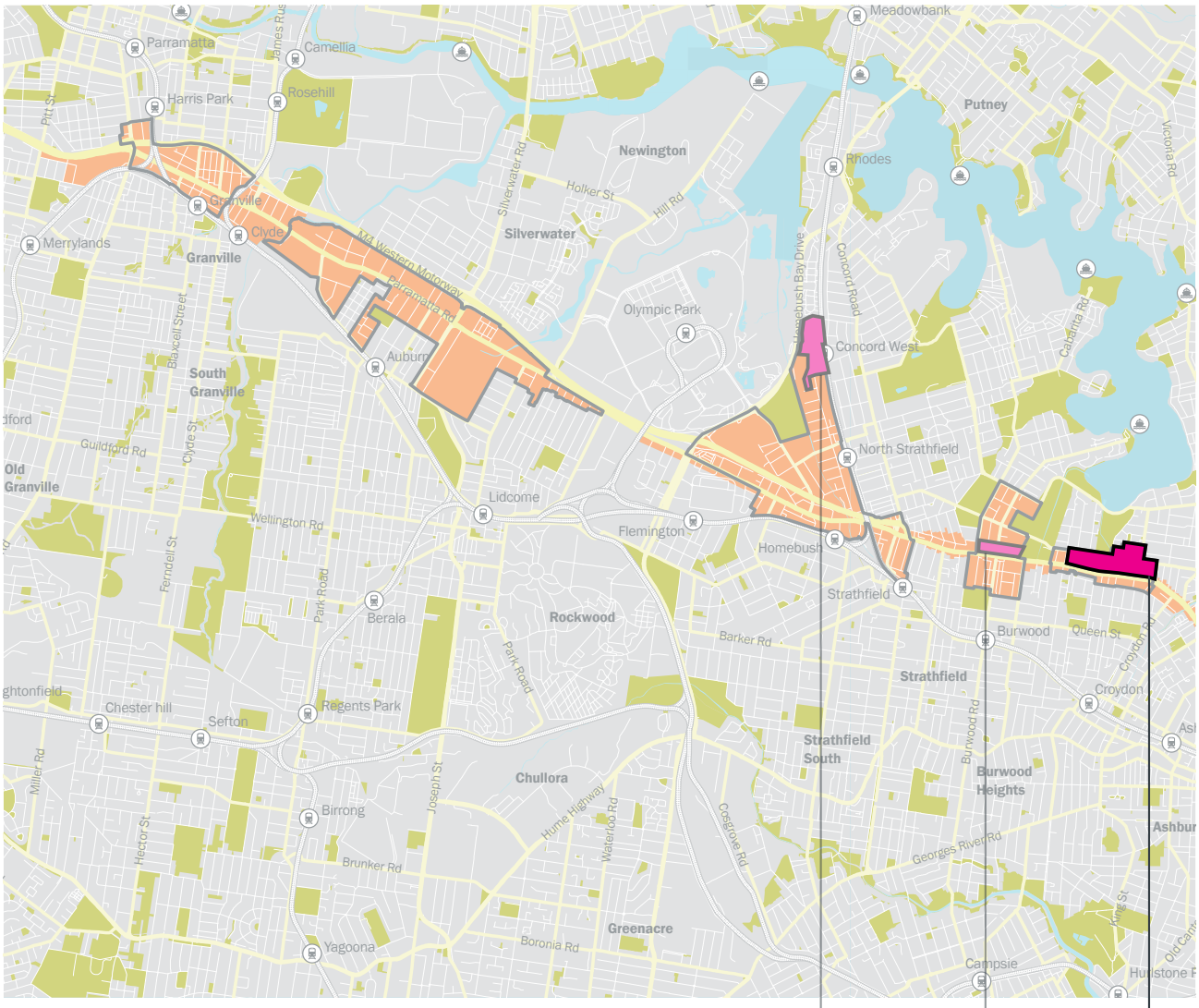
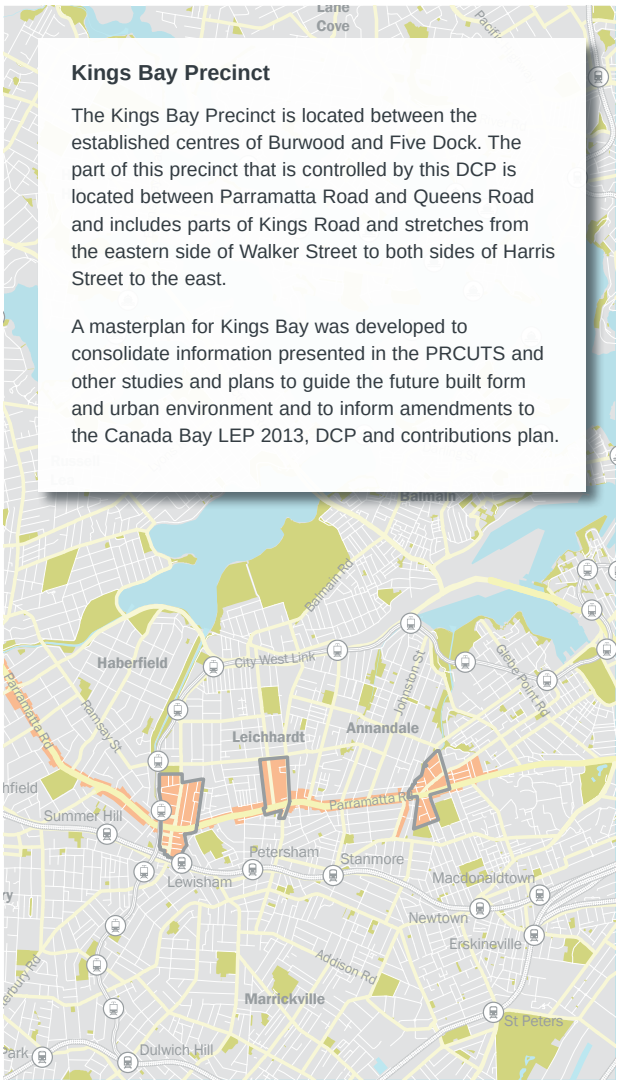


Figure K20-1 PRCUTS Parramatta Road Corridor (Source: PRCUTS, 2016)



K20.1 Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

This DCP has been prepared to support the implementation of the NSW Government Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) published in November 2016.

The DCP has been prepared to deliver the desired future character envisaged in PRCUTS, with refinements to achieve better urban design and community outcomes.

Two development pathways are available:

1) Land is developed to the standards identified on the Floor Space Ratio and Height of Building maps.
2) Where development achieves the minimum lot size and/or identified community infrastructure is delivered, the land may be developed to the standards identified on the Community Infrastructure Floor Space Ratio and Height of Building Maps.

The provisions in this DCP describe the planning controls permitted under Option 2.

PRCUTS aims to renew Parramatta Road and adjacent communities through investments in homes, jobs, transport, open spaces and public amenity. It presents significant urban renewal opportunities for land within defined development precincts.

K20 Kings Bay (PRCUTS)

Figure K20-4 Aerial photo (source: nearmap.com)

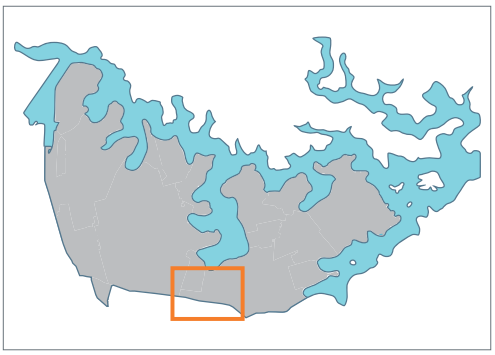


Figure K20-2 Location within LGA

Figure K20-3 Land to which this DCP applies

K20.2 Existing Character

The Kings Bay Precinct currently consists of a mix of smaller fine grain lots and larger landholdings occupied by light industrial service industries such as small manufacturers, car sales and servicing centres, panel beaters, upholsterers, and other urban support services. Wholesalers occupy large format, low density warehouse spaces.

Key community infrastructures include Rosebank College, Lucas Gardens School, Five Dock Leisure Centre and a childcare centre. Medium density residential development is located on Kings Road. Public open space is limited and the street network is characterised by small front setbacks, narrow or no footpaths and few street trees.

Strengths and opportunities

- large land holdings, generally unfragmented land and limited strata titled properties;
- a grid-like pattern of streets;
- potential reduction in traffic volumes with the opening of WestConnex;
- proximity to high amenity open space, recreation facilities and the Parramatta River foreshore;
- potential to enhance existing recreational opportunities and linkages for active transport and extend the existing green corridor from Hen and Chicken Bay to Parramatta Road:
- potential to facilitate the relocation of the Concord Community Centre and/or Concord Library, if the circumstances are appropriate; and
- access to future metro West rail stations and Burwood North (Concord) and Five Dock.

Challenges and constraints

- existing high traffic volumes on surrounding streets;
- limited north-south connections across Parramatta Road, particularly for pedestrians and cyclists;
- a current lack of reliable public transport;
- heritage items and sensitive uses which require appropriate setbacks and transitions; and
- limited, poor quality public domain.

K20.3 Desired Future Character

"Kings Bay will be a new residential and mixed use urban village on Parramatta Road, with an active main street and strong links to the open space network along Sydney Harbour."

As industry moves west, the precinct's traditional industrial area is changing and transforming into more light industrial and urban support services that can capitalise on the rapid transit connections to Sydney CBD, Burwood Town Centre and many large areas of open space.

Spencer Street will form the main street of local shops and services. A new fine grain will be introduced along Spencer Street to reinforce the local nature of the centre, and provide a pedestrian focus with high amenity and low traffic. A new north-south park and pedestrian link will connect Spencer Street to Queens Road and the recreational facilities and foreshore just north of the precinct.

Kings Bay offers the opportunity to be a new address for medium and high density residential development. Taller residential buildings will mark the centre of the precinct at the corner of Parramatta Road, William Street and Spencer Street. Buildings will transition in height and density towards adjacent residential areas, Rosebank College and Lucas Garden School.

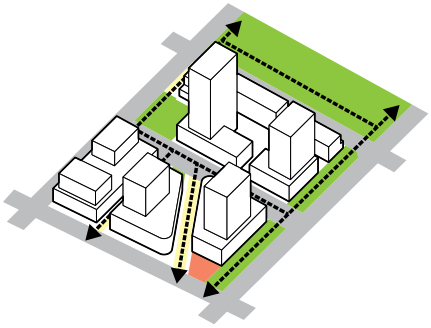
A new green link along William Street will connect to open space and the foreshore. The new regional cycleway will link Concord Road, Gipps Street, Patterson Street and Queens Road and will connect to the M4 Motorway in the west and Iron Cove and the Bay Run in the east. Parramatta Road will have significant tree planting and wider public domain to improve the amenity and environment.

K20 Kings Bay (PRCUTS)

Figure K20-5 Artist impression of indicative future character along Spencer Street, Kings Bay

K20 Kings Bay (PRCUTS)

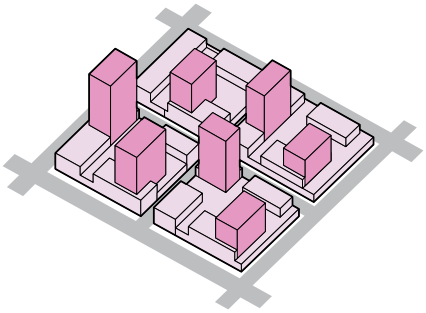
K20.4 Urban Design Principles



Create an active and permeable public realm

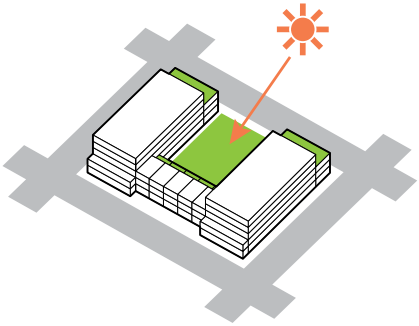
Expand open space network and provide easy access and connection throughout the public realm.

Promote active transport such as walking and cycling.



Define a building height strategy

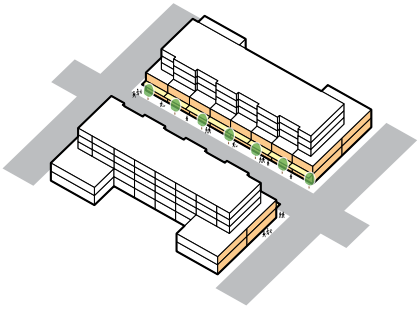
Create a dynamic skyline by spreading higher built form.



Maximise solar access and amenity

Ensure all public open spaces have adequate solar access.

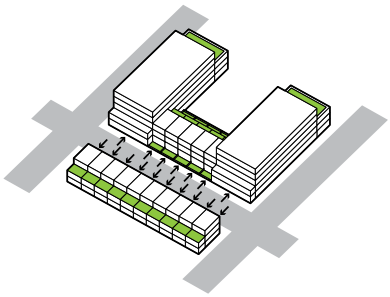
Putting heights towards the southern boundaries to ensure solar access penetrates the site and minimise overshadowing.



Promote fine grain and active frontages

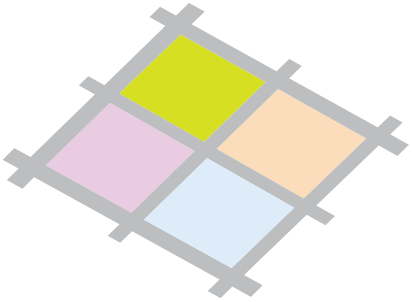
Reinvent Spencer Street and its eastern extension as a Place for People that responds to the vision set out in PRCUTS;

'streets with high demand for activities and lower levels of vehicle movement. They create places people enjoy, attract visitors, and are places communities value'.



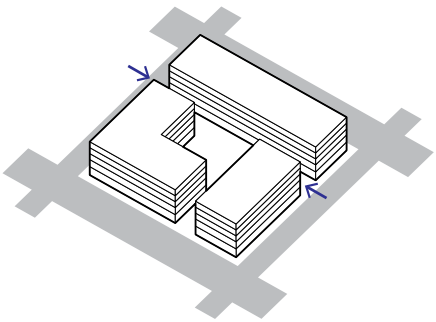
Interactive frontages

Promote direct ground floor access from the street in residential areas to enhance passive surveillance.



Create character precincts celebrate the industrial character of Kings Bay

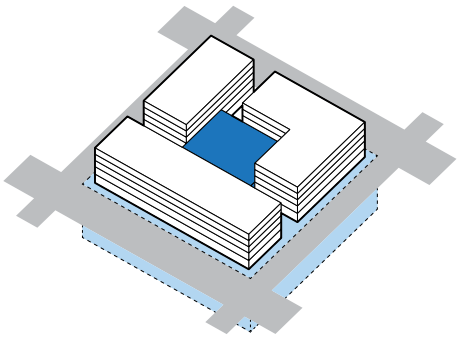
Utilise the current industrial context and history of each block as a driver for place making, facade expression and block character.



Integrated servicing and access

Avoid putting service access on traffic-heavy and pedestrian-oriented streets.

Minimise the impact on public domain by integrating services within the building.

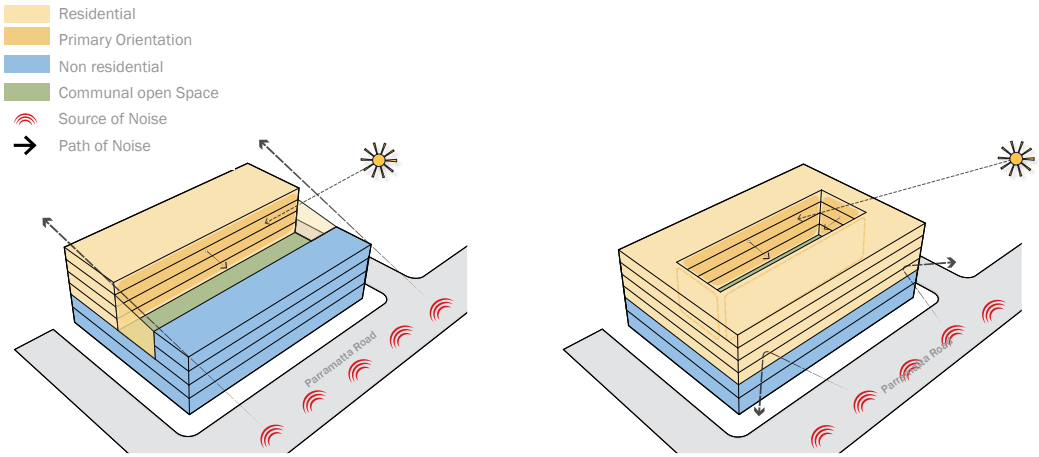


Minimise the impacts of parking

Parking should be put underground as a priority. Where an underground option is not possible, parking should be sleeved with active uses or considerable facade treatment to avoid exposing the structure directly to the street.

K20 Kings Bay (PRCUTS)

K20.5 Design Approach

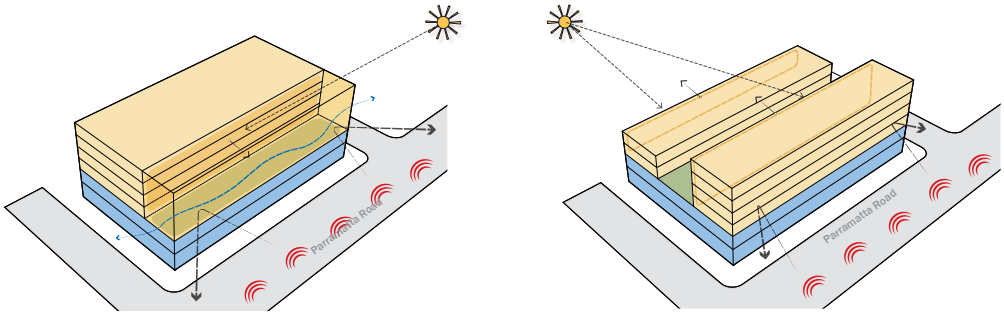


Design Approach 1: Shield

Conventional residential building to the rear of the site away from noise; non-residential building to road edge at a height to create acoustic shadow for residential; fixed solid glazed element encloses courtyard.

Design Approach 2: Barrier (Courtyard)

All openings required for ventilation open from a protected courtyard; courtyard dimension defined by separation requirements as outlined in the Apartment Design Guide.



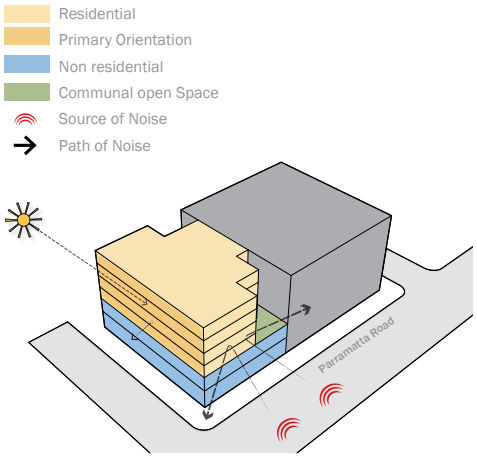
Design Approach 3: Barrier (Screen)

A fixed solid glazed edge to provide a protected courtyard space for ventilation; the glazed courtyard is open to the sky to allow for natural ventilation.

Design Approach 4: Facing away

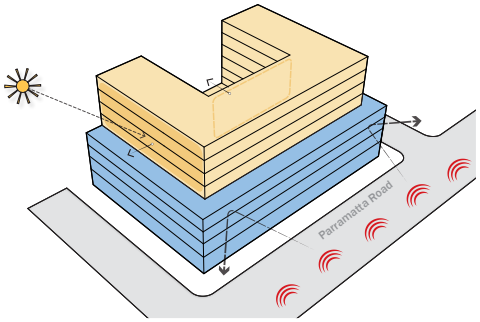
Habitable rooms to be orientated away from the source of noise; locate secondary uses such as cores and walkways facing the source of noise.

Figure K20-6 Design approaches to minimise noise and air quality impacts (Source: PRCUTS Guidelines 2016)



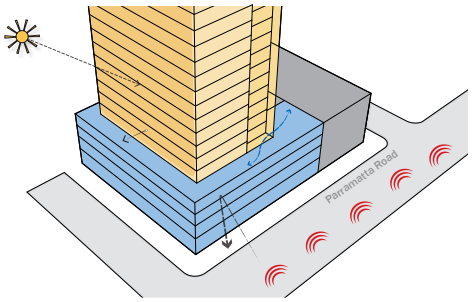
Design Approach 5: Corner

Turning away primary orientation of living space from noise source; articulate facade to create an acoustic shadow away from the source of the noise, orientate openings within the acoustic shadow.



Design Approach 6: Upper Level Setbacks

All openings required for ventilation open from a protected courtyard; turning away from noise source.



Design Approach 7: Above Podium Towers

Turning away habitable spaces from the noise source; utilised fixed solid glazed edge to provide an enclosed space for ventilation.

K20 Kings Bay (PRCUTS)

K20.6 Block Configuration

The scale, height, arrangement and orientation of new built form defines the proportion and level of enclosure of streets and public spaces. Good site planning and block configuration maximises the level of sun access and visual and acoustic privacy for all, including neighbouring properties.

Together with primary and upper level setbacks (see *Section K20.10 Street Wall Heights and Setbacks*), the following controls set the basic building footprints and envelopes for new development in the Kings Bay Precinct.

Objectives

O1 To arrange building forms including heights and massing that reinforce the future desired character of the area and protect valued character attributes.

O2 To facilitate daylight access and ventilation to streets, public places and neighbouring properties.

O3 To maximise visual and acoustic privacy.

O4 To consider future development opportunities on adjoining sites and avoid isolated sites.

O5 To maximise permeable ground surfaces to allow rainwater to penetrate the soil.

Controls	
C1.	New development is to consider future development on adjoining sites by providing sufficient separation and setbacks, and avoid creating isolated sites. New development is to follow the desired Site Amalgamation Plan (see **Figure K20-7**).
C2.	The delivery of identified amalgamation and community infrastructure is a prerequisite for the heights and densities identified in the LEP. If this is achieved new development is to conform to the maximum number of storeys as shown in **Figure K20-12** and **Figure K20-13.** Further controls regarding the permissible building envelope are contained in *Section K20.10 Street Wall Heights and Setbacks* and *Section K20.13 Massing and Articulation.*
C3.	The maximum length of any building above 5 storeys is 60m.
C4.	Residential towers above podium level shall have a maximum enclosed area of 750sqm (including circulation and excluding balconies) and a maximum total floor area of 875sqm (including and assuming 15% for balconies).
C5.	For commercial uses on all floors above the ground level, any wall with windows must be set back from the side and rear boundary by 3m. Any wall without windows is not required to be setback.
C6.	Built form is to be positioned for optimal access to daylight and direct sunlight for internal and external spaces, and for adjoining public and private land.
C7.	Buildings are adaptable to a variety of uses over time. The following minimum floor to floor heights apply: Use / Minimum height Retail: 4.4m Commercial: 3.7m Adaptable: 3.7m Residential: 3.1m
C8.	The ground floor of all lots fronting Parramatta Road is to be a minimum of 4.4m in height to facilitate a wide variety of uses. Development on the ground floor fronting Parramatta Road is to prioritise urban services and light industrial uses, consistent with Active Frontages. The second floor of development fronting Parramatta Road in the B4 Mixed Use zone is also to have retail and/or commercial uses.

CITY OF CANADA BAY

Development Control Plan | Part K | Special Precincts

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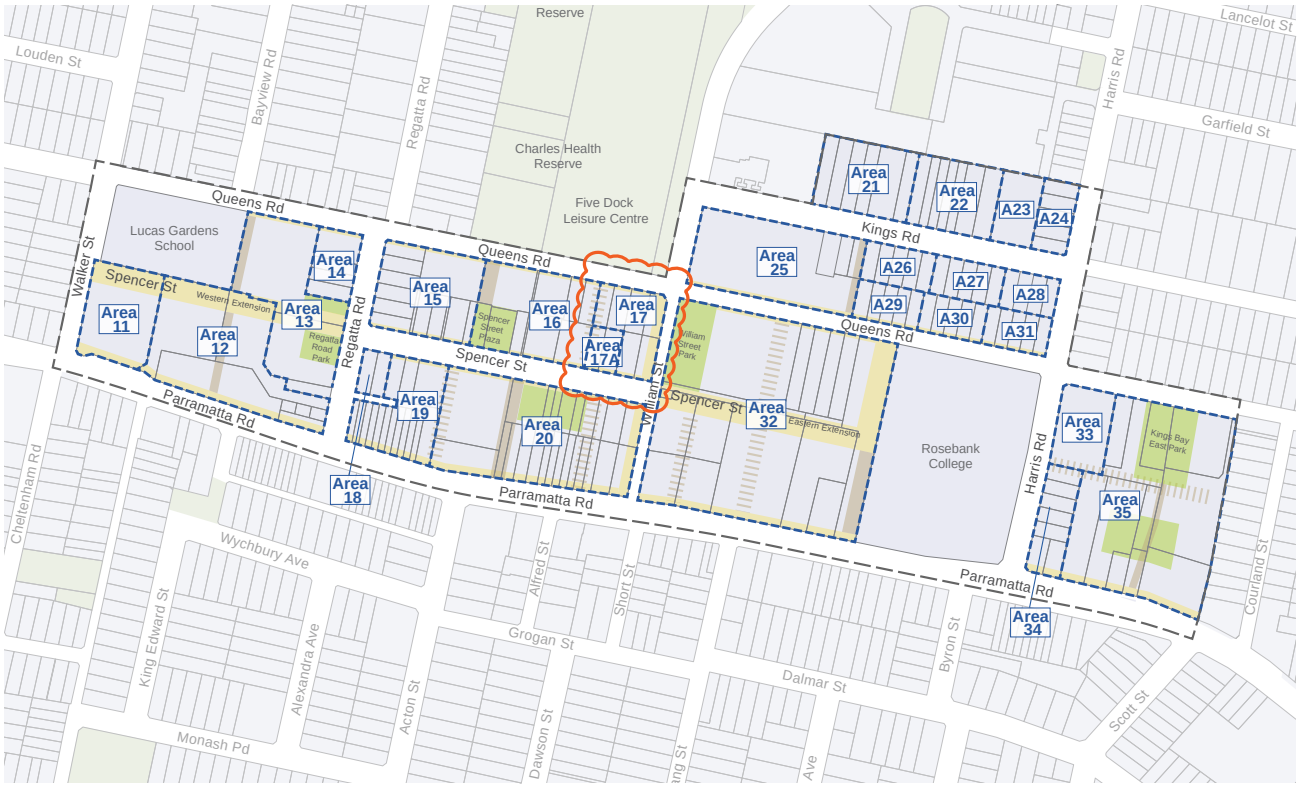

Figure K20-7 Site Amalgamation Plan

- Amalgamation boundary
- A1 Lot identification number
- Proposed public domain/ road corridor
- Proposed future open space
- Existing open space
- Required through-site link
- Desired through-site link
- Cadastre
- Precinct boundary

K20 Kings Bay (PRCUTS)

K20.7 Access Network

A permeable urban structure is key to successful places. The provision of new links and open spaces is encouraged to build upon the existing access network and support the uptake of active and public transport and linking key destinations within and beyond the precinct.

Objectives

O1 To provide a finer grain access network to more effectively link the precinct to Parramatta Road, open spaces and public transport stops.

O2 To encourage travel behaviour change by discouraging car usage and supporting sustainable travel choices such as public and active transport.

O3 To improve network permeability, in particular for pedestrians, by breaking up long blocks with new streets and quality pedestrian prioritised links.

O4 To meet access requirements for future development and enable increased density in selected locations.

A more permeable urban structure and a focus on a high quality pedestrian environment will support walking and cycling.

Slow speed, shared spaces provide links that encourage pedestrian access across the precinct.

Controls	
C1.	The existing access network is retained and new streets, through-site links and cycle routes are provided as identified in **Figure K20-8** and **Figure K20-9.**
C2.	New public open spaces are located as identified in **Figure K20-8** and **Figure K20-9.** See *Section K20.8 Public Domain Experience* for more detail.
C3.	Wherever possible, long blocks are broken up with new high quality pedestrian prioritised links, particularly where new connections would facilitate access to public transport, open spaces and community facilities.
C4.	Size and location of footpaths, laneways, cycleways, planting and parks are to be provided according to Council's PRCUTS Public Domain Plan and PRCUTS Masterplan.
C5.	New roads, public domain widenings, parks and cycleways are required to be in public ownership where identified in the LEP. New roads and parks that are identified in the LEP to be publicly accessible but not in public ownership, may be delivered as a public access easement over private land. Future pedestrian links may be delivered as a public access easement over private land. Provision is to be in accordance with the LEP, PRCUTS Infrastructure Strategy and Council's specifications.
C6.	Future pedestrian/ cycle links are to be naturally lit and ventilated, appropriately lit after hours, publicly accessible 24/7, and have clear sightlines from end to end.
C7.	All new pedestrian/ cycle links are to be defined by built form and quality edge treatments such as low semi-transparent fences and landscaping.
C8.	Bicycle facilities, such as parking, secure storage and end-of-trip facilities are to be easily accessible from the public domain and conveniently located near entrances and/or lifts of new development.

K20.8 Public Domain Experience

Private development has a large influence on the local character and the support of the existing or future functioning of the public realm, for example by clearly addressing a new pedestrian link and providing good levels of surveillance. The scale of built form, its appearance and the design of private-public interfaces has a significant impact on how people experience a streetscape and the safety of the neighbourhood.

Key elements apart from the built form that need to be considered include front setbacks, boundary treatments, vegetation and landscape design, vehicular access, visible activity at street level, and surveillance provided by doors, windows and balconies.

Objectives

O1 To protect and improve the quality, accessibility and safety of the public domain across the precinct.

O2 To support walking and cycling to key destinations such as the Five Dock Leisure Centre and local schools.

O3 To improve the interface to Parramatta Road and support increased activity levels, safety and comfort.

O4 To increase tree canopy cover and provide for more greenery associated with the public domain.

Controls

C1.	New development that fronts onto streets identified as active frontages, including vibrant, friendly and mixed facades (see **Figure K20-10)** must: a) minimise the number and width of vehicular driveways across the footpath; b) ensure building entries are clearly visible and pedestrian access to entries and lobbies is direct; c) pay particular attention to the 'human-scale' of lower levels and display a high degree of detailed design and articulation; d) maximise the number of doors and windows on upper levels overlooking the street; and e) provide vehicular access off a rear laneway; driveways off Parramatta Road are strictly prohibited.
C2.	New development that fronts onto Parramatta Road is to: a) set back as per **Figure K20-8** and **Figure K20-9.** b) apply coordinated urban and landscape design features that unify the linear green edge; and c) prioritise urban services uses.
C3.	Development is to support the experience and safety of future public open spaces as identified in **Figure K20-8** and **Figure K20-9**. Development that faces open space must: a) maximise the number of doors and windows overlooking the open space; b) pay particular attention to quality architectural detail at the lower levels; c) ensure that at least 50% of each open space receives a minimum of 3h direct solar access in mid-winter (21 June) between 9am and 3pm; and d) where an active frontage is required by the LEP, encourage active uses on the ground floor with a preference for community facilities and cafes/ restaurants with outdoor seating. The minimum floor to floor height of the first two levels is to be as per the 'Adaptable' category in *Section K20.6 Block Configuration.*
C4.	Development fronting Queens Road is to maximise entry doors and windows overlooking the street, minimise vehicular entry points and pay particular attention to quality landscape and architectural detail along lower levels. For more controls see *Section K20.11 Transitions and Interfaces.*
C5.	Any development on a corner site including corners of the new open spaces must pay particular attention to overall design quality due to the location's high visibility and impact on the local character, i.e. well proportioned facades and quality material, finishes and plant species selection.

K20 Kings Bay (PRCUTS)

Figure K20-8 Public Domain Plan - western part

- Active frontage (various)
- 3m landscaped setback
- 4.5m landscaped setback
- Deep soil zone (various widths)
- 1 storey street wall
- 2 storey street wall
- 3 storey street wall
- 4 storey street wall
- 5 storey street wall
- Required through-site links
- Desired through-site links
- Proposed future open space
- Proposed future open space (privately owned publicly accessible)
- Potential open space (other)
- Existing open space
- Proposed future public domain
- Variable TfNSW road widening
- Proposed future road corridor
- Cadastre
- Precinct boundary

Figure K20-9 Public Domain Plan - eastern part

0 25m 50m 100m

N

- Active frontage (various)
- 3m landscaped setback
- 4.5m landscaped setback
- Deep soil zone (various widths)
- 1 storey street wall
- 2 storey street wall
- 3 storey street wall
- 4 storey street wall
- 5 storey street wall
- Required through-site links
- Desired through-site links
- Proposed future open space
- Proposed future open space (privately owned publicly accessible)
- Potential open space (other)
- Existing open space
- Proposed future public domain
- Variable TfNSW road widening
- Proposed future road corridor
- Cadastre
- Precinct boundary

K20 Kings Bay (PRCUTS)

K20.9 Active Frontages

The quality and attractiveness of buildings at the streetscape level plays an important role in the attractiveness and vibrancy of the street. Active streetscapes have frequent doors, many windows with transparent glass and narrow frontages providing a vertical rhythm along the street with few blank walls.

Successful buildings make a positive contribution to the streets and public spaces around them. They visually activate the street and encourage people to use the street.

It is important to focus on active frontages in commercial and mixed use zones as these are areas where activity and vibrancy is critical to the success of the centre. Ensuring streets and open spaces are overlooked can increase the sense of safety, especially at night.

Objectives

O1 To create lively and attractive streetscapes that are safe and attractive.

O2 To support walking in the precinct along streets and within public open spaces.

O3 To provide attractive streets and public spaces that encourage activity and provide opportunities for passive surveillance.

O4 To ensure that the ground level of buildings in mixed use areas are well designed and able to attract a variety of uses that will activate the streetscapes.

Controls	
C1.	Active frontages are to be provided as identified in **Figure K20-10**. For more controls see *Section K20.15 Safety and Accessibility*. Three different types of active frontage have been identified. The type of active frontage desired is dependent on the location and the intended character of the street.
C2.	A maximum of 70% of the ground floor facade is to be glazing and balanced with solid vertical elements creating a rhythm along the street.
C3.	**Vibrant Facades** a) Maximise the number of units along the street. Provide small (narrow) units with a minimum of 15 front doors per 100m of facade length. b) Cater for a wide variety of uses such as shops, cafes, restaurants, bars, fruit/ vegetable markets, community uses and live-work units. c) Provide a high degree of visual richness in facade details and architectural expression with a focus on vertical facade articulation. Provide 'ins and outs' (recesses and projections) to create shadows and interest. d) Vehicle access and servicing zones are not permitted along a Vibrant Façade. e) Blank facades are not permissible. Passive facades are strongly discouraged and are only permissible where alternatives are not available. f) Tenancies are to be a minimum of 10m deep.
C4.	**Friendly Facades** a) Maximise the number of units along the street. Provide relatively small (narrow) units with a minimum of 10 front doors per 100m facade length b) Cater for some variety of uses such as shops and live-work units including residential lobbies. c) Blank facades and passive facades are strongly discouraged d) Provide a degree of visual richness in facade details and architectural expression. e) Minimise the number and width of vehicular driveways across the footpath with limited vehicle access and servicing permitted. Openings, when permitted are to be narrow and recessed. f) Tenancies are to be a minimum of 10m deep.

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Figure K20-10 Future Active Frontages

Controls

C5.

Mixed Facades

a) Maximise the number of units along the street. Where possible provide small (narrow) units with a minimum of 6 front doors per 100m facade length

b) Blank facades and passive facades are discouraged. Any blank façade that is more than 10% of the façade or more than 10sqm (at street level) is to have visual interest i.e. architectural treatment, detailing, art or greenery/ green walls

c) Provide a degree of visual richness in facade details and architectural expression.

d) Minimise the number and width of vehicular driveways across the footpath.

e) Buildings fronting Parramatta Road are to have vehicle access and servicing via shared underground areas accessed from side streets where possible.

f) Tenancies are to be a minimum of 10m deep.

Breaking the facade into smaller elements at the street level helps create variation and interest

K20 Kings Bay (PRCUTS)

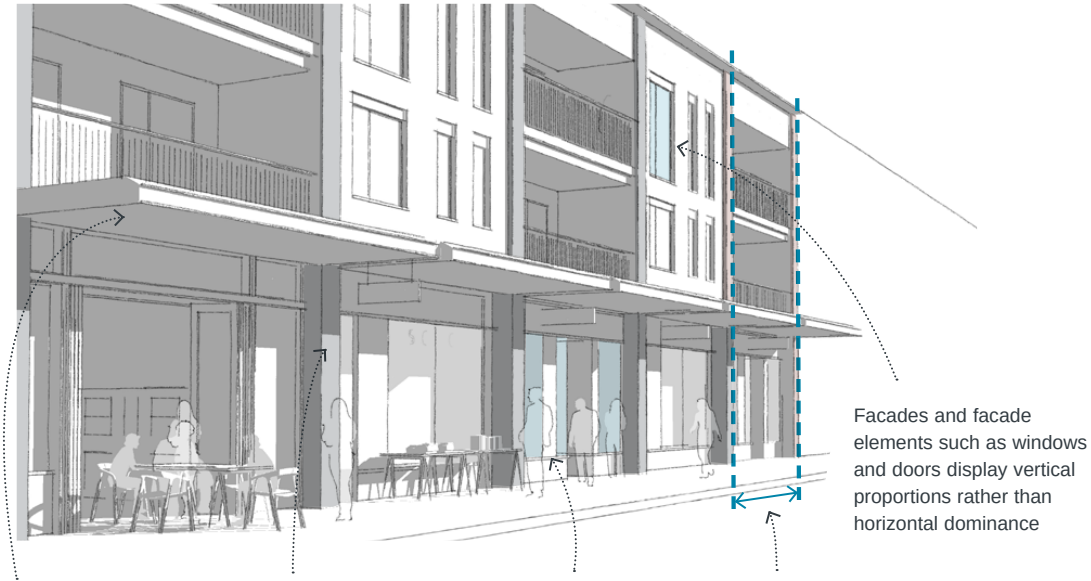

Figure K20-11 Active Frontage Design Guidance

Stall risers, richness of material choices and operable glazing contribute to high quality street interfaces

K20.10 Street Wall Heights and Setbacks

Street setback areas are an integral part of the streetscape and their treatment is fundamental to the amenity and character of a place. Combined with building height and road reserve width, they define the proportion, scale and visual enclosure of the street. Street setbacks not only establish the alignment of buildings along the street, they also provide for landscaping and deep soil areas, building entries and a transition between public and private space.

Street wall heights and upper level setbacks further define the proportion, scale and visual enclosure of the public domain and provide a level of consistency across the precinct. Upper level setbacks lessen the visual impact of taller development and help create a more unified, human-scale streetscape environment.

Objectives

O1 To ensure setbacks contribute positively to the pedestrian environment at street level.

O2 To provide a sense of enclosure to the street and contribute to a consistent built form scale across the precinct over time.

O3 To enhance development and its relationship with adjoining sites and the public domain, particularly in regard to access to sunlight, outlook, view sharing, ventilation and privacy.

A lower street wall height helps to integrate taller development with lower residential scales

Controls

C1. All development is to comply with the setbacks shown on **Figure K20-8** and **Figure K20-9.**

C2. Where applicable, a portion of the setback area is to provide deep soil zones and tree planting. Refer to *Section K20.18 Landscape Design* for more detailed controls.

C3. 'Undesirable' elements such as vents, electrical substations, or plant and equipment spaces are not permissible within the setback area and should be accommodated within the building.

Service cabinets are to be co-located internally, accessible from loading, waste or parking areas where possible to avoid impact on the public realm.

C4. Upper level setbacks are required towards all public domain interfaces and have been identified on **Figure K20-12** and **FFigure K20-13**.

C5. The following street wall heights apply:

Location	Maximum street wall height
Parramatta Road	2, 4 & 5 storeys
Queens Road	1 & 2 storeys
Kings Road	2 & 3 storeys
Laneways and through-site links	nil

Refer **Figure K20-8** and **Figure K20-9.**

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K20 Kings Bay (PRCUTS)

Figure K20-12 Building Envelopes Plan - western part

- 1 storey max. building height
- 2 storey max. building height
- 3 storey max. building height
- 4 storey max. building height
- 5 storey max. building height
- 6 storey max. building height
- 7 storey max. building height
- 8 storey max. building height
- 9 storey max. building height
- 10 storey max. building height
- 12 storey max. building height
- 13 storey max. building height
- 18 storey max. building height
- 20 storey max. building height
- 22 storey max. building height
- 24 storey max. building height
- 20 Max. number of storeys
- Upper level setback
- 3m Upper level setback distance from podium edge
- Desired amalgamation boundary
- Proposed future open space
- Proposed future open space (privately owned publicly accessible)
- Potential open space (other)
- Existing open space
- Cadastre
- Precinct boundary

Figure K20-13 Building Envelopes Plan - eastern part

K20 Kings Bay (PRCUTS)

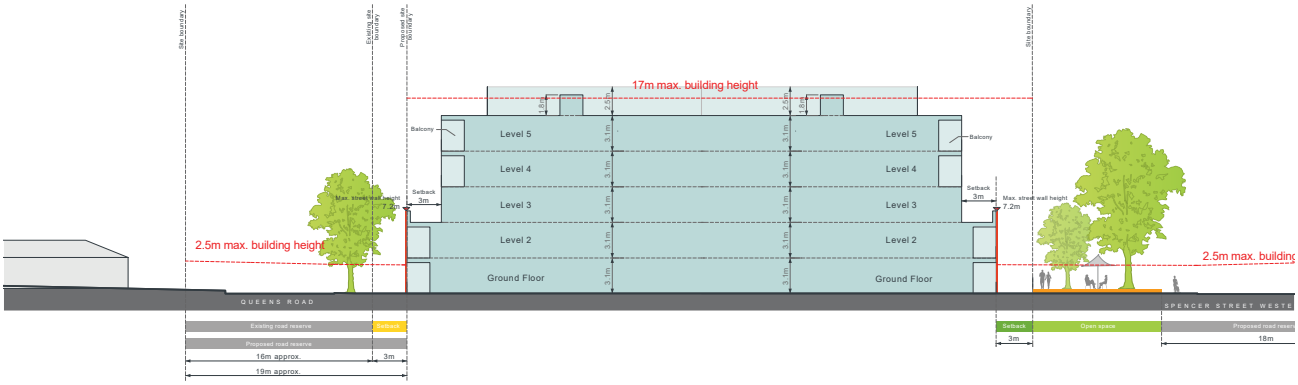
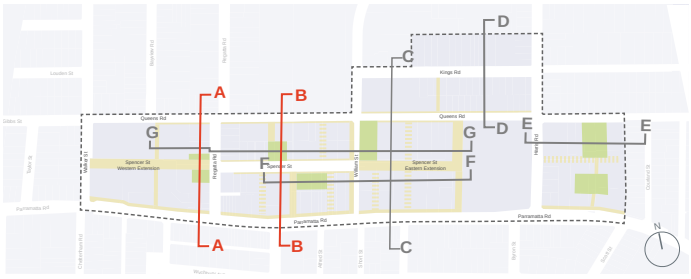


Figure K20-14 Built Form Envelope - Section A



Section Key Plan

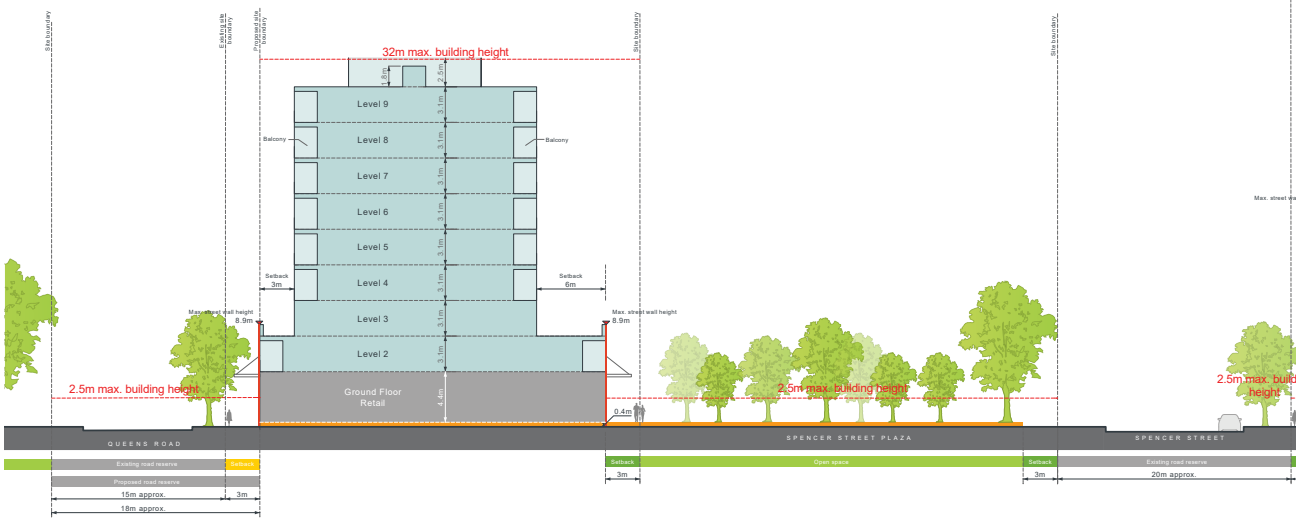


Figure K20-15 Built Form Envelope - Section B

CITY OF CANADA BAY

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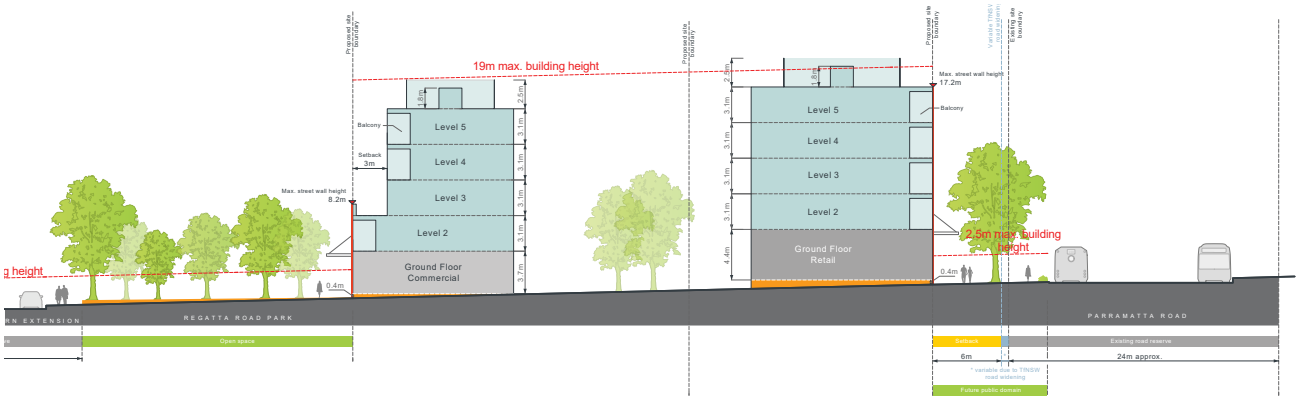

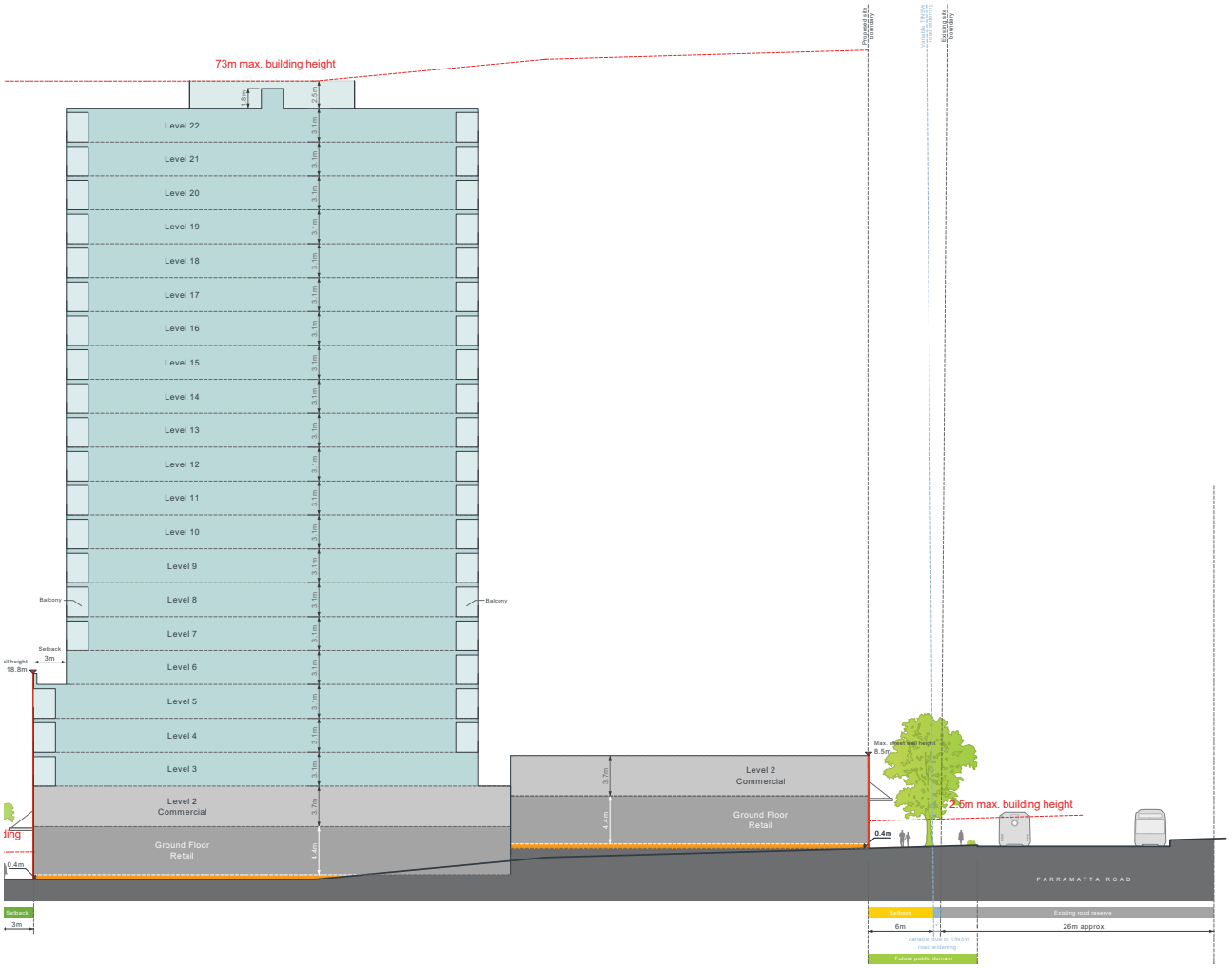

K20 Kings Bay (PRCUTS)

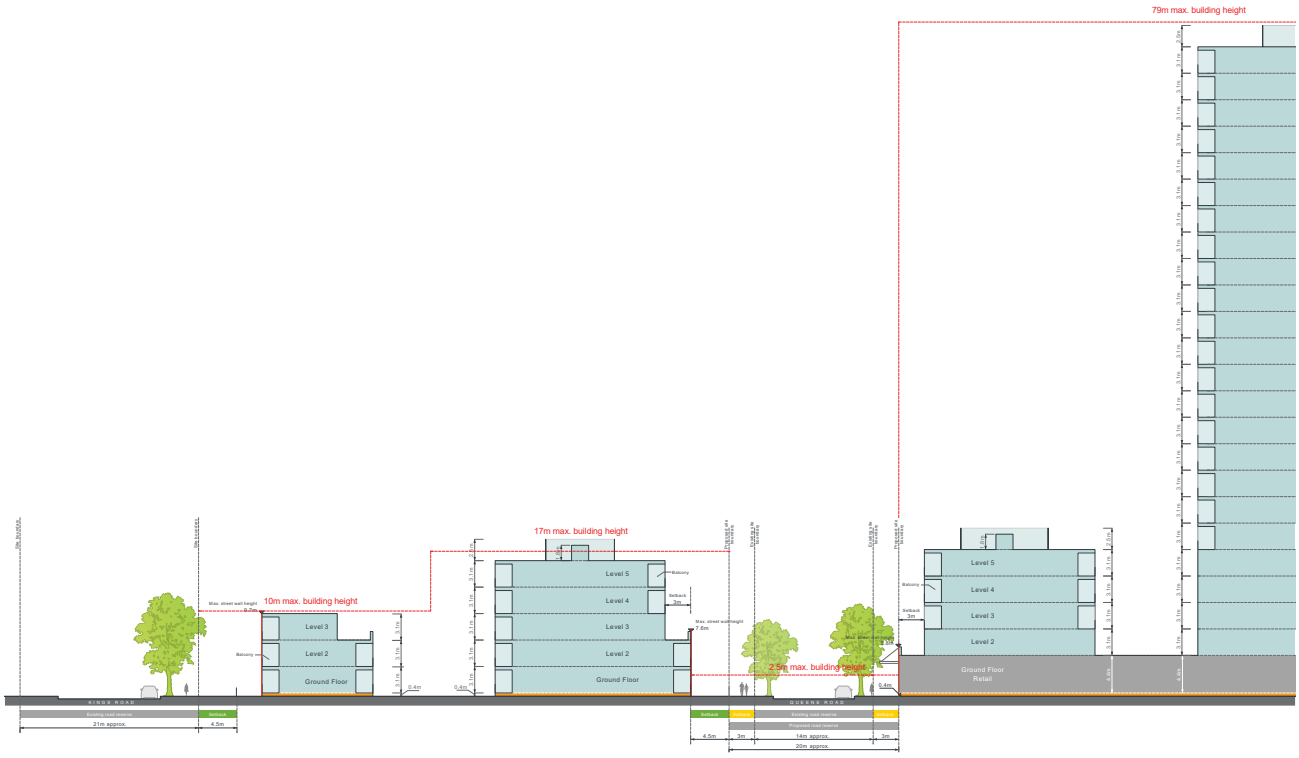

Figure K20-16 Built Form Envelope - Section C

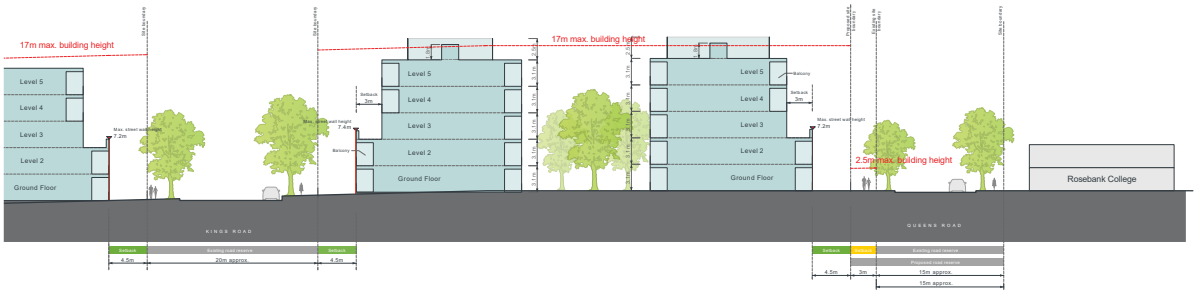

Figure K20-17 Built Form Envelope - Section D

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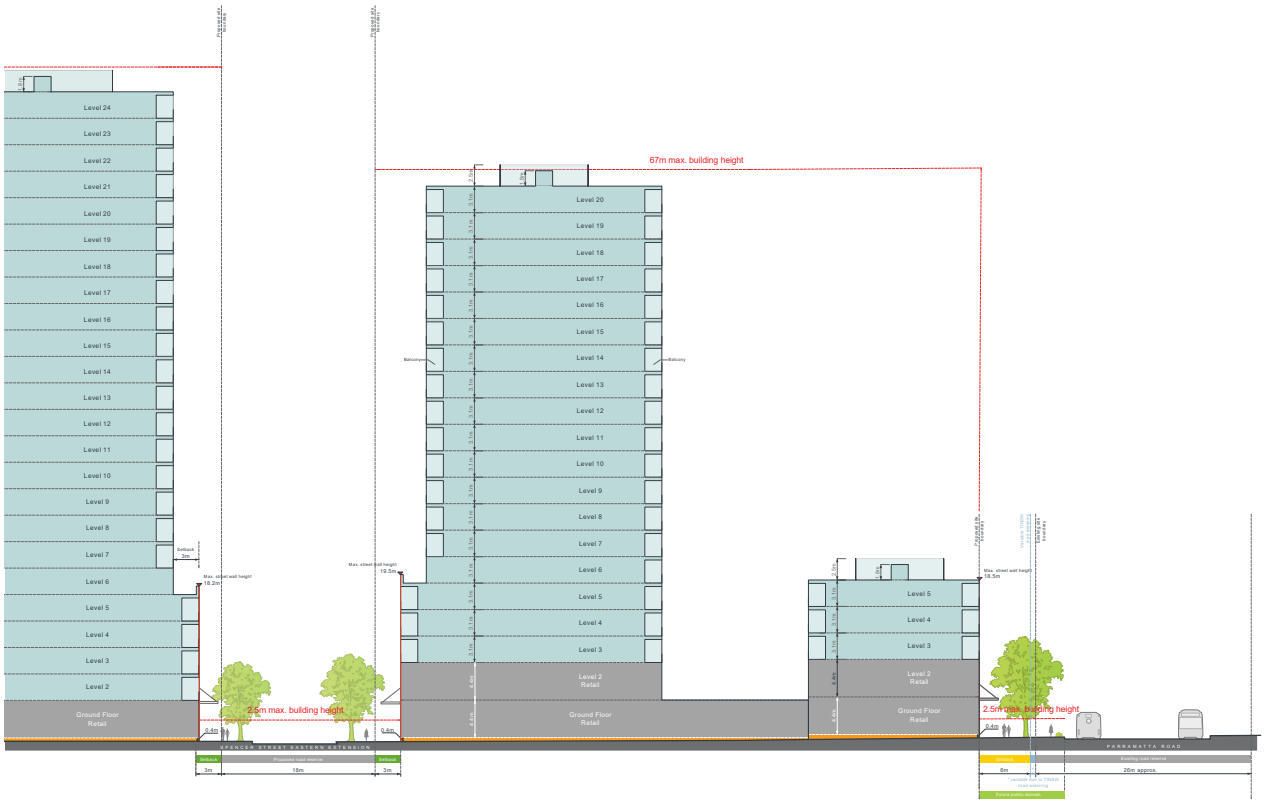

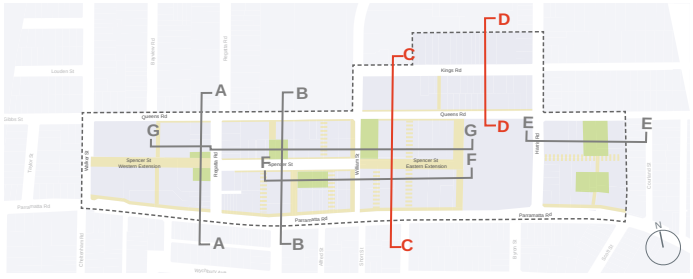

Section Key Plan

K20 Kings Bay (PRCUTS)

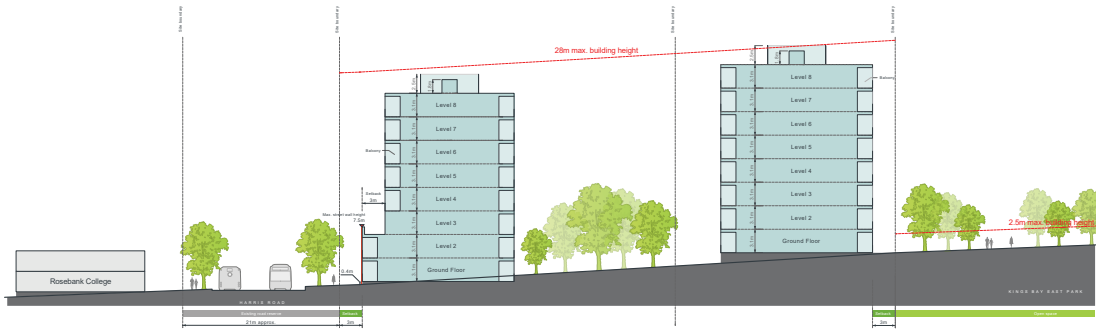

Figure K20-18 Built Form Envelope - Section E

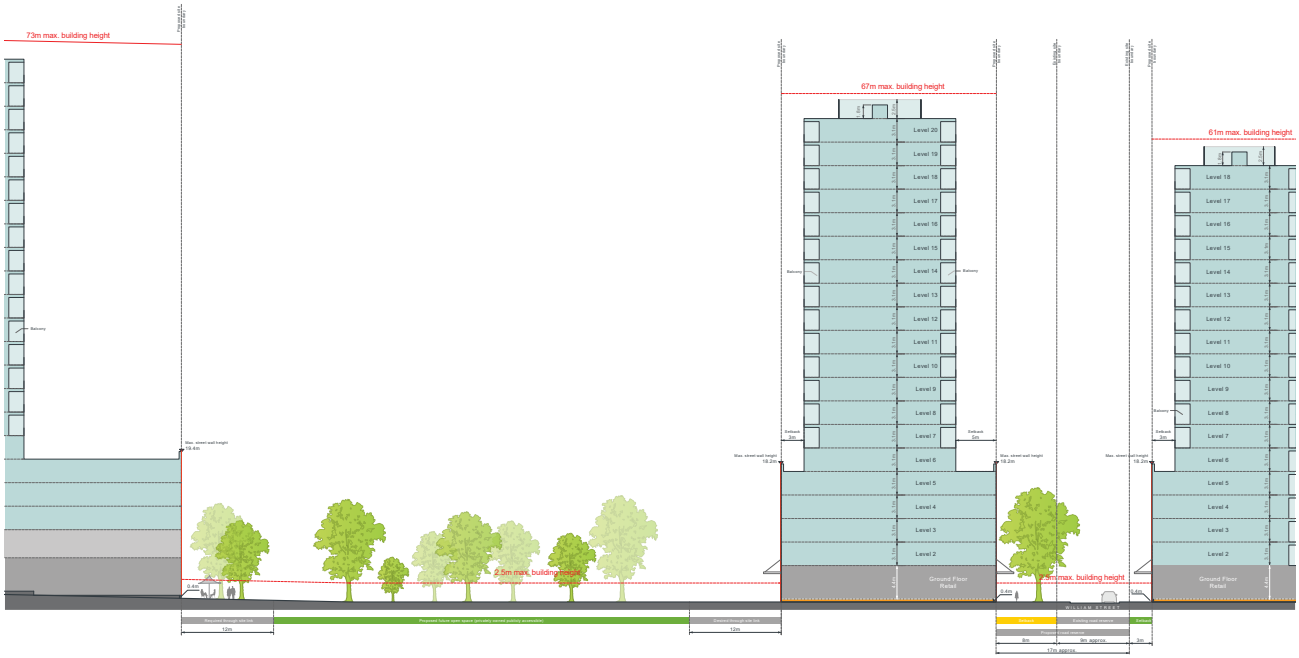

Figure K20-19 Built Form Envelope - Section F

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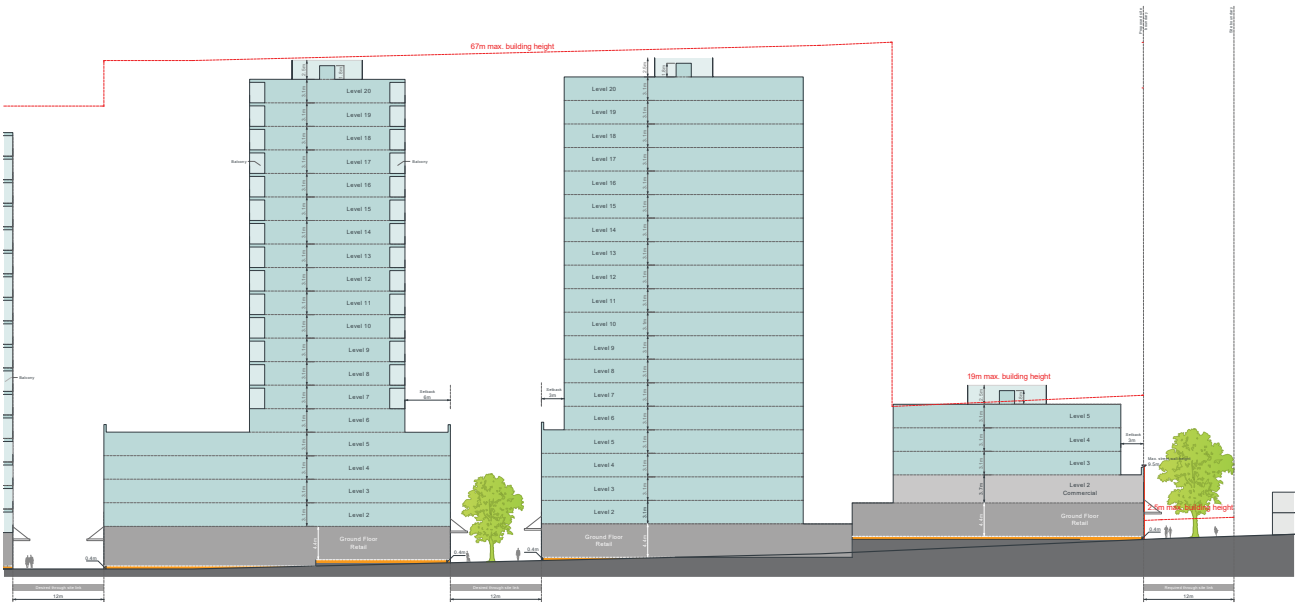

Section Key Plan

K20 Kings Bay (PRCUTS)

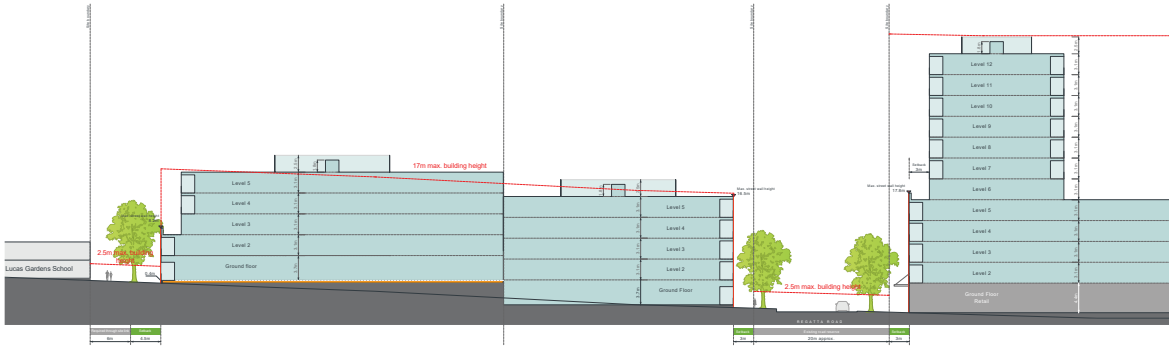

Figure K20-20 Built Form Envelope - Section G (west)

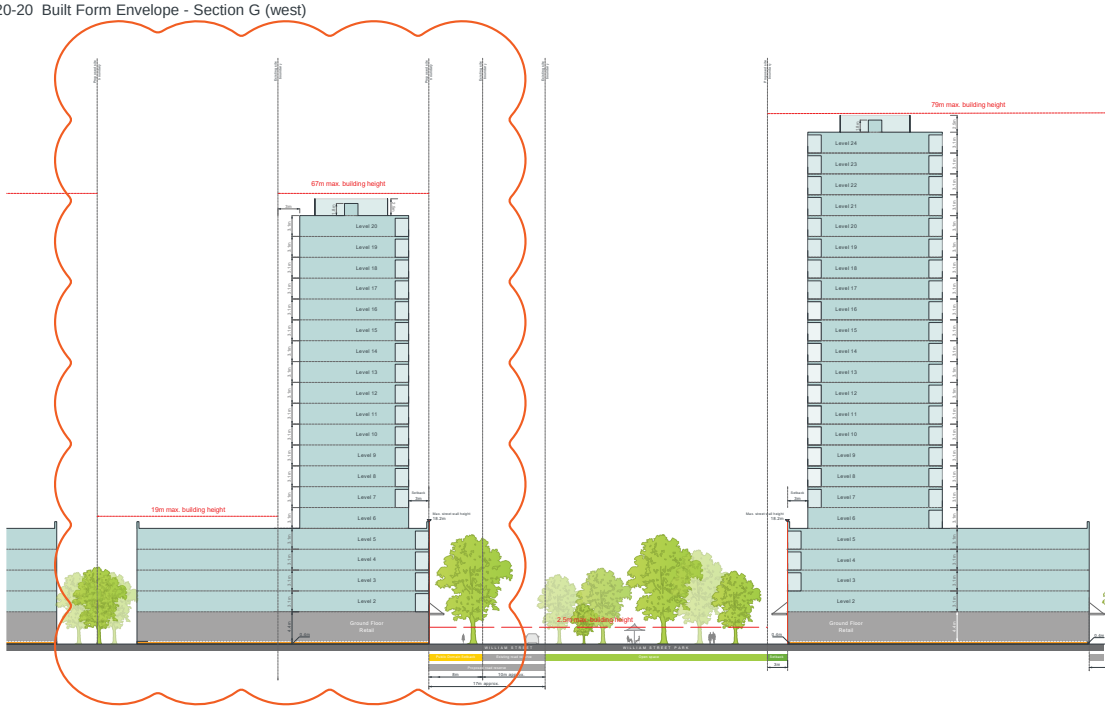

Figure K20-21 Built Form Envelope - Section G (east)

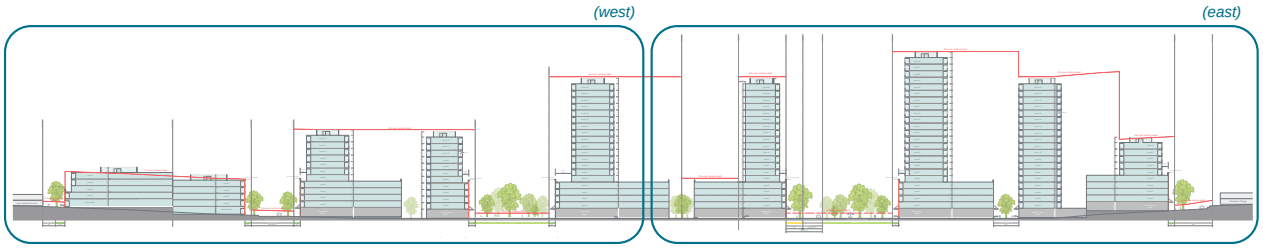

Figure K20-22 Built Form Envelope - Section G Key Section

CITY OF CANADA BAY

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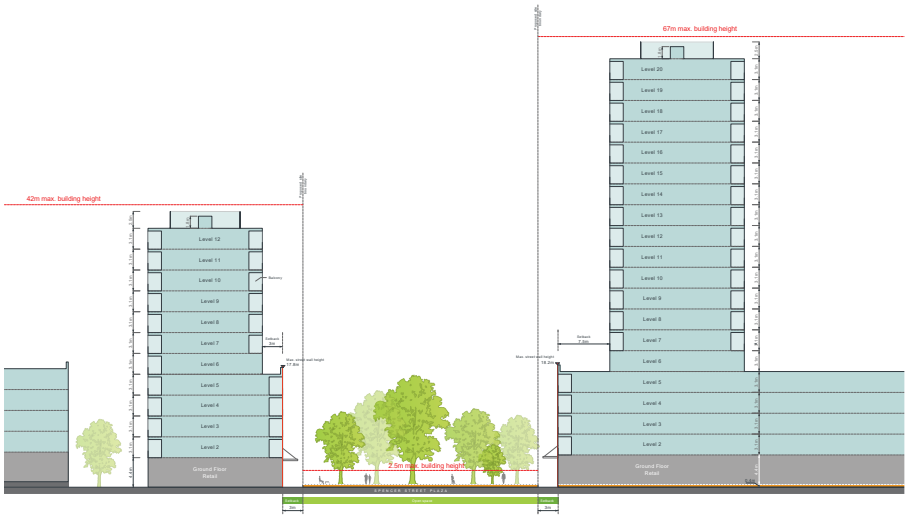
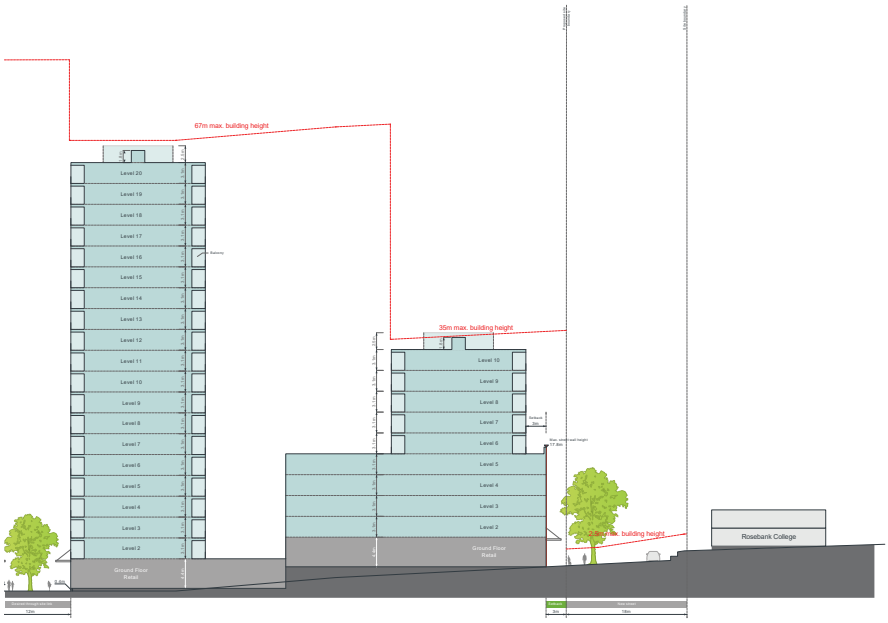
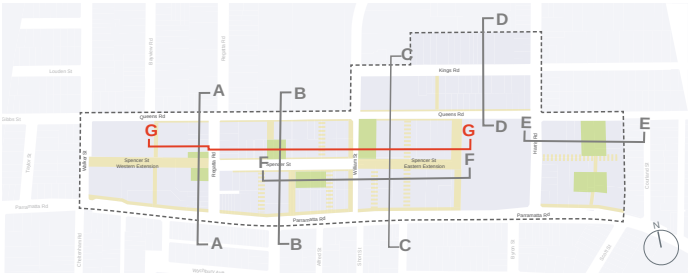






Section Key Plan

K20 Kings Bay (PRCUTS)

K20.11 Transitions and Interfaces

Changes in height and scale will require transitions to sensitive interfaces such as existing low scale residential areas, heritage items and open spaces. New development will be required to respond to the overall scale and form of existing elements to preserve visual scale and to minimise loss of outlook, and privacy and maximise sun access of adjoining properties.

Objectives

O1 To encourage new development that is sensitive and complementary in scale and site location to surrounding properties.

O2 To minimise the impact on the visual curtilage and setting of existing heritage items.

O3 To protect residential amenity at the interface to existing low rise development.

O4 To ensure streets and open spaces receive adequate sunlight and ventilation.

Controls	
C1.	Where adjacent to low density residential interfaces and heritage items, new development should gradually step away in height and provide appropriate setbacks as identified in **Figure K20-23** and **Figure K20-24**.
C2.	Development along 'sensitive interfaces' (opposite lower residential uses and/ or heritage) pays particular attention to quality landscape and architectural detail along lower levels, and complies with the maximum building envelope identified in **Figure K20-12**, **Figure K20-13**, **Figure K20-23** and **Figure K20-24.**
C3.	Along all streets where future public domain is required to be delivered (such as the 'linear green edge' interface to Parramatta Road), development must comply with the primary and upper level setbacks shown in **Figure K20-8**, **Figure K20-9**, **Figure K20-12**, **Figure K20-13** and **Figure K20-25**. The following applies: a) treatment of the setback area is designed to be an extension of the public footpath area, is publicly accessible 24/7 and focuses on pedestrian amenity; and b) the setback area maximises deep soil to allow for mature vegetation with trees provided as outlined in *Section K20.18 Landscape Design.*

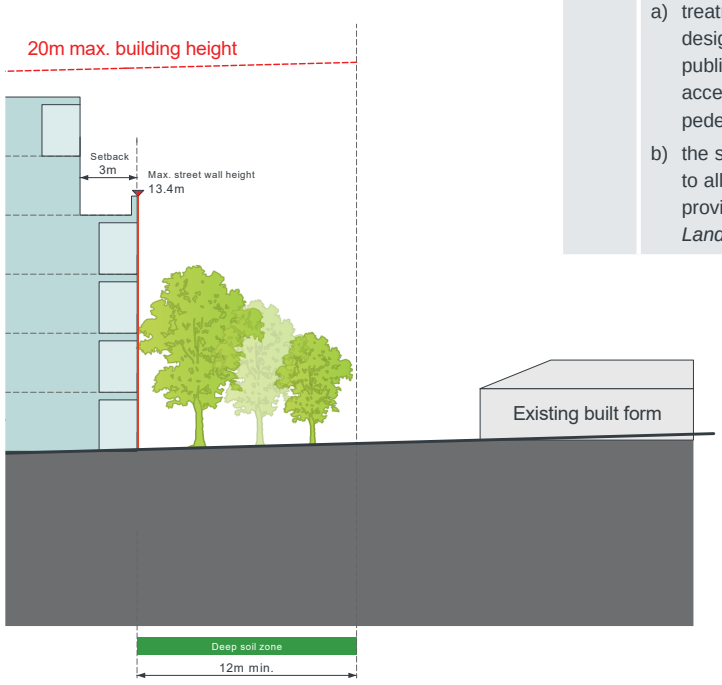


Figure K20-23 Interface to adjacent heritage and/or low rise residential

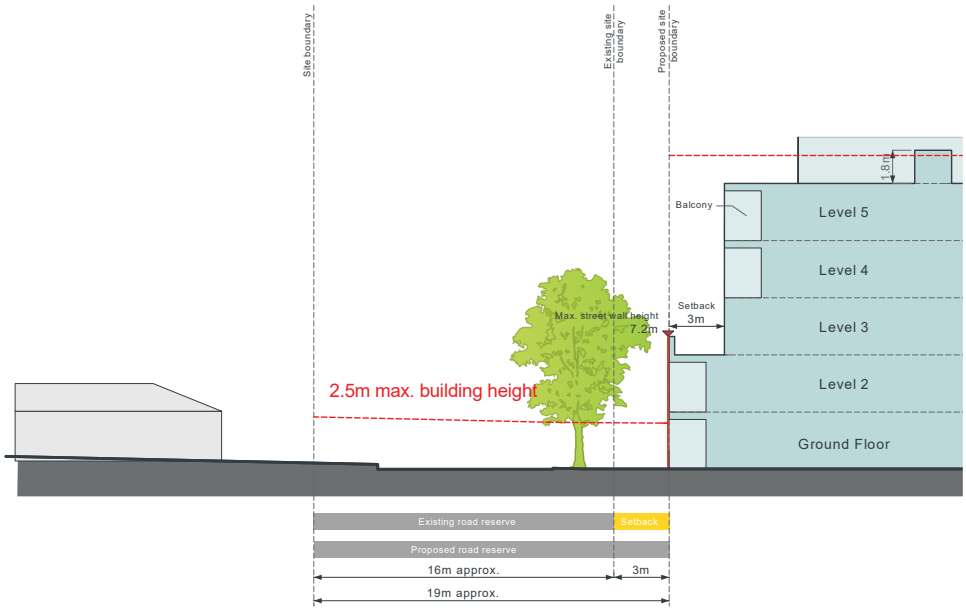


Figure K20-24 Interface to heritage and/or low rise residential across local street

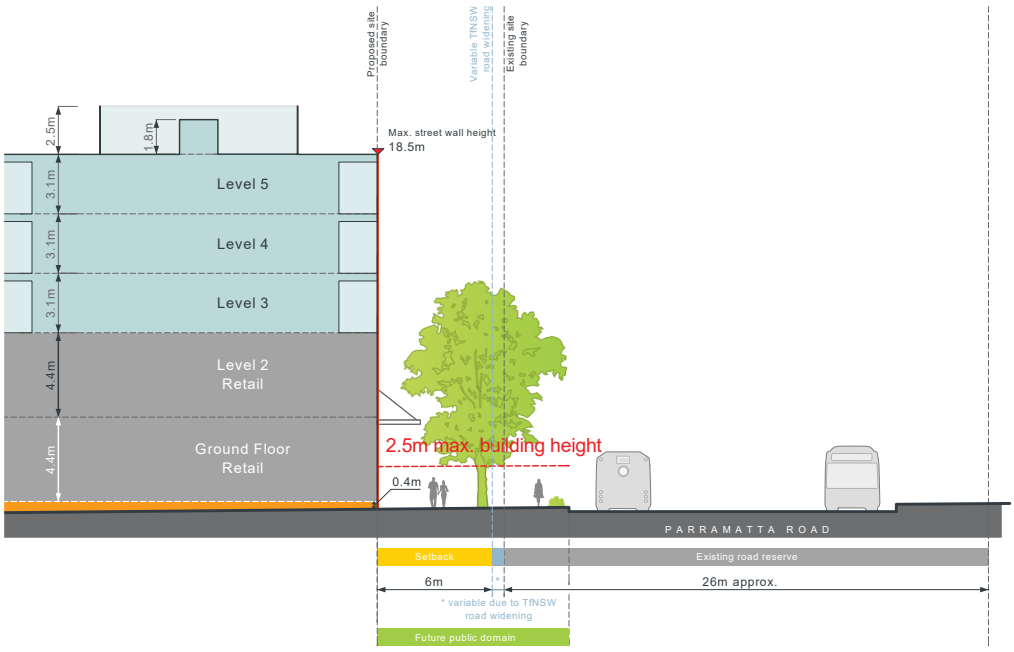


Figure K20-25 'Green edge' interface to Parramatta Road

K20 Kings Bay (PRCUTS)

K20.12 Interactive Frontages

Within residential zones the design of the development plays an important role in encouraging pedestrian activity and enhancing public safety and security. Developments which allow passive surveillance, where people within buildings are able to overlook the street and where passersby are aware of 'signs of life', promote streetscape activity and local interactions. Multiple entries to residential dwellings which allow residents to physically access homes directly off the street also provide visual interest and encourage streetscape activity.

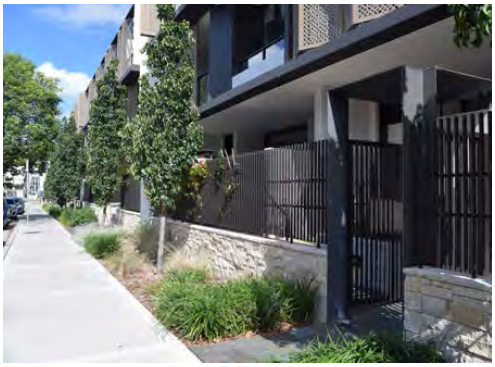
Objectives

O1 To encourage new development that promotes activity on the street and enhances public safety and security.

O2 To encourage new development that provides a high level of passive surveillance.

O3 To ensure development provides a high quality visual experience and creates interest when experienced from a walking pace.

O4 To ensure private spaces and entries facing the street are safe, attractive and comfortable to use.



Front semi-transparent fences and landscaped setbacks with tree planting contribute to the amenity of the streetscape and support a positive pedestrian experience.

Controls	
C1.	Developments are to maximise the number of front doors and private spaces which are visible from the street. At a minimum there is to be a pedestrian entries and/or primary private open space overlooking the street every 15m.
C2.	Developments are to provide openable windows and balconies at upper levels that encourage views of the street.
C3.	Entries and private open spaces are encouraged within the 3m or 4.5m landscaped setbacks including a 1.5m wide strip of landscaping (see **Figure K20-26** and **Figure K20-27**) and other controls including those identified in *Section K20.18 Landscape Design* are also to be met.
C4.	Deeper front setbacks (greater than 5m) are discouraged and landscaping and fences or structures higher than 0.9m within the front setback are not permitted.
C5.	All landscaping within the front setback is to maintain clear views from the footpath to the development.
C6.	Front fences are to be a maximum of 1.2m high and at least 50% is to be at least 50% transparent and enable a high level of passive surveillance.
C7.	Front terraces and entry areas are to be elevated by between 0.6m and 1.0m above the level of the street to improve privacy and increase opportunities for passive surveillance.
C8.	Development is to minimise services (i.e. substations, fire services and water services) located within the front setback, along the site frontage or on building facades.

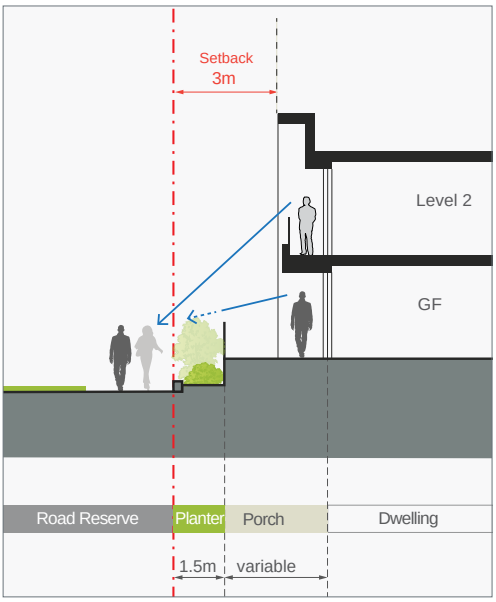


Figure K20-26 Indicative 3m front setback for residential ground floors

Landscaped setbacks with integrated entries and tree planting contribute to the residential streetscape.

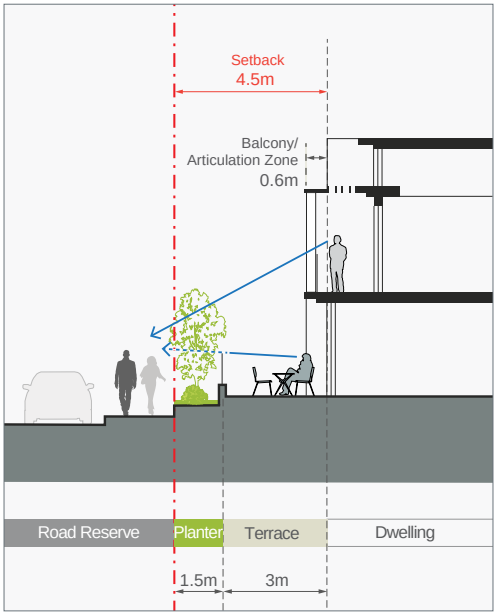


Figure K20-27 Indicative 4.5m front setback for residential ground floors

A low stone wall and visually permeable fencing provides privacy for ground floor units and passive surveillance of the street.

K20 Kings Bay (PRCUTS)

K20.13 Massing and Articulation

Detailed articulation and appropriate scale of built form defines and reinforces the identity and desired character of a place. The following architectural treatments are encouraged to create variety and interest in the streetscape while contributing to a sense of continuity and overall visual quality.

Objectives

O1 To ensure buildings and their individual elements are appropriately scaled to define and respond to the surrounding character.

O2 To add visual quality and interest to new buildings with a focus on breaking up massing of higher density forms when viewed from public places and neighbouring properties.

Controls	
C1.	Buildings that are 3 storeys or more are to be designed so that they clearly articulate a base, middle and top.
C2.	Facades are articulated using techniques such as projections, recesses, eave overhangs and deep window reveals. Where development is set back at least 3m from the site boundary, elements can protrude up to 0.3m into the front setback (articulation zone).
C3.	The maximum length of straight wall on any storey above ground floor level, without articulation such as a balcony or return, is 15m.
C4.	New development is to place particular focus on creating a 'human scale' at the lower levels through the use of detailed design, insets and projections that create interest and, where relevant, the appearance of finer grain buildings.
C5.	Where frontages are more than 20m wide, building massing is also to be vertically articulated.
C6.	Vertical elements such as support walls and columns at the street level are ideally to be continued to the upper levels to support a vertical rhythm along the street.
C7.	For built form that is 3 storeys or more, the upper-most level is set back and visually unobtrusive. Ways to achieve this include the use of lightweight construction techniques, darker colours, solid balustrades and roof overhangs that create deep shadows.
C8.	Adjoining buildings are considered in terms of setbacks, awnings, parapets, cornice lines and facade proportions.
C9.	Roof plant, lift overruns, vents, carpark entries and other service related elements are integrated into the built form and complement the architecture of the building.
C10.	Buildings on corners address both streets and architectural elements are composed so that they 'turn the corner'.

Example of an building that is vertically articulated into two components and differentiates between base, middle and top

K20.14 Heritage and Fine Grain

A 'fine grain' of narrow lots provides a significant contribution to the character of the precinct and often includes traditional shop fronts, roofs with parapets, corner buildings and upper level verandahs. This historic pattern of elements creates a streetscape of character and, together with listed heritage items, should be retained and protected wherever possible.

Objectives

O1 To ensure that development in the vicinity of heritage items is designed and sited to protect its heritage significance.

O2 To avoid new development physically dominating and overwhelming heritage items.

O3 To enable the consolidation of small individual lots into larger lots whilst ensuring the original subdivision pattern is represented.

Controls	
C1.	Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by: a) providing an adequate area around the building to allow interpretation of the heritage item; b) retaining original or significant landscaping (including plantings with direct links or association with the heritage item); c) protecting, where possible and allowing the interpretation of archaeological features; and d) retaining and respecting significant views to and from the heritage item.
C2.	All development of and in the vicinity of a heritage item is to address the requirements of *Part C Heritage of the City of Canada Bay DCP.*
C3.	Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the building envelope, proportions, materials, colours and finishes, and building and street alignment.
C4.	Where additional storeys are proposed above a heritage building, the new front wall should be set back from the existing front building line by a minimum of 8m.
C5.	Where a finer grain existing subdivision is present and lot consolidation is proposed, the subdivision pattern and fine grain is to be interpreted in the architectural treatment of the facades, e.g. through building layout, composition, modulation and vertical articulation.
C6.	All development of, or in the vicinity of, heritage items must submit a heritage impact assessment as part of the DA. It should be noted that the assessment may lead to setbacks, building heights and built form modulation that may differ (are less than) the minimum provisions outlined in this DCP.

K20 Kings Bay (PRCUTS)

K20.15 Safety and Accessibility

The way in which buildings address streets, links and open space creates an important transition between public and private land. The careful design of this interface zone contributes to the liveliness, interest, comfort and safety of the public domain. Good accessibility to and from new development increases activity levels further and contributes to the visible activity in a neighbourhood.

Objectives

O1 To ensure new development supports the wider neighbourhood and community safety and maximises opportunities for passive surveillance.

O2 To encourage ground floor activities to spill out into the public domain and create a vibrant streetscape (active frontages).

O3 To incorporate a high degree of accessibility into the design of new buildings and the public domain that considers the various mobility levels of future users, i.e. disabled and elderly.

O4 To achieve good design and equitable access in flood planning areas.

O5 To minimise hazards and property damage from flooding.

O6 To create activated frontages on sites that also need to consider flooding impacts.

Controls	
C1.	New development addresses and defines the public domain through entrances, lobbies, windows and balconies that overlook public spaces, maximising opportunities for passive surveillance.
C2.	The location and width of vehicle entries is to minimise impacts on the pedestrian network.
C3.	All building entries are clearly visible from the public domain. Access is to be provided according to: a) Active Frontages: at ground level unless it can be clearly demonstrated that it is unreasonable to meet this requirement and a suitable urban design outcome can be achieved which would be applicable in this specific instance only. b) Interactive frontages for residential development in the R3 Medium Density zone: at ground level and set in a landscaped front setback that is to be raised above natural ground level to between 0.6m and 1.0m.
C4.	To avoid blank walls and create visual interest, the maximum length of any wall at the ground floor level, without articulation such as a door or window is 5m.

Controls	
C5.	Residential uses on the ground floor can be raised to a maximum of 1.0m above the footpath level to improve internal privacy. Direct access from the footpath to individual dwellings is required wherever possible.
C6.	Front setback treatments incorporate safety considerations such as lighting after hours.
C7.	Front fencing for residential uses on the ground floor are to display an appropriate balance of visibility and outlook, informal surveillance of the street and privacy for residents and building users. Fences are to be a maximum height of 1.2m and at least 25% transparent. Solid walls are only acceptable to a maximum height of 0.6m.
C8.	Common areas for building users/ residents are encouraged within the front setback with seating facilities located close to the public footpath to encourage surveillance of the street, visible activity and social interaction.

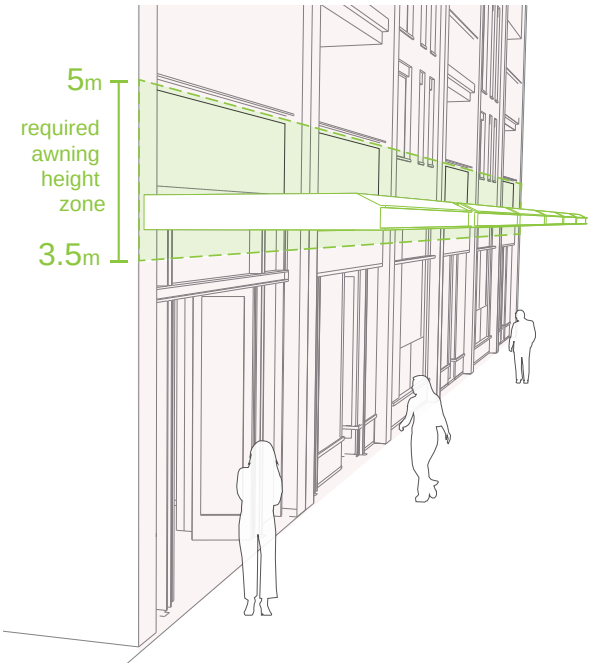
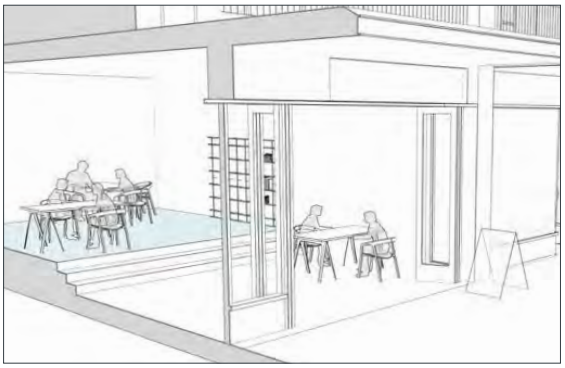


Figure K20-28 Awnings are to be between 3.5m and 5m above ground level along active frontages

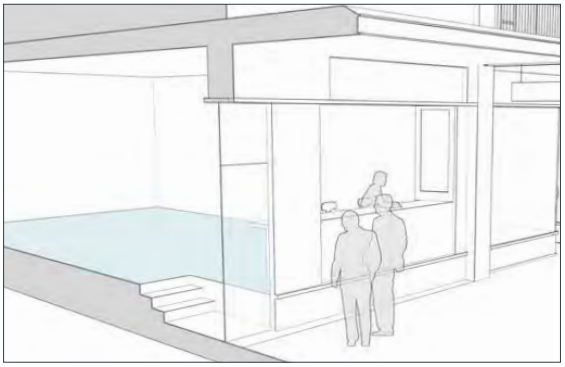
Figure K20-29 Awnings should be designed to allow for street tree planting

K20 Kings Bay (PRCUTS)

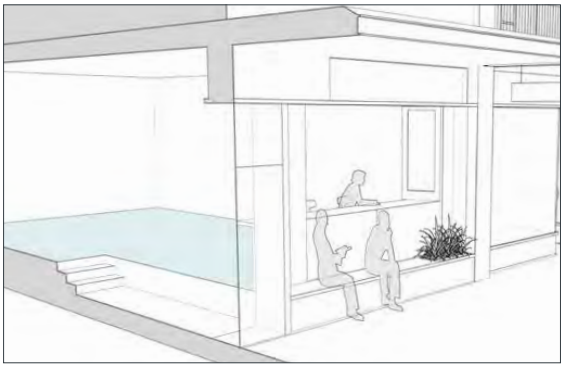
Controls	
C9.	Active frontages are provided as identified in **Figure K20-10**.
C10.	Along active frontages: a) the finished ground floor level is to match the footpath level; where this is not possible due to topography, the ground floor level is to be a maximum of 0.4m above the footpath, unless the building is located within an area vulnerable to flooding; b) in flood prone areas where the ground floor is elevated above the footpath or adjoining public open space, street activation is to be created by locating entries at footpath level, and with internal steps. Any elevated areas outside are to form an activated continuation of the interior and are not to create a visual barrier to the interior (see **Figure K20-30**). c) continuous awnings must be provided to shelter pedestrians from weather conditions; d) awnings should be designed to allow for street tree planting; e) awnings are to be between 3.5m and 5m above ground level (see **Figure K20-28**; f) consistent paving, street furniture, signage, planting and lighting is desireable; and g) design guidance in **Figure K20-11** is applied where possible with long expanses of floor to ceiling glass prohibited.



Building entry at street with internal steps/ ramp/ retractable stair/ lift system to elevated floor above flood level



Elevated active areas against the street boundary



Elevated active areas against the street boundary with integrated seating

Figure K20-30 Strategies to achieve street level activation in flood prone areas

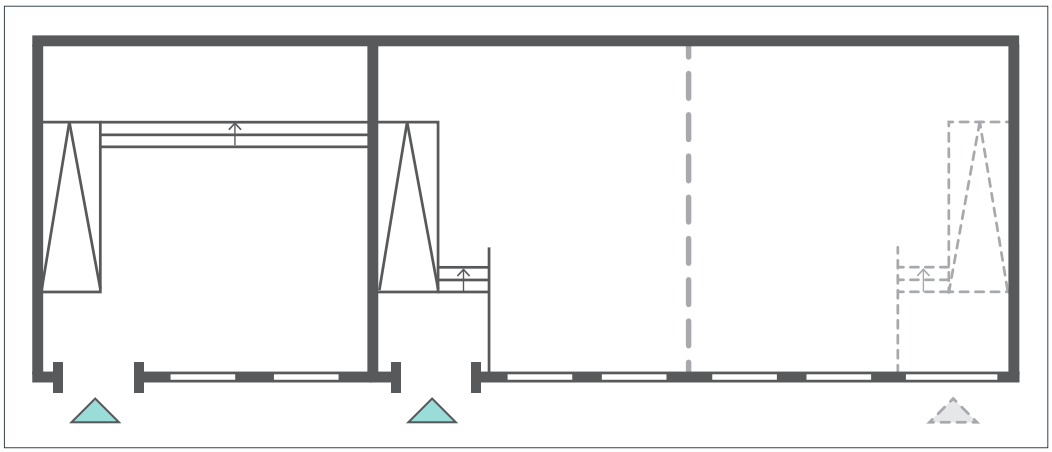
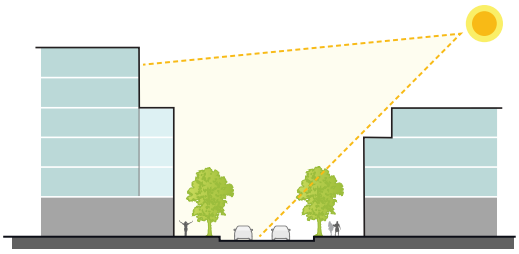


Figure K20-31 Example of design options that provide street activation and flexibility for future changes in a flood zone. The right-hand tenancy has been designed to allow future subdivision, including a new doorway and internal transition area.

K20 Kings Bay (PRCUTS)

K20.16 Amenity



New housing and employment uses need to provide a high level of amenity for future residents and building users. At the same time, development is required to protect and where possible enhance the quality of the public domain and adjoining private properties. The following controls seek to help maximise privacy, solar access and outlook for all. This section also identifies design treatments to mitigate air quality and noise impacts for development along Parramatta Road.

Objectives

C1. To minimise the impact of new development on the outlook, privacy and sun access of adjoining properties.

C2. To minimise overshadowing of streets, links and public open spaces.

C3. To protect building users from negative impacts (noise, air quality, vibration) from Parramatta Road.

Controls	
C1.	Siting and built form configuration optimises solar access within the development and minimises overshadowing of adjoining properties.
C2.	Taller elements of built form are oriented north-south where possible. The height and modulation of east-west buildings allows solar access to courtyard spaces (where courtyards are appropriate).
C3.	Louvres, shading devices and windows are able to be operated by buildings users where possible, to allow building occupants to regulate climatic conditions rather than rely solely on mechanical systems.
C4.	Development along Parramatta Road is to consider the provisions of the *State Environmental Planning Policy (Infrastructure) 2007* and *Development Near Rail Corridors and Busy Roads Interim Guidelines* and the design approaches illustrated in **Figure K20-32**.
C5.	For residential components of new development, noise sensitive areas (living rooms, bedrooms) are located away from Parramatta Road where possible.
C6.	Windows located towards Parramatta Road are double-glazed (or use laminated glazing) and have acoustic seals.
C7.	Habitable rooms (excluding balconies) are to be designed to achieve internal noise levels of no greater than 50dBA.

Example of a public square with good solar access, seating facilities and active frontages.

All building users should have the opportunity to open windows and operate privacy screens and sun shading devices.

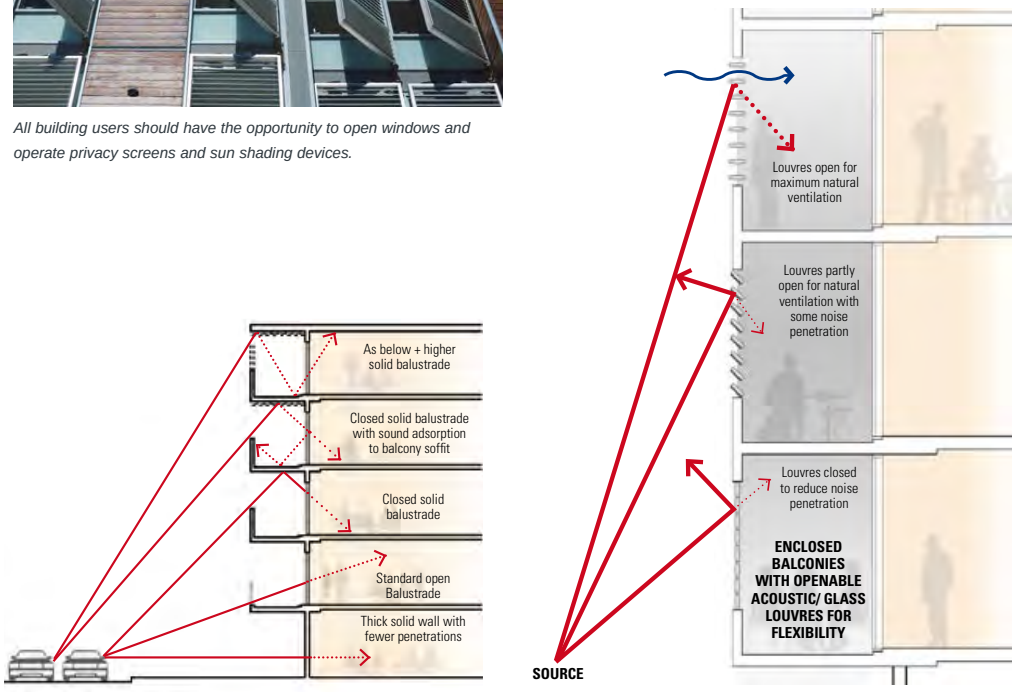


Figure K20-32 Noise mitigating facade treatments

(Source: Development Near Rail Corridors And Busy Roads Interim Guideline, NSW)

K20 Kings Bay (PRCUTS)

K20.17 Appearance

The design of buildings contributes to the streetscape character and adds visual richness, complexity and interest. In addition, the selection of signage, materials, finishes and colours should have regard to compatibility to the surrounds and consider robustness, durability and ease of maintenance.

Objectives

O1 To ensure building exteriors positively contribute to the desired future character of the area and streetscape.

O2 To respect and reflect the area's history as an industrial precinct with building finishes, fixtures and detailing that are compatible with Kings Bay's industrial character.

O3 To ensure that signage is integrated and not detrimental to the local character by limiting its cumulative impact with other signage.

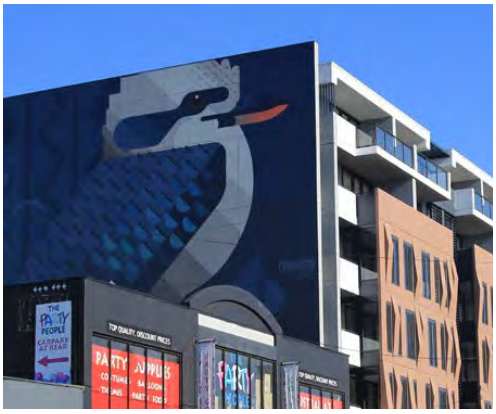
Example of balconies with a balance of solid and void in the facade composition and treatment.

Facade design

Controls	
C1.	The composition of facades balances solid and void elements and does not display large areas of a single material, including reflective glass.
C2.	External walls are constructed of high quality and durable materials and finishes with low maintenance attributes ('self-cleaning') such as face brickwork, rendered brickwork, stone, concrete and glass.
C3.	Any blank sidewalls (including temporary walls that may be covered in the future) that are visible from the public domain are designed as an integrated component of the building composition and as an architecturally finished surface that complements the main facade.
C4.	All facades, including the street wall and upper levels, should provide depth and a balance of light and shadow. Shadow is created on the facade throughout the day with changes in texture, material and detail, building articulation, rebates, balconies, deeper window reveals or the expression of structural elements of the building.
C5.	Visually prominent elements such as balconies, overhangs, awnings, and roof tops are to be of high design quality.
C6.	Roof plant, lift overruns, utilities, vents and other service related elements are to be integrated into the built form design and complementary to the architecture of the building.

C7.	Materials and finishes are to be consistent with late 19th century and early 20th century industrial and warehouse buildings, which typically included: • Internal walls of exposed face brickwork, rendered or painted brickwork, or sandstone. • Floors typically of timber or concrete. • Windows were either timber or steel-framed. • Street frontages and window surrounds were typically of exposed face brickwork, rendered or painted brickwork, or sandstone. • High ceilings, with exposed structural elements and utilities (pipes, ducts and vents), that reflect the original functions that required clearance or storage space.

Contemporary use of face brickwork



Blank sidewall temporarily covered with public art

Signage and advertising

Controls	
C8.	Signage is to comply with the requirements of State Environmental Planning Policy No 64-Advertising and Signage. Also refer to requirements in the *City of Canada Bay DCP Part I Signage and Advertising.*
C9.	Signage is to be integrated into the overall architectural design. Advertising signs should complement the design of buildings and the overall character of the precinct. Signage must relate to an approved use on the site.
C10.	The main facades of buildings from the first floor to the rooftop or parapet are to be uncluttered and generally free of signage.
C11.	Freestanding signs are not to be located on the top of buildings and should not impact on the skyline when viewed from the street. Signs painted on or applied to the roof of a building are not permitted.

K20 Kings Bay (PRCUTS)

K20.18 Landscape Design

Landscape design plays an important role in the successful integration of new development into the surrounding streetscape and context. It enhances the appearance and amenity of the area, provides for recreation, preserves biodiversity and improves micro-climatic conditions.

Landscape and built form need to be designed together and landscaped areas should not be generated by 'left-over spaces' resulting from building siting. A portion of the landscaped area is required to be deep soil suitable for the growth of mature trees and vegetation.

Objectives

O1 To promote high quality landscape design as an integral component of the overall design of new development, softening the appearance of buildings.

O2 To improve the local micro-climate, native fauna and flora habitats and control climatic impacts on buildings and outdoor spaces.

O3 To allow adequate provision on site for infiltration of stormwater, deep soil tree planting, landscaping and areas of communal outdoor recreation.

Precinct Wide

Controls	
C1.	Existing street trees and landscape features are to be retained wherever possible. All 'significant trees' that are identified as either High Significance or Medium Significance in the PRCUTS Public Domain Plan are to be retained and assessed by a suitably qualified Arborist. Refer also to CCB DCP Part B General Controls, *B6.10 Urban Tree Canopy* and *Australian Standards - AS 4970-2009 Protection of Trees on Development Sites*.
C2.	The layout and key design features of all parks and plazas are to be as per the PRCUTS Public Domain Plan
C3.	Landscape design complements the proposed built form and minimises the impacts of scale, mass and bulk of the development in its context.
C4.	Landscape design highlights architectural features, defines entry points, indicates direction, and frames and filters views from and into the site.
C5.	For development along Parramatta Road, a minimum of 1 canopy tree per 10m of length of frontage is to be planted in the 'green edge' setback area, capable of reaching a mature height of at least 10m.
C6.	For development along all other streets (excluding active frontages) a minimum of 1 canopy tree per 12m of frontage is to be planted. New trees are to be capable of a mature height of at least 6m.
C7.	Where surfaces on rooftops or podiums are used for community open space, the development must demonstrate at least 50% of the accessible roof area is shaded by a shade-structure or covered with vegetation, including tree canopy.
C8.	Where surfaces on rooftops or podiums of Residential flat buildings, Shop top housing or Commercial premises are not used for community open space, for example solar PV or heat rejection, the development must demonstrate at least 75% of the remaining roof area or podium is covered in vegetation, including tree canopy.
C9.	A minimum of 40% projected tree canopy coverage on publicly accessible streets and laneways, unless it can be clearly demonstrated that it is unreasonable to meet this requirement and a suitable urban design outcome can be achieved which would be applicable in this specific instance only.
C10.	A minimum of 75% projected tree canopy coverage shall be achieved for all parks.
C11.	Adequate soil volume is to be provided for the tree species. In areas where deep soil is restricted, opportunities for structural soil or under paving vault systems should be included to meet these requirements. Where the building setback is 1.5m or less, additional uncompacted soil volumes are to be provided under pavements to provide the soil volumes suitable for the tree species.

Controls	
C12.	Tree planting is to be prioritised in the planning and design of all public domain areas and, where possible, utilities to be bundled, undergrounded and located away from tree planting areas.
C13.	Tree species are to be selected for their respective micro-climatic suitability and need to provide a high level of urban amenity, noting that the duration and density of overshadowing from buildings will impact the growth and species suitability.
C14.	A landscape architect to be engaged to ensure that: • the architectural planning, building footprint and basement engineering result in adequate deep soil zones and podium planter boxes. • the deep soil zones are located in areas where canopy and landscape outcomes will best serve the future users and general architectural amenity. • species selection considers site suitability, shade requirements of any communal open space and solar access into internal building spaces.

Mixed Use Zone

Controls	
C15.	A minimum of 15% projected tree canopy coverage shall be achieved for all private land (i.e. non-public) developments. This shall be measured as the projected square metre canopy of the trees using reasonable estimates of the mature size of the chosen trees.
C16.	Trees are to be planted in sufficient deep soil to support them to maturity (refer to PRCUTS Public Domain Plan for soil volumes). A tree shall be as defined by this DCP.
C17.	Tree coverage may include trees planted at ground level as well as any trees planted in upper levels of buildings, such as podiums and roofs. It may also include any canopy overhanging from an adjoining public domain area.

Residential Zones

Controls	
C18.	Development consent must not be granted unless the development achieves at least 25% canopy cover across the site, identified on the landscape plan and measured by the extent of canopy at maturity.
C19.	Native species must comprise at least 75% of the plant schedule, incorporating a mix of locally indigenous trees, shrubs and groundcovers appropriate to the character of the area (see CCB DCP **Appendix 3** for further details).
C20.	A minimum of 30% of the total site area is to be provided as landscaped area. *Refer to Landscaped Area definition in this DCP.*
C21.	50% of the required landscaped area is to be deep soil with deep soil planting (trees and shrubs) and a preference for native species.
C22.	Calculation of landscaped and deep soil areas is not to include any land that has a length or a width of less than 1.5m.
C23.	Trees and vegetation provide a high degree of amenity and environmental benefit. Their selection and location should: a) Provide shade in summer and sun access in winter to building facades and public and private open spaces; b) Reduce glare from hard surfaces; c) Channel air currents into built form; and d) Provide windbreaks, screen noise and enhance visual privacy where desirable.
C24.	For residential development in the R3 Medium Density zone, at least 50% of the front setback area is required to be deep soil.

K20 Kings Bay (PRCUTS)

K20.19 Sustainability and Resilience

To create sustainable, resilient and affordable communities along the Corridor, the PRCUTS identifies that the following three key areas of intervention should be pursued:

1) High performance buildings;
2) Reduced and decoupled strategic parking; and
3) Urban resilience and infrastructure delivery.

Further details are provided in the Parramatta Road Corridor Sustainability Implementation Plan and should be considered when assessing proposals.

Objectives

O1 To deliver world leading urban transformation of the precinct by exceeding current sustainability requirements.

O2 To mitigate the impacts of climate change on key infrastructure and assets.

Controls	
C1.	A residential flat building or a mixed use development (that contains dwellings) which complies with **Table K20-1** is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which exceeds the floor space ratio as shown on the Floor Space Ratio Map or Incentive Floor Ratio Map (as applicable to that development) by up to 5%, subject to the consent authority being satisfied that this additional residential floor space does not adversely impact on neighbouring and adjoining land in terms of visual bulk and overshadowing.
C2.	Future development should demonstrate consistency with the smart parking strategies and design principles outlined in *Section K20.20 Access and Parking.*
C3.	Public domain and buildings shall be designed to reduce localised heat created by the urban heat island affect by: a) maximising canopy cover along all streets, particularly along Parramatta Road, Queens Road, Spencer Street and Spencer Street extension; b) developments within the R3 zone are to provide at least 25% canopy cover across the site, identified on the landscape plan and measured by the extent of canopy at maturity; c) maximising the use of vegetation on buildings, including above ground parking facilities; d) encouraging vegetation, green roofs, green walls and materials with a high solar reflectance index on at least 50% of the surfaces of all buildings with western and northern building facades; and e) complying with landscape DCP guidelines within *Section K20.18 Landscape Design.*
C4.	Flow rates from the site should not be more than pre-development site discharge.
C5.	Stormwater run-off quality should seek to reduce annual loads of: a) total Nitrogen by 45%; b) total Phosphorus by 65%; and c) total suspended solids by 85%.
C6.	All new streets should implement water sensitive urban design treatments at the point source across all catchment areas.
C7.	Development consent must not be granted unless the building, or part of a building, contains both potable water pipes and recycled water pipes for the purposes of all available internal and external water uses.

Table K20-1 Energy and Water Targets by Use

Use	Energy Target	Water Target
Residential		
<14 storeys	BASIX Energy 50	BASIX Water 50
15 - 29 storeys	BASIX Energy 40	
30 - 39 storeys	BASIX Energy 35	
40+ storeys	BASIX Energy 30	
Commercial and Retail Development < 10,000m² GFA*		
Smaller scale non-residential development is governed by the National Construction Code, and should demonstrate consistency with relevant requirements of the Code.		
Commercial Development ≥ 10,000m² GFA*		
Base building and/or individual tenancies	NABERS 5-star	NABERS Water 4-star NABERS Water 5-star should be pursued where recycled water is available
Shopping Centre Development*		
Base building only	NABERS 5-star	NABERS Water 4-star NABERS Water 5-star should be pursued where recycled water is available

**Source: PRCUTS Planning and Design Guidelines, Urban Growth, Nov 2016*

Maximising canopy cover significantly improves the micro-climate and supports active transport choices.

All new streets and pedestrian/ cycle links should implement water sensitive urban design treatments (WSUD).

K20 Kings Bay (PRCUTS)

K20.20 Access and Parking

The location of car parking has a significant impact on pedestrian safety and the quality of the public domain. Vehicle access points need to be integrated carefully to avoid potential conflicts with pedestrian movement and the desired streetscape character.

Objectives

O1 To transition to lower car ownership and support the uptake of walking, cycling and public transport use.

O2 To minimise the visual impact of car parking areas and vehicle access points.

O3 To minimise conflicts between pedestrians and vehicles on footpaths, particularly along pedestrian desire lines such as Spencer Street.

Parking and access design

Controls	
C1.	Vehicular access points minimise visual intrusion and disruption of the streetscape, emphasise the pedestrian experience and maximise pedestrian safety.
C2.	The width and height of vehicular entries is kept to a minimum. Roller doors or gates should be integrated with the architectural design of the development. Vehicular entry/ exit points are to be recessed by at least 0.5m behind the building line.
C3.	The public footpath treatment is to be continued across driveways to create a threshold, signal pedestrian priority and slow vehicle speeds.
C4.	Vehicle access points are not permitted along active street frontages that are identified as Vibrant and are to be minimized on Friendly and Mixed Facades. Where rear or side access is not possible, development without parking will be considered.
C5.	At grade parking is not permissible within any of the setback zones and, only if unavoidable due to proximity to the Metro tunnel, is to be sleeved with active uses to shield the car parking from the street.
C6.	Parking is to be designed to be 'adaptable' and able to be converted to other uses in the future. Underground car parking and basement spaces are to have a minimum floor to floor height of 3.7m to be able to be converted to commercial uses. At ground level parking areas are to have a minimum floor to floor height of 4.4m to be able to be converted to retail uses. Above ground parking areas are to have a minimum floor to floor height of 3.7m (second floor level) to be able to be converted to commercial uses, or 3.1m-3.7m (above second floor level) to be able to be converted to commercial or residential uses.
C7.	Where unavoidable due to topography, basement parking can only protrude above natural ground level by a maximum of 0.4m in R4 zone and 1.0m in R3 zone. Car parking cannot protrude into the front setback area within an R3 zone.
C8.	Parking is not permitted to be visible from streets and open spaces. Access to parking via a driveway, lane or basement carpark entry is permitted if one access point services a minimum of 5 dwellings. Front garages, carports and individual driveways are not permitted.
C9.	Development sites are encouraged to provide below-ground car parking that is interconnected to and shared with, or is able to be interconnected in the future to, the below-ground car parking on adjoining sites and developments in order to facilitate rationalisation of vehicle entry points and to increase future planning flexibility.
C10.	If Area 17 (79-81 Queens Road / 2-8 Spencer Street) and Area 17A (10-12 Spencer Street) are developed separately: a) access is to be achieved via a single driveway off Area 17; b) development on Area 17 must accomodate future access to Area 17A for servicing on the Ground Level and to all future basement levels; and c) access is to be ensured with a 'right of access' easement on the land title of Area 17 to the benefit of Area 17A.

Car parking

Controls	
C11.	Off street parking is to be provided in accordance with the maximum rates identified in (residential uses) and (non-residential uses).
C12.	On-street parking to be integrated to the streetscape and parallel to the kerb.
C13.	Parking is to be listed on a separate title (unbundled) from the development.

Shared parking

Controls	
C14.	Shared parking rates should be provided in accordance with the occupancy rates provided in **Table K20-2**. Shared parking is parking shared by more than one user, which allows parking facilities to be used more efficiently.
C15.	Parking requirements for non-residential uses may be shared and potentially reduced where it can be determined that the peak parking requirements occur at different times (either daily or seasonally). Parking rates for shared parking shall be calculated by applying the occupancy rates in **Table K20-2** to the maximum parking requirements for a proposed use.

Table K20-2 Shared Car Parking Rates

Building Use	Mon - Fri 8am - 5pm	Mon - Fri 6pm - 12am	Mon - Fri 12am - 6am	Weekend 8am - 5pm	Weekend 6pm - 12am	Weekend 12am - 6am
Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theatre	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference	100%	100%	5%	100%	100%	5%
Institutional	100%	20%	5%	10%	10%	5%
Church	10%	5%	5%	100%	50%	5%

Source: PRCUTS Planning and Design Guidelines p45, Urban Growth, Nov 2016

K20 Kings Bay (PRCUTS)

Car share and ride share

Controls	
C16.	On-site parking can be reduced at a rate of 5 parking spaces per 1 car share space where an active car-sharing program is made available to residents and/ or employees and where ride share or other organised car pooling initiatives are available on site.
C17.	Additional car share should be provided at a rate of 1 space per 20 dwellings without parking and 1 space per 100 dwellings with parking.
C18.	Car share will be located in publicly accessible sites, either on-street, in public parking stations or, if provided within a building it should be accessible to all car share members.
C19.	The following car share targets have been established for the precinct: • 10% - 15% of residents by 2031 • 15% of residents by 2050.

Parking rates

Controls	
C20.	For parking rates, refer to clause 8.11 of the Canada Bay LEP 2013 and Part B of this DCP.

Bicycle parking

Controls	
C21.	For bicycle parking controls, Refer to *DCP Part B - General Controls, B3.6 Bicycle parking and storage facilities*; and *B3.7 End of trip facilities.*

Electric vehicles

Controls	
C22.	*Refer to DCP Part B - General Controls, B3.8 Electric Vehicles*

Common loading docks and service vehicle parking

Controls	
C23.	*Refer to DCP Part B - General Controls, B3.9 Common loading docks and service vehicle parking.*

Freight and service access

Controls	
C24.	Freight and service vehicle rates should be provided in accordance with **Table K20-3**.
C25.	Vehicle access including for freight and service vehicles is not permissible off Parramatta Road
C26.	Commercial and medium/ high density residential developments are to have common loading docks and facilities for freight and service vehicles, including trades, home deliveries etc.
C27.	Loading docks for freight and service vehicles are to be located off-street and underground.
C28.	Loading docks and facilities are to be located and designed to minimise the impact of freight and service vehicle movements on the area.

Table K20-3 Freight and service vehicle rates

Land Use	Space required
Residential development	1 space per 50 apartments for first 200 apartments plus 1 space per 100 apartments thereafter
Commercial offices	1 space per 4,000m^2 GFA for first 20,000m^2 GFA and a space per 8,000m^2 GFA thereafter
Retail	1 space per 500m^2 for first 2,000m^2 and 1 space per 1,000m^2 thereafter (50% of spaces for trucks

K20 Kings Bay (PRCUTS)

K20.21 Housing Diversity

A mix of dwelling types in the precinct will provide greater housing choice and support equitable housing access by offering a diversity of dwelling types, amount of floor space, number of bedrooms and level of accessibility and affordability.

Objectives

O1 To provide a diverse range of dwelling types and sizes to cater for the needs of the existing and future residents over time, and encourage social diversity.

O2 To ensure that low to moderate income households can afford to live in the precinct by increasing the stock of appropriate affordable housing.

Controls	
C1.	For mix of residential flat buildings and residential components of mixed use developments, refer to LEP clause - *6.11 Mix of dwelling sizes in residential flat buildings and mixed use development*
C2.	Regarding the amount of adaptable (accessible) housing to be provided refer to requirements in *City of Canada Bay DCP Part B1.1 Adaptable Housing.*
C3.	Contributions towards Affordable Housing is to be provided according to Council's Affordable Housing Contributions Scheme.
C4.	Affordable housing is to be consistent with the requirements of the *City of Canada Bay Affordable Housing Program and Policy.*

K20.22 Residential Uses not covered by the Apartment Design Guide

The NSW Apartment Design Guide (ADG) applies to buildings that are three or more storeys high and that comprise at least four dwellings. For other residential development types, such as 2-3 storey terraces, low rise up-over or walk-up apartments, multiplexes, urban courtyard houses and the like, the following controls apply.

Objective

O1 To ensure design quality, performance of and amenity created by new residential development is of a high standard and consistent across the precinct.

Controls	
C1.	The maximum building depth is 18m unless it can be demonstrated that all habitable rooms receive adequate ventilation and solar access, e.g. through the use of a courtyard design.
C2.	The minimum private open space of a ground floor dwelling is calculated by the number of bedrooms x $4m^2$.
C3.	Single aspect dwellings, if unavoidable, are only permitted if they have a northerly or easterly aspect.
C4.	Living rooms and private open spaces of at least 70% of apartments receive a minimum of 2 hours direct sunlight between 9 am and 3 pm in mid winter (21 June).
C5.	Master bedrooms have a minimum area of $10m^2$ and other bedrooms $9m^2$.
C6.	Building separation is as per the *Apartment Design Guide, Section 3F Visual Privacy.*

Controls

C7. Private open space (POS) is designed to maximise useability, privacy, outlook and solar access.

For dwellings on the ground floor including townhouses and terraces, the minimum private open space is as follows:

Dwelling type	Min. POS
Studio/ 1 bedroom	20m^2
2 bedroom	28m^2
3+ bedroom	35m^2

The minimum dimension is 4.0m x 4.0m.

For dwellings on upper levels, the minimum private open space (such as decks and balconies) is as follows:

Dwelling type	Min. POS
Studio/ 1 bedroom	10m^2
2 bedroom	14m^2
3+ bedroom	18m^2

The minimum dimension is 2.0m x 3.0m.

Planning Proposal

79-81 Queens Rd & 2-8 Spencer Street
Five Dock NSW 2046

Site Location *(Source: Sixmaps NSW)*

Sheet List - Planning Proposal

Sheet Number	Sheet Name
PP000	Cover Page
PP001	Site Precinct Plans
PP002	Proposed DCP Envelope Plan
PP099	Basement Floorplans
PP100	Ground Floor Plan
PP101	Level 1 Floorplan
PP102	Level 2 Floorplan
PP103	Level 3 Floorplan
PP104	Level 4 Floorplan
PP105	Level 5 Floorplan
PP106	Lower Tower Floorplan
PP107	Upper Tower Floorplan
PP200	PP Elevations - Sheet 1
PP201	PP Elevations - Sheet 2
PP300	Proposed Section - William Street
PP400	Shadow Diagrams
PP401	Solar Access - Sun Eye Diagrams DCP

Subject Properties

Address	Lot / DP
2-8 Spencer Street	17/3/DP1117 18//DP651570 1//DP540151 20/3/DP1117
79 Queens Road	21/3/DP1117
81 Queens Road	22/3/DP1117

Projected Design Management

Queens & William Five Dock Planning Proposal

Revision Schedule

Rev	Description	Date
1	PLANNING PROPOSAL SUBMISSION	05/08/2024
2	FINAL FOR PP EXHIBITION	01/08/2025

Client: DPG Project 37 Pty Ltd

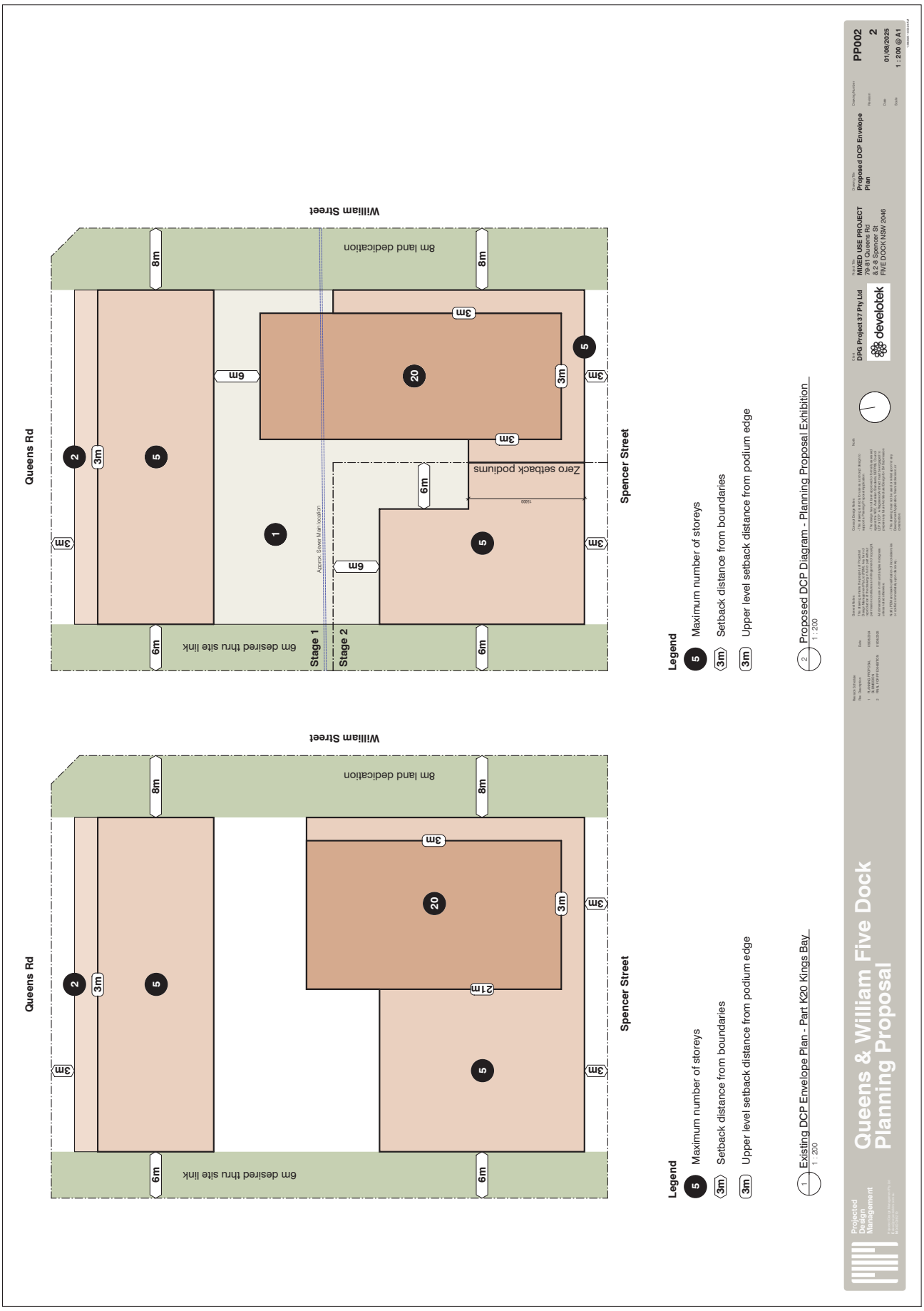
develotek

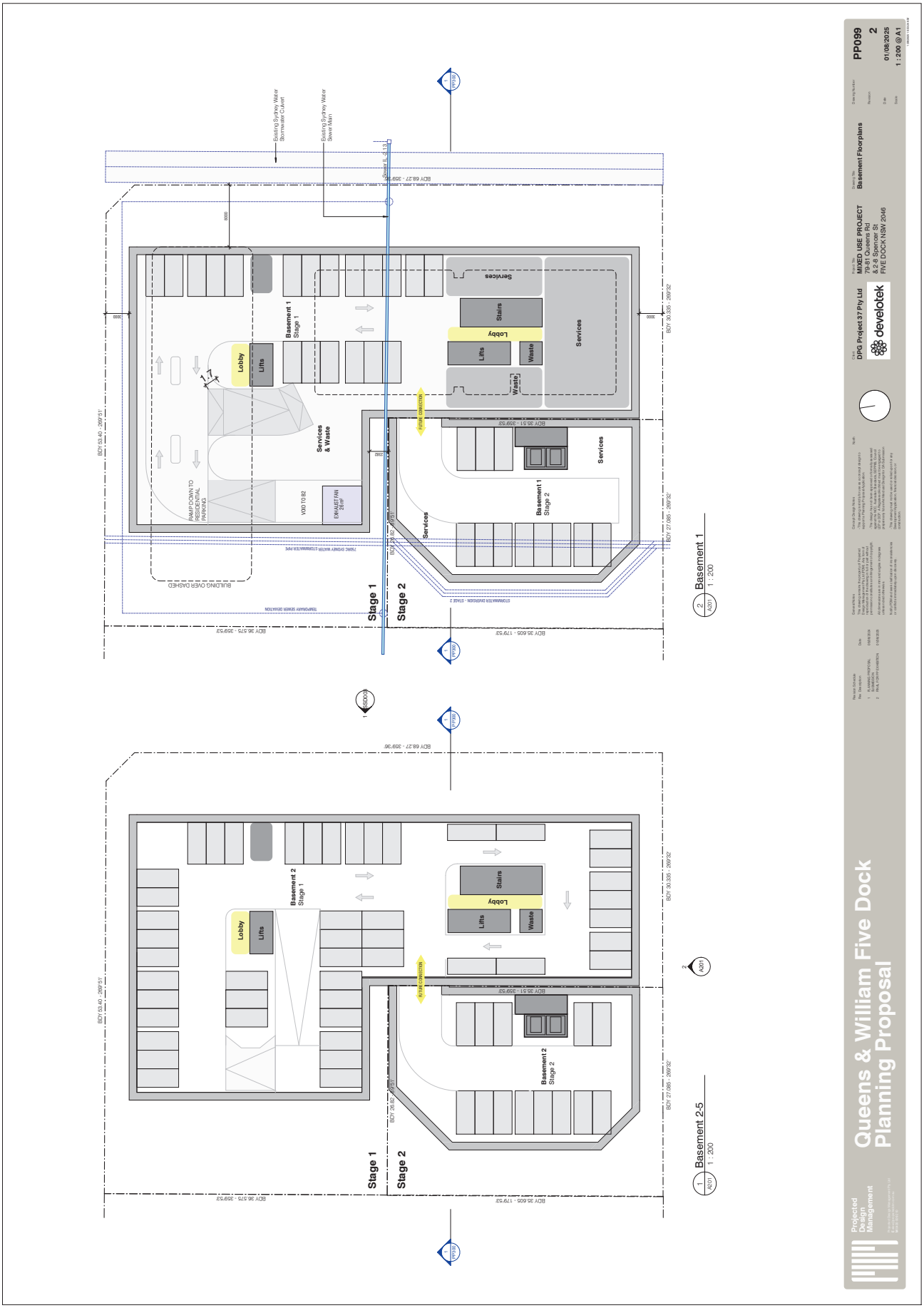
Project Title: MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046

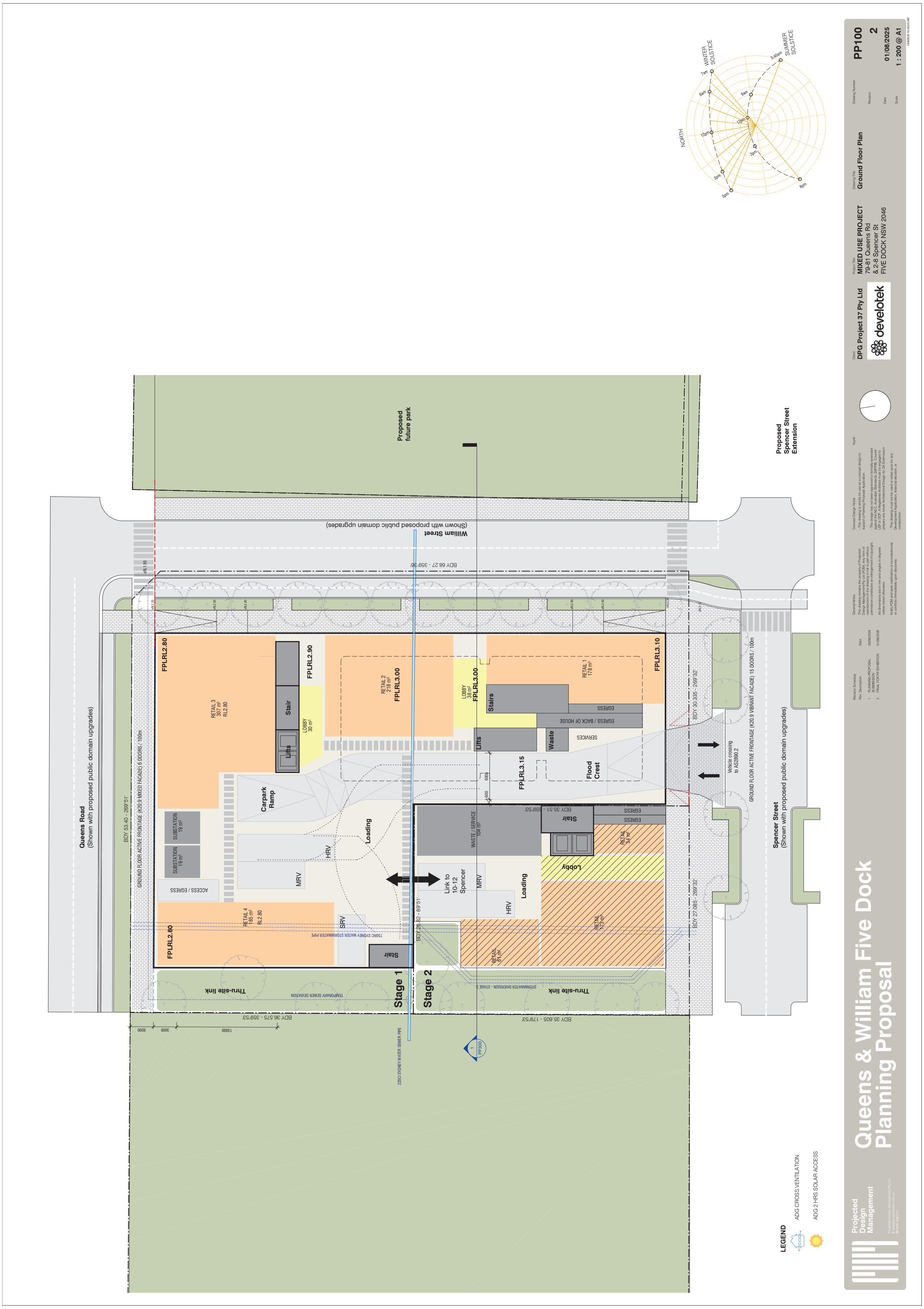
Drawing Title: Cover Page

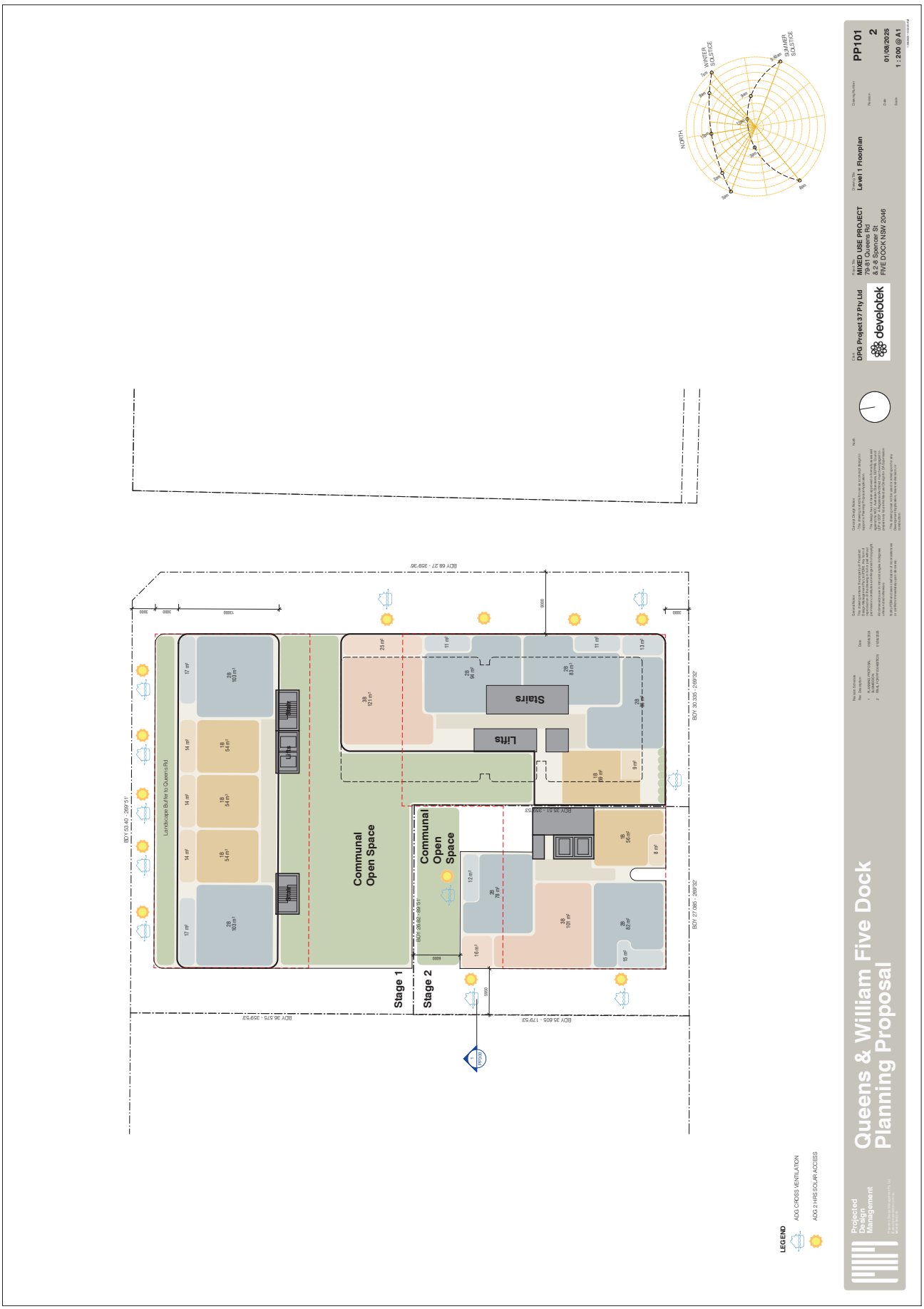
Drawing Number: PP000
Revision: 2
Date: 01/08/2025
Scale: @ A1

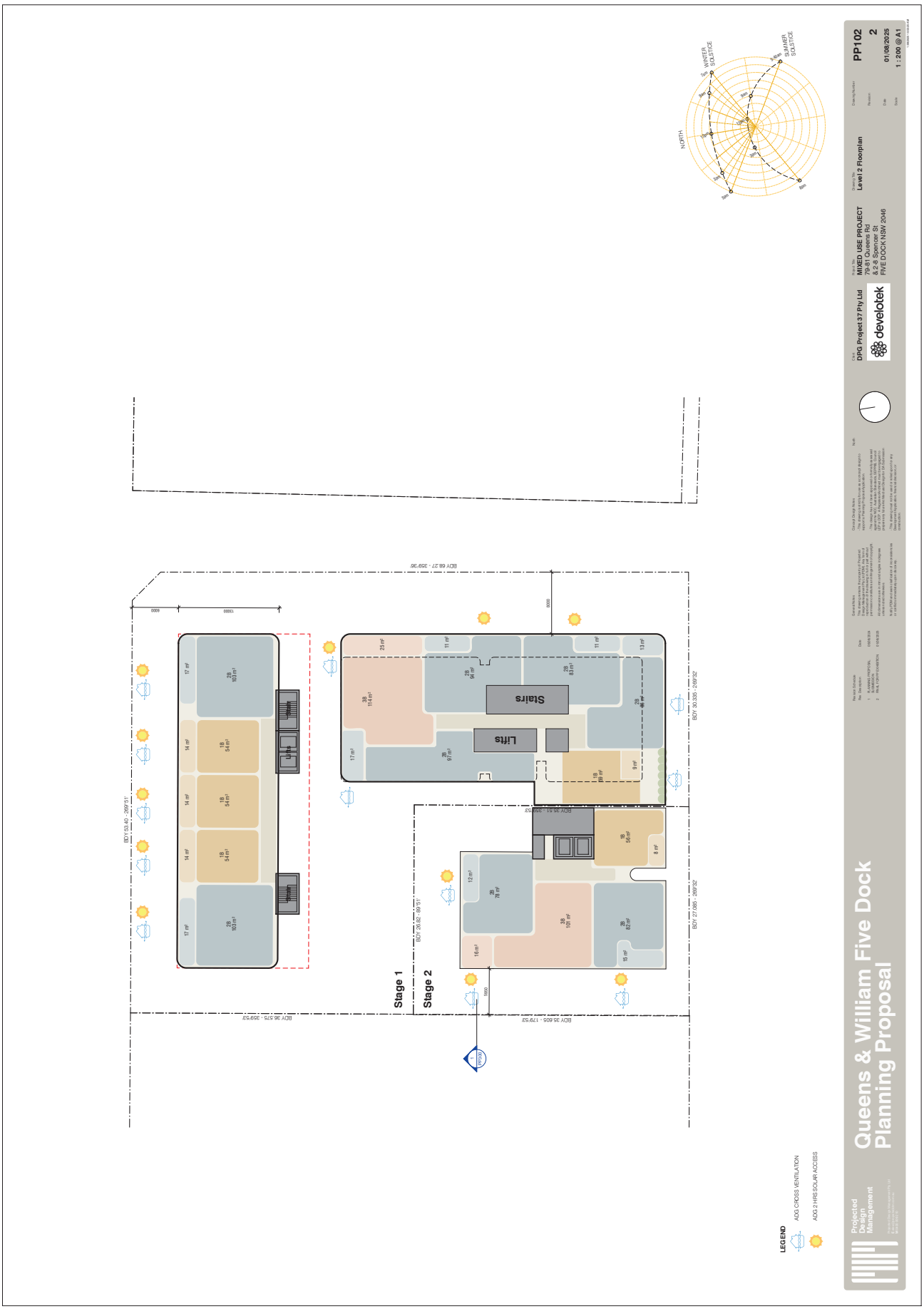

Queens & William Five Dock
Planning Proposal
Project Design Management
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
1 A201 DCP Site Plan - Part K20 Kings Bay
1 : 400
2 A201 Proposed Precinct Plan - Planning Proposal - Staged
1 : 400
William Street Park (Proposed)
Open Space (Proposed)
Queens Road
William Street
Spencer Street
Stage 1
Stage 2
67m max HOB (DCP Section 6(4))
Survey vs DP discrepancy
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE
Client
DPG Project 37 Pty Ltd
develotek
Project Title
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
RYE DOCK NSW 2046
Drawing Title
Site Precinct Plans
Drawing Number
PP001
Revision
2
Date
01.08.2025
Scale
As indicated @ A1


Queens & William Five Dock
Planning Proposal
Proposed DCP Envelope Plan
PP002
2
01.08.2025
1 : 200 @ A1
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Proposed DCP Diagram - Planning Proposal Exhibition
1 : 200
Existing DCP Envelope Plan - Part K20 Kings Bay
1 : 200
Legend
Maximum number of storeys
Setback distance from boundaries
Upper level setback distance from podium edge
Queens Rd
Spencer Street
William Street
8m land dedication
6m desired thru site link
Stage 1
Stage 2
Zero setback podiums
Approx. Sewer Main location
6m
3m
21m


Existing Sydney Water Stormwater Culvert
Existing Sydney Water Sewer Main
Basement 1 Stage 1
Lobby
Lifts
Services
Stairs
Waste
Services & Waste
RAMP DOWN TO RESIDENTIAL PARKING
VOID TO B2
EXHAUST FAN 25m²
BUILDING OVER DASHED
Basement 1 Stage 2
Future Connection
Stage 1
Stage 2
2 Basement 1
1 : 200
Basement 2 Stage 1
Basement 2 Stage 2
1 Basement 2-5
1 : 200
Queens & William Five Dock
Planning Proposal
Basement Floorplans
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PP099
2
01.08.2025
1 : 200 @ A1


Queens & William Five Dock
Planning Proposal
PP100
2
Ground Floor Plan
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
01/08/2025
1 : 200 @ A1
Projected Design Management
Proposed future park
Proposed Spencer Street Extension
William Street
(Shown with proposed public domain upgrades)
Queens Road
(Shown with proposed public domain upgrades)
Spencer Street
(Shown with proposed public domain upgrades)
Stage 1
Stage 2
Thru-site link
Carpark Ramp
Loading
Stair
Stairs
Lifts
Waste
Lobby
Flood Crest
Link to 10-12 Spencer
FPLRL2.80
FPLRL2.90
FPLRL3.00
FPLRL3.10
FPLRL3.15
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS


Queens & William Five Dock
Planning Proposal
Level 1 Floorplan
PP101
2
01.08.2025
1 : 200 @ A1
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Projected Design Management
Communal Open Space
Communal Open Space
Landscape Buffer to Queens Rd
Stairs
Lifts
Stage 1
Stage 2
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
SUMMER SOLSTICE
WINTER SOLSTICE
NORTH


Queens & William Five Dock
Planning Proposal
Level 2 Floorplan
PP102
2
01.08.2025
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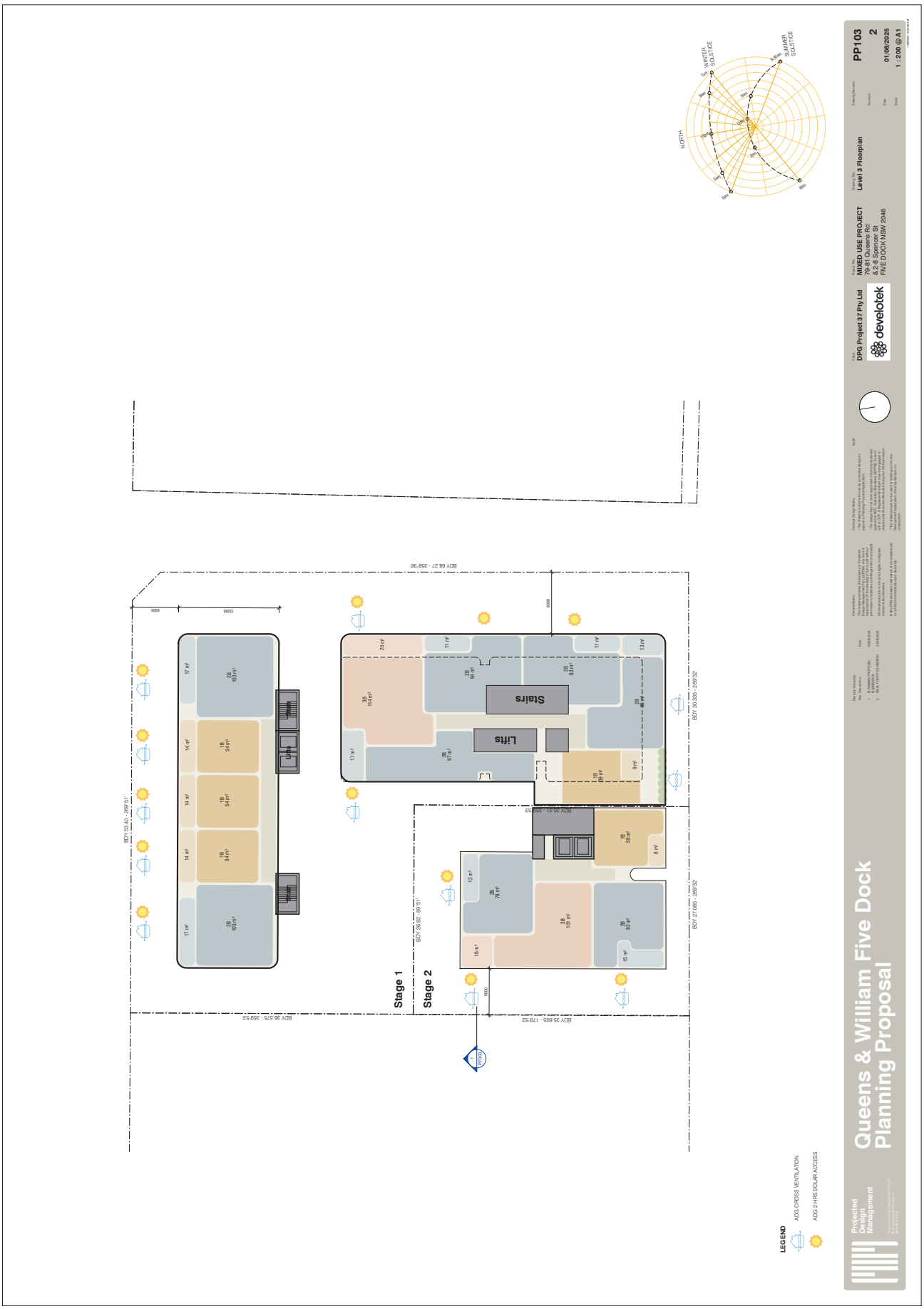
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Projected Design Management
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
Stage 1
Stage 2
Stairs
Lifts
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH


Queens & William Five Dock
Planning Proposal
Level 3 Floorplan
PP103
2
01.08.2025
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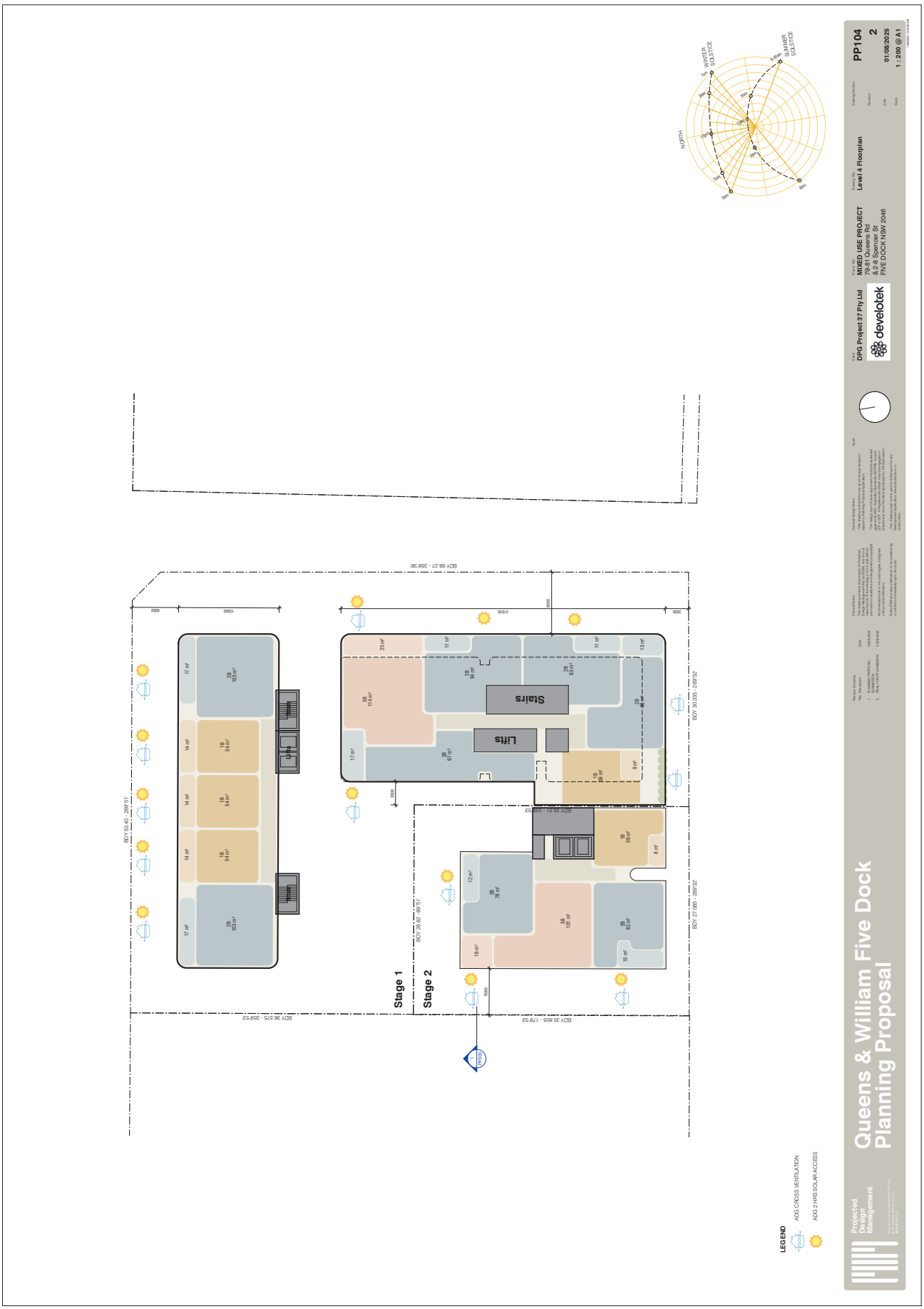
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Stage 1
Stage 2
Stairs
Lifts
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
NORTH
SUMMER SOLSTICE
WINTER SOLSTICE


Queens & William Five Dock
Planning Proposal
Level 4 Floorplan
PP104
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01.08.2025
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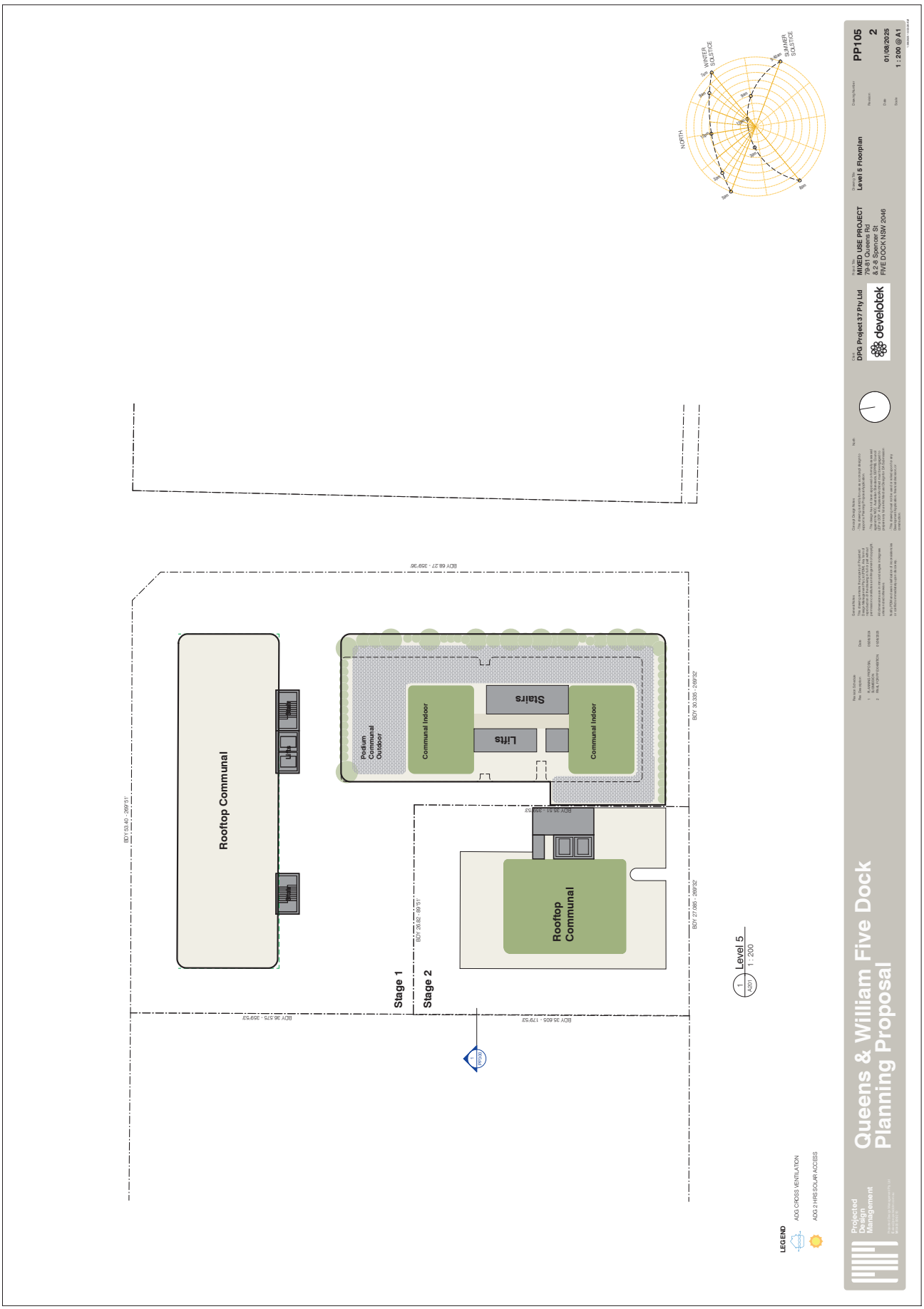
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Stage 1
Stage 2
Stairs
Lifts
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
SUMMER SOLSTICE
WINTER SOLSTICE
NORTH


Rooftop Communal
Podium Communal Outdoor
Communal Indoor
Stairs
Lifts
Communal Indoor
Rooftop Communal
Stage 1
Stage 2
Level 5
1 : 200
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
Queens & William Five Dock
Planning Proposal
Level 5 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PP105
2
01.08.2025
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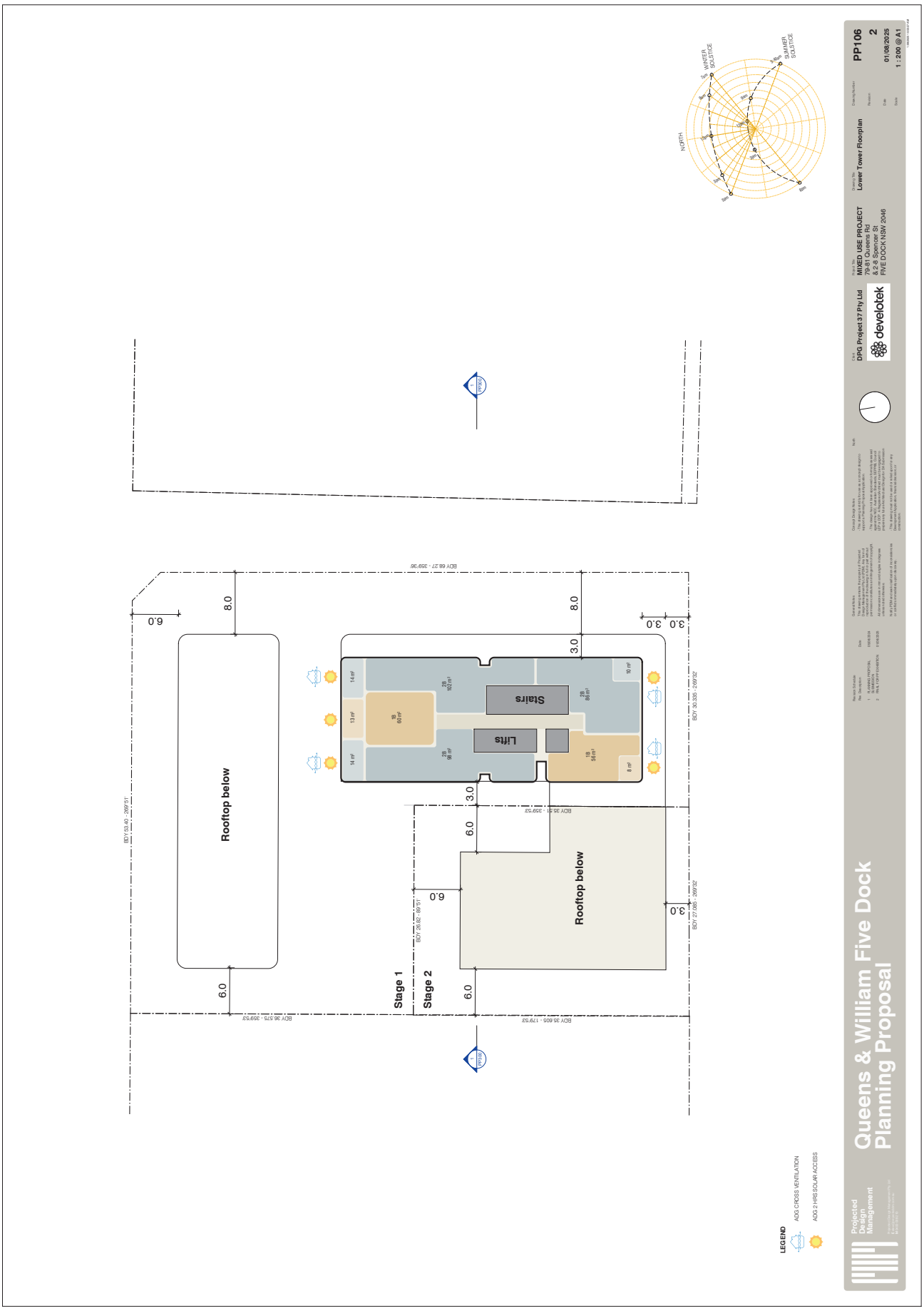
Queens & William Five Dock
Planning Proposal
Lower Tower Floorplan
PP106
2
01.08.2025
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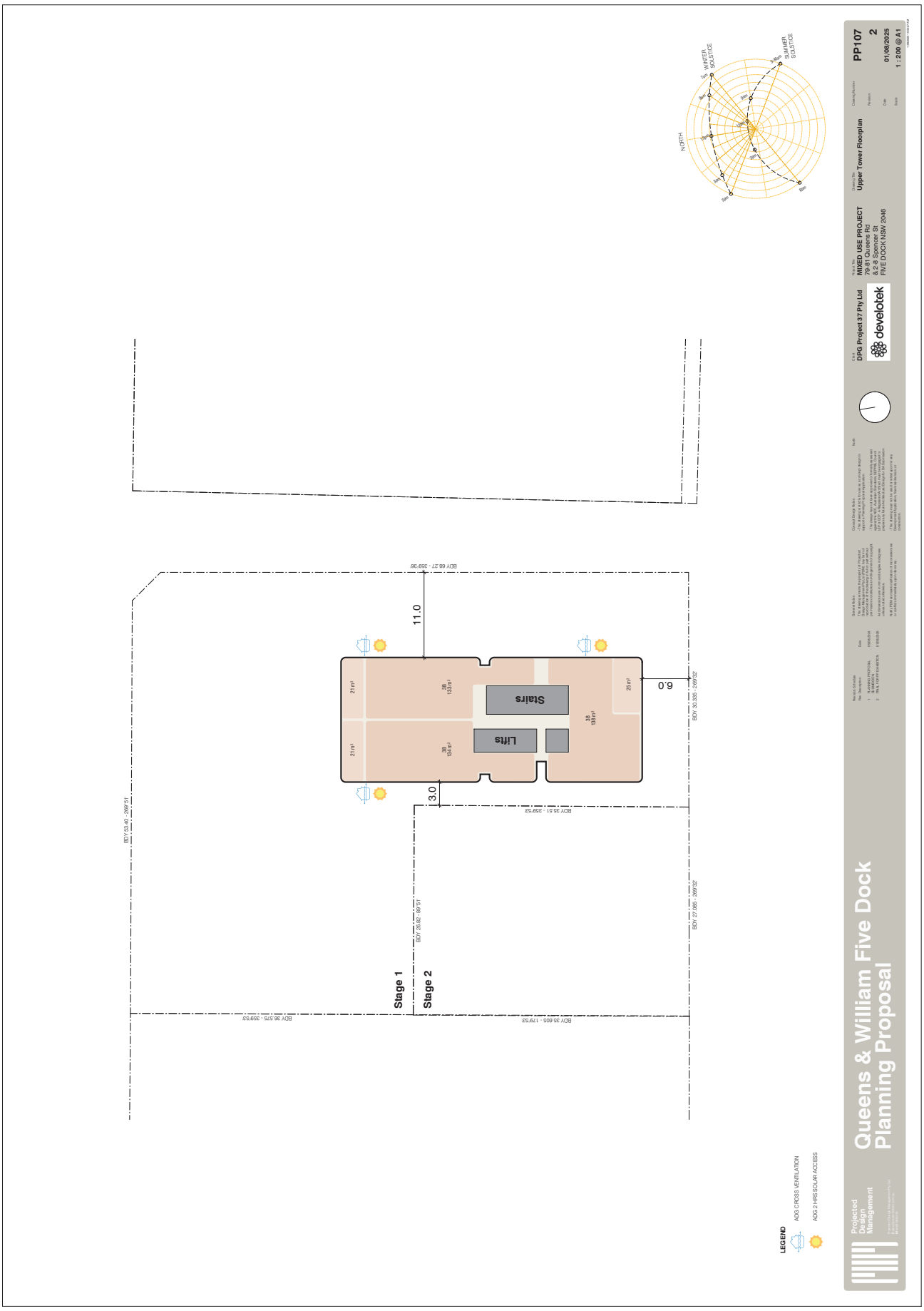
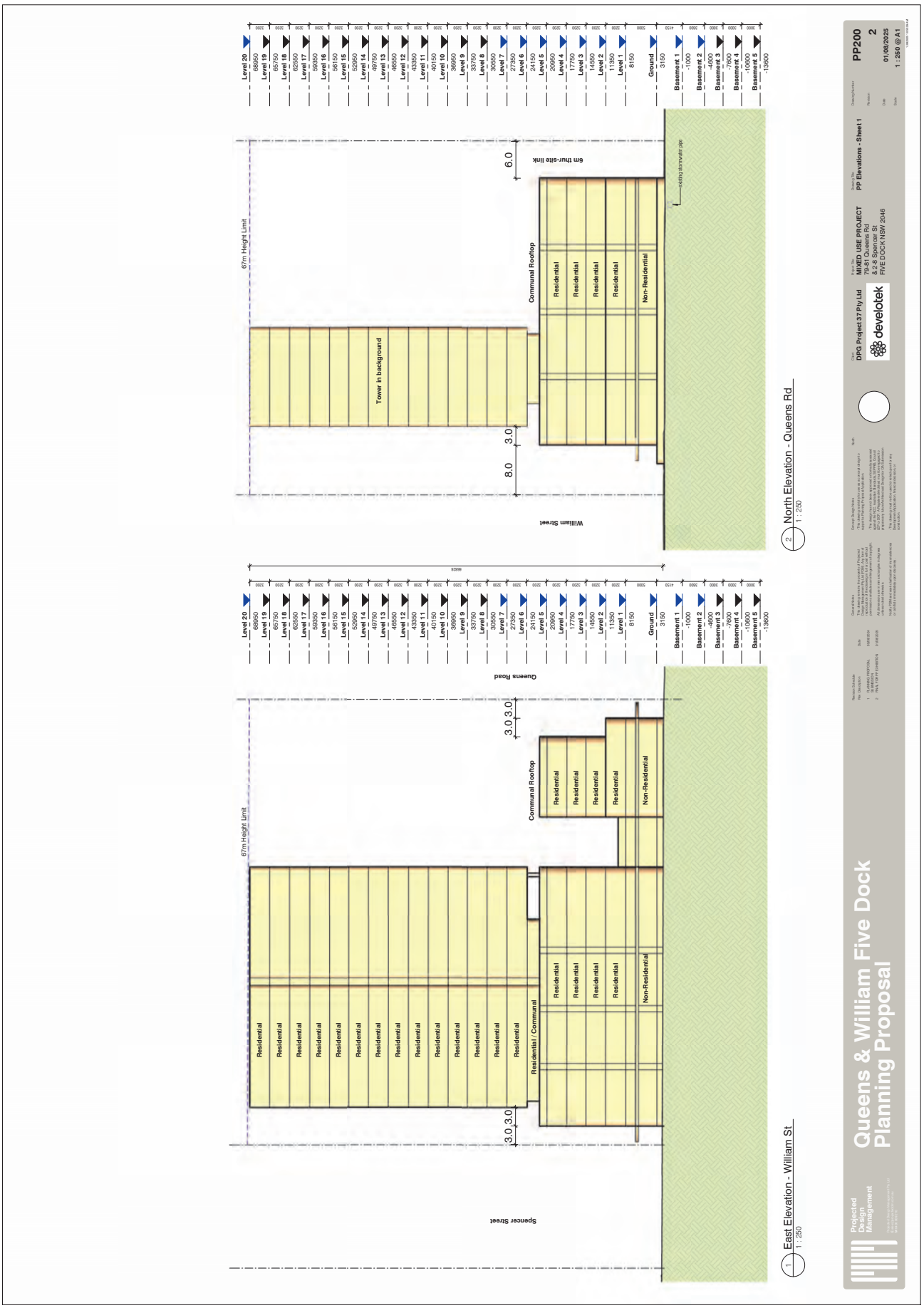
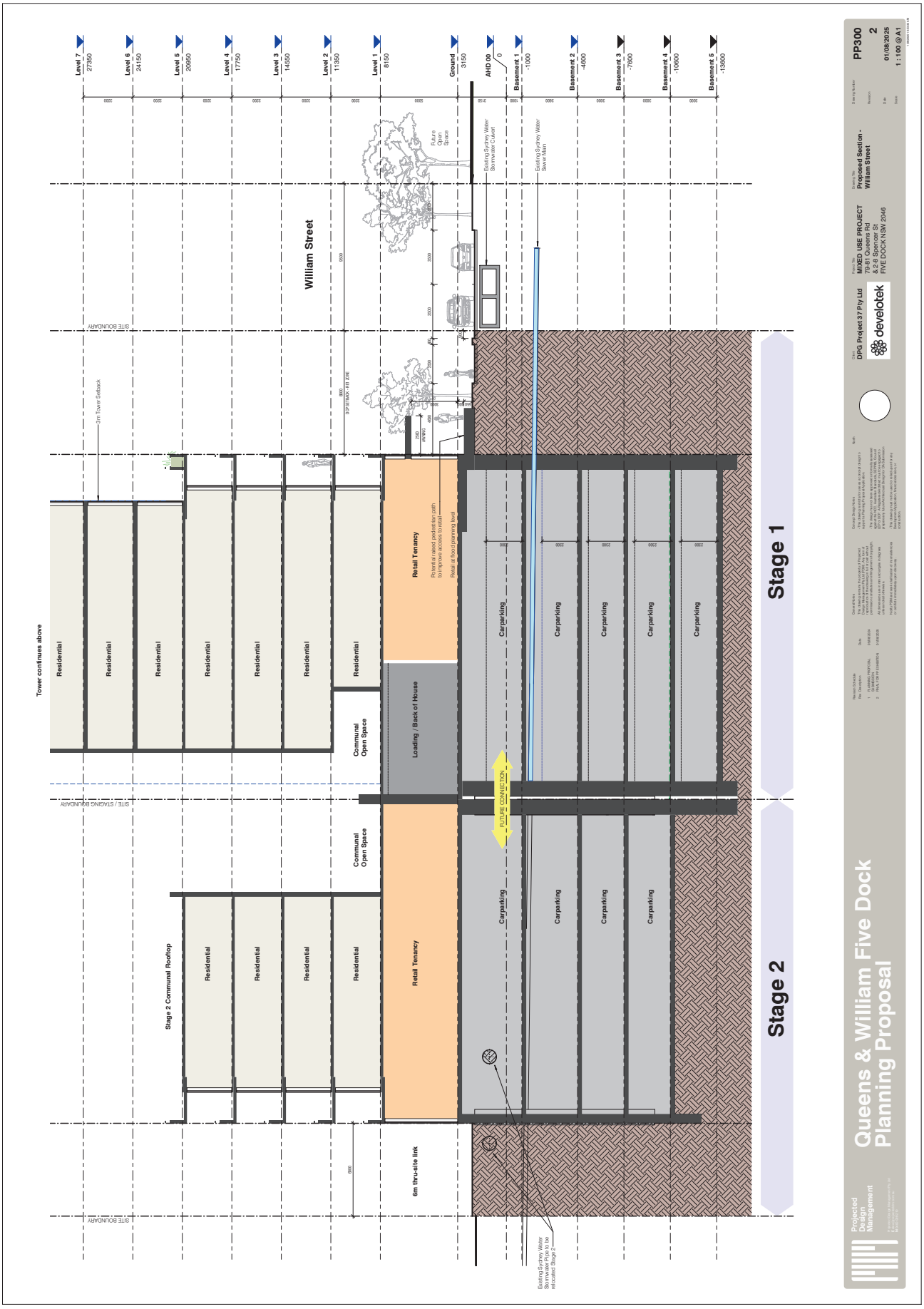
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Stairs
Lifts
Rooftop below
Rooftop below
Stage 1
Stage 2
8.0
6.0
3.0
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS


Queens & William Five Dock
Planning Proposal
Upper Tower Floorplan
PP107
2
01.08.2025
1 : 200 @ A1
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Project Designer Management
LEGEND
ADG CROSS VENTILATION
ADG 2 HRS SOLAR ACCESS
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH
Stairs
Lifts
Stage 1
Stage 2
11.0
6.0
3.0


Queens & William Five Dock
Planning Proposal
Projected Design Management
PP200
2
01.08.2025
1 : 250 @ A1
PP Elevations - Sheet 1
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
1 East Elevation - William St
1 : 250
2 North Elevation - Queens Rd
1 : 250
Spencer Street
Queens Road
William Street
67m Height Limit
Residential
Residential / Communal
Non-Residential
Communal Rooftop
Tower in background
6m Inter-site link
existing stormwater pipe
Level 20 69650
Level 19 65750
Level 18 62450
Level 17 58550
Level 16 54150
Level 15 52950
Level 14 49750
Level 13 46550
Level 12 43350
Level 11 40150
Level 10 36950
Level 9 33750
Level 8 30550
Level 7 27350
Level 6 24150
Level 5 20950
Level 4 17750
Level 3 14550
Level 2 11350
Level 1 8150
Ground 3150
Basement 1 -1000
Basement 2 -4600
Basement 3 -7600
Basement 4 -10600
Basement 5 -13600


West Elevation - Thru Site Link
1 : 250
South Elevation - Spencer St
1 : 250
Stage 1
Stage 2
Stage Boundary
67m Height Limit
Residential
Non-Residential
Communal Rooftop
Stage 1 Tower in background
Stage 2 10-12 Spencer St
Queens Rd
Spencer Street
William Street
6m thru-site link
existing stormwater pipe
existing sewer main
Queens & William Five Dock Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
develotek
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 2
PP201
2
01/08/2025
1 : 250 @ A1


Level 7 27350
Level 6 24150
Level 5 20950
Level 4 17750
Level 3 14550
Level 2 11350
Level 1 8150
Ground 3150
AHD 00 0
Basement 1 -1000
Basement 2 -4600
Basement 3 -7600
Basement 4 -10600
Basement 5 -13600
William Street
FUTURE Open Space
Existing Sydney Water Stormwater Culvert
Existing Sydney Water Sewer Main
SITE BOUNDARY
3m Tower Setback
OPERATIONAL RD ZONE
Tower continues above
Residential
Retail Tenancy
Potential raised pedestrian path to improve access to retail
Retail at flood planning level
Carparking
Communal Open Space
Loading / Back of House
FUTURE CONNECTION
SITE / STAGING BOUNDARY
Stage 2 Communal Rooftop
6m thru-site link
Existing Sydney Water Stormwater Pipe to be relocated Stage 2
Stage 1
Stage 2
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
develotek
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Proposed Section - William Street
PP300
2
01/08/2025
1 : 100 @ A1


Queens & William Five Dock
Planning Proposal
Shadow - PP - 9am
Shadow - PP - 10am
Shadow - PP - 11am
Shadow - PP - 12pm
Shadow - PP - 1pm
Shadow - PP - 2pm
Shadow - PP - 3pm
DCP shadow dashed red
Stage 1
Stage 2
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
RYE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
Shadow Diagrams
PP400
2
01.08.2025
1 : 1200 @ A1


1 Sun Eye - 9am DCP
2 Sun Eye - 10am DCP
3 Sun Eye - 11am DCP
4 Sun Eye - 12pm DCP
5 Sun Eye - 1pm DCP
6 Sun Eye - 2pm DCP
7 Sun Eye - 3pm DCP
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
develotek
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Solar Access - Sun Eye
Diagrams Existing DCP
PP401
3
05.08.2024
@ A1


1 Sun Eye - 9am PP
2 Sun Eye - 10am PP
3 Sun Eye - 11am PP
4 Sun Eye - 12pm PP
5 Sun Eye - 1pm PP
6 Sun Eye - 2pm PP
7 Sun Eye - 3pm PP
Queens & William Five Dock
Planning Proposal
Project Design Management
DPG Project 37 Pty Ltd
develotek
Project Title
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Drawing Title
Solar Access - Sun Eye
Diagrams PP
Drawing Number
PP401
Revision
5
Date
19/07/2025
@ A1

Studio GL Pty Ltd
77 Buckland Street
Chippendale NSW 2008
: +61 2 9310 1800
ABN: 84 164 743 613

3 March 2025

City of Canada Bay
1a Marlborough Street,
Drummoyne NSW 2047

Att: Helen Wilkins
helen.wilkins@canadabay.nsw.gov.au

RE: Urban design review of Planning Proposal for 79-81 Queens Road and 2-12 Spencer Street, Five Dock

Dear Helen

Please find below a high level Urban Design Review of a Planning Proposal for 79-81 Queens Road and 2-12 Spencer Street, Five Dock

Background

The City of Canda Bay received a Planning Proposal for 79-81 Queens Road and 2-12 Spencer Street, Five Dock. The site is approximately 3,151m^2 in size and is located within Area 17 of the Kings Bay Precinct on the Key Sites Map. The site currently is zoned MU1 (Mixed Use) and has a maximum building height of 12m and a maximum FSR of 1:1.

The site is within the Kings Bay Precinct, as identified in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). The site is also within the Stage 1 precinct (adopted in Part K of the City of Canada Bay Development Control Plan (CBDCP) 2022).

If development meets specific requirements specified in clauses 8.4-8.8 of the CCBLEP the site may be able to access an increased maximum building height of 67m and a maximum FSR of 3:1. The specific requirements include a requirement for Area 17 to have a minimum site area of 4,096m^2 and provide setbacks along streets and a through site link along the western boundary of the site.

Proposed Development

The Planning Proposal seeks to amend the Canada Bay Local Environmental Plan (CBLEP) to allow the development of three residential apartment buildings, with two buildings proposed on the site and one building located on the adjoining site.

- Retain the existing MU1 (Mixed Use) zone
- Retain the current maximum Height of Building (67m) and maximum FSR (3:1) that are permissible under Clause 8.3 of the LEP which allows additional floor space and building heights for Area 17 if certain conditions are met Including an 8m wide setback on land fronting William Street, a 3m wide setback on land fronting Queens Road and Spencer Street and a contribution to a new through site link between Queens Rd and Spencer Street.
- The Planning Proposal seeks to reduce the minimum site area required to achieve the bonus heights and FSR from 4,096m2 to 3,151m2.

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- The Planning Proposal also seeks to alter the site-specific provision that would provide an uplift in FSR and height including changes to the built form outcomes outlined in the DCP.
- The Planning Proposal also recommends removing the bonus uplift on 10-12 Spencer Street but increasing the maximum permissible Height of Buildings on this site from 12m to 19m and the maximum permissible FSR from 1:1 to 2.17:1. This site would also be required to provide for setbacks and the through site link.

Documents Reviewed

A review of the existing controls for the location (DCP and LEP) and the Planning Proposal documents playing particular attention to:

- The Planning Proposal by Beam Planning
- Appendix A - Indicative Design Concept by Projected Design Management Pty Ltd
- Appendix B - ADG Assessment by Projected Design Management Pty Ltd
- Appendix C - Urban Design Analysis by Audax Urban
- Appendix E - Valuation Statement - Titan Advisory Group
- Appendix F - Evidence of Negotiation - Bell Property Commercial
- Appendix G - Amendments to the CBDCP by Beam Planners.

Urban Design Advice

The following commentary is a high-level Urban Design review by Studio GL (SGL) that assesses the design in the Planning Proposal, which is outlined in the Planning Proposal document prepared by Beam Planning, the Urban Design Analysis prepared by Audax Urban Design and the Indicative Design Concept by Projected Design Management Pty Ltd

The commentary is structured under three key categories:

- Context and Desired Future Character
- Built Form and Heights (including building depth, separation and setbacks)
- Density and FSR

Context and Desired Future Character

The desired future character of the Kings Bay Precinct is set out in Part K of the CBDCP. It includes the following:

- "Spencer Street will form the main street of local shops and services. A new fine grain will be introduced along Spencer Street to reinforce the local nature of the centre, and provide a pedestrian focus with high amenity and low traffic.
- “Kings Bay offers the opportunity to be a new address for medium and high density residential development. Taller residential buildings will mark the centre of the precinct at the corner of Parramatta Road, William Street and Spencer Street.”

Urban Design Principles for the Desired Future Character of King Bay include:

- Create an active and permeable public realm

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- Define a building height strategy which is further explained by the statement “Create a dynamic skyline by spreading higher built form”
- Maximise solar access and amenity
- Promote fine grain and active frontages

Amalgamation and minimum site area have been identified to achieve the desired future character identified in the DCP however if this is not possible the key question to ask is if “*both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.*

To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

The subject application may need to be amended, such as by a further setback than the minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.” (Source: NSW Case Law: Planning Principle; amalgamation of sites and isolation of sites through redevelopment).

As this review predominantly focuses on proposed changes to the built form the assessment against the desired future character is limited however the impact of the proposal on the future character of Spencer Street is critical. The Indicative Design Concept proposes that vehicular access will be provided off Spencer Street. This is inconsistent with the vision that Spencer Street will become a main street with a pedestrian focus with high amenity and low traffic and a fine grain of local shops. It is recommended that access is provided off William Street but if this is not possible access to loading and carparking will need to be very carefully designed to minimise the width and visual impact of the access and maximise pedestrian amenity and safety.

The Indicative Design Concept proposes that vehicular access to 10-12 Spencer Street will be accommodated through 79-81 Queens Road and 2-8 Spencer Street, so it does not require another access from Spencer Street. This approach is strongly supported and is needed to ensure the desired future character of Spencer Street is delivered. To ensure this right of access a legal easement is required that ensures future development of 79-81 Queens Road and 2-8 Spencer Street safeguards, facilitates and guarantees vehicular access at Ground Level and all basement levels to 10-12 Spencer Street.

Built Form and Heights

One of the Urban Design Principles for King Bay includes the principle which is to “Define a building height strategy”. This is further explained by the statement “Create a dynamic skyline by spreading higher built form”. This is a deliberate and intentional strategy which, rather than assuming all buildings have the same maximum height, encourages a range of building heights with most buildings creating a lower height datum and well-spaced taller buildings encouraged in key locations including William Street and Spencer Street.

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Area 17 is one of the locations where a taller built form is encouraged and where the taller height has been identified where it will not create excessive overshadowing of open spaces. To provide fairness between neighbouring sites and to ensure all sites benefit equally from the potential increased heights the taller built form is only possible if sites are amalgamated.

The Planning Proposal seeks to modify the amalgamation boundary of Area 17 of the Kings Bay Precinct, and the minimum site area required under Clause 8.4 because of the inability to acquire the adjoining land at 10-12 Spencer Street. The impact of the revised boundary is that Area 17 would then need to be considered as two separate sites, Area 17A which would have an area of 3151m^2 and 17B which would have an area of 962m^2.

The development potential of Area 17, a large regularly shaped site, would be expected to have a different built form and heights if it is split into two smaller sites, the two sites are developed separately, and one has an irregular shape. As two different sites are anticipated by the Planning Proposal the proposed development on 79-81 Queens Road and 2-8 Spencer Street and 10-12 Spencer Street will both need to meet the requirements of the National Construction Code and the ADG.

Part 2 of the Apartment Design Guide (ADG) provides detailed guidance on Developing Controls for sites. The ADG notes that “The controls must be carefully tested to ensure they are co-ordinated and that the desired built form outcome is achievable. They should ensure the desired density and massing can be accommodated within the building height and setback controls.” Part 2F Building Separation addresses minimum distances between apartments within the site, between apartments and non-residential uses and with boundaries to neighbours. It notes that “Within apartments, building separation assists with visual and acoustic privacy, outlook, natural ventilation and daylight access.” The diagrams below (see Figure 1) show the minimum distances required for habitable uses if Area 17 is developed as one site or two sites. The diagram clearly shows the benefits gained by all sites within Area 17 if they are amalgamated.

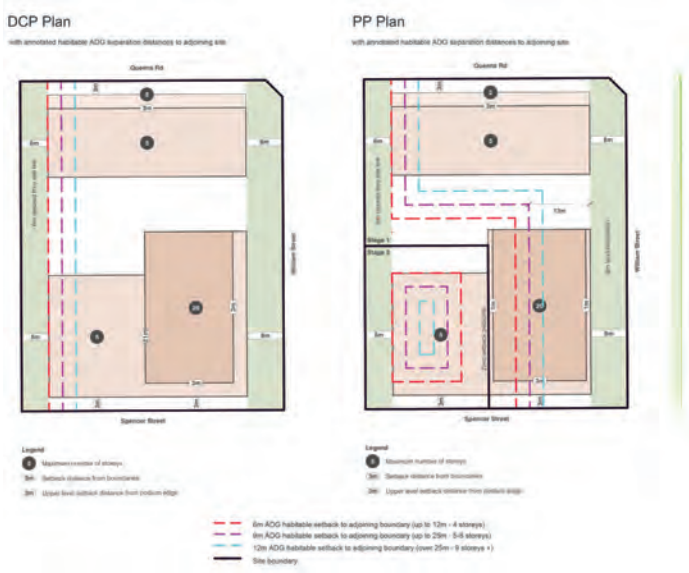

Figure 1, DCP and Planning Proposal plans (by Projected Design Management) with ADG setbacks for habitable uses overlaid by SGL

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The Indicative Design Concept shown in the Planning Proposal uses a built form identified in the DCP which was created assuming ADG setbacks for an amalgamated site not for two separate sites. The plans refer to development on 10-12 Spencer Street as Stage 2 however there is no evidence provided in the Planning Proposal that there is agreement from the owner of this site to Stage 2 or to this Planning Proposal and therefore it must be treated as a future development on a separate site.

Figure 2, Blank facade to an approximately 35 storey building, Cunningham St, Haymarket

The western wall of the proposed tower shown in the Indicative Design Concept is less than 3m from the boundary with 10-12 Spencer Street and therefore habitable or non-habitable uses cannot be located along this side elevation. This would also mean that this long wall of the proposed tower would provide limited outlook, natural ventilation and daylight access and amenity.

In addition, to meet the requirements of the National Construction Code the majority of this side of the 20-storey tower could not have windows or openings facing the boundary and therefore the western elevation would be predominantly blank.

This type of design outcome is not unknown in the centre of Sydney Central (see Figure 2) but it is more common as an interim state, before all the sites are developed rather than a preferred long-term outcome. The approach in the Planning Proposal would also undermine the intended desired future character of separate, high amenity, well designed towers with lower buildings between.

The Planning Proposal provides an Indicative Design Concept for 10-12 Spencer Street that complies with the DCP controls with a five-storey mixed use building. The Indicative Design Concept indicates that development of 10-12 Spencer Street, while possible would result in a very small and inefficient carpark layout and rely on vehicular access from the larger site both at Ground Level and at Basement 1. As the site is small and narrow it also appears to require the relocation of a large 750rc Stormwater Pipe. It is noted that 79-81 Queens Road and 2-8 Spencer Street is also burdened by the same Stormwater Pipe but does not need to be relocated as it can be avoided as it is a larger site.

The Indicative Design Concept for 79-81 Queens Road and 2-8 Spencer Street shows an arch shaped cutout along the western boundary of the site for up to five storeys. This cutout creates a very poor design outcome as it will be almost fully enclosed on all sides once 10-12 Spencer Street is developed and it is also almost fully covered by the Lower Tower located above. The Indicative Design Concept implies that apartments to the north and south of this cutout will be cross ventilated but is it difficult to see how this will occur.

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The Indicative Design Concept for 79-81 Queens Road and 2-8 Spencer Street has also relocated the tower closer to William Street and the Urban Design Analysis states that "This independent urban design analysis has concluded that the difference in the visual impact between a 3m and 1m setback above podium is negligible for the scale of a 20-storey tower or more" and "*The alternative 1m setback has a similar visual impact as the CBDCP envelope, and it achieves a similar contextual fit with the evolving surrounding context. The built form testing has also demonstrated that the pattern of overshadowing has similar, if not less, impacts than that of the envelope predicated by the Kings Bay Precinct Master Plan.*"

It would be preferable that the setback remain at 3m and independent testing by SGL has indicated that a reduction in this setback is not required to achieve the maximum bonus FSR.

A potential building envelope that considers the ADG setbacks has been developed and tested by SGL. To achieve an appropriate urban form with a reasonable level of amenity it is recommended that development is setback from shared boundaries by 6m where possible, however if the uses facing this boundary are non-habitable this setback may be able to be reduced to 3m.

The potential building envelope also seeks to minimise the extent of blank façade on the western elevation of the tower by locating the tower further away from Spencer Street and towards the centre of the site. The design tested would allow approximately half of the western façade to be habitable with the remainder if the tower at least 3m off the boundary, allowing for some windows and articulation to the built form. This potential building envelope would increase overshadowing of the William Street Park, but the overshadowing impacts could be minimised by the architects during detailed design.

Density and FSR

If Area 17 is developed as outlined in the LEP and DCP the maximum FSR is 3:1.

The area schedules submitted with the Indicative Design Concept include figures that show the proposed concept on 79-81 Queens Road and 2-8 Spencer Street achieves a FSR of 3.15:1. The area figures show that above the 14 storey (Level 13) a reduced floor area that is about one third smaller than the levels below. This reduction in floor area is not shown in the 3D model or sections and floor plans for levels above the Level 13 are not provided. Increased setbacks and/or reduced upper levels are not a requirement of the City of Canada Bay LEP or DCP and so it is assumed that this is an error. When the total floor area shown in the Indicative Design Concept 3D model is included in the calculations the Indicative Design Concept currently achieves a FSR of approximately 3.7:1.

The area schedules submitted with the Indicative Design Concept also suggest that 10-12 Spencer Street on its own can achieve a FSR of 2.17:1. Currently this site could also benefit from the bonus Height of Building (67m) and maximum FSR (3:1) permissible under Clause 8.3 of the LEP. The lower heights and FSR proposed are the result of applying the current DCP controls for Area 17 onto this site. The Valuation Statement by the Titan Advisory Group indicates that 10-12 Spencer Street was valued based on an FSR of 2.17:1. SGL's independent testing of the envelope proposed in the Indicative Design Concept indicate that the current concept proposed for 10-12 Spencer Street would only achieve a FSR of 2:1.

Ideally to create the dynamic skyline envisaged in the design principles and to ensure all sites benefit equally from the potential uplift from 1:1 to 3:1 the uplift should only be allowed if sites are amalgamated as per the amalgamation plan. The approach outlined in the Planning Proposal appears to assume that the dynamic skyline approach proposed for King

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Bay was intended to create high value and low value sites and sites which are identified with towers can be developed at higher heights and much higher FSR's than their adjoining neighbours.

To accommodate setbacks along the shared boundary between 10-12 Spencer Street and 79-81 Queens Road and 2-8 Spencer Street is it recommended that, if the sites are developed separately, each site has maximum height and FSR controls that are realistic and the potential building envelopes tested can deliver a reasonable design outcome. Building envelopes work best if they have a slightly 'loose fit' as this provides for design flexibility and building articulation and modulation. However, if this 'loose fit' is too great, development that complies with the building envelopes may generate a much higher FSR than anticipated.

SGL's independent testing of a potential 5 storey building envelope on 10-12 Spencer Street show this site could achieve a FSR of 1.8:1. The SGL testing also shows that, by separating the sites, reducing the FSR on 10-12 Spencer Street and maximising development with the building envelopes, a much higher FSR is occurring on 79-81 Queens Road and 2-8 Spencer Street. For example, using the current maximum building envelopes, the Indicative Design Concept is achieving a FSR of around 3.7:1. SGL's independent testing of a potential building envelope at 79-81 Queens Road and 2-8 Spencer Street show that development with a 5 storey podium, but with a lower 17 storey tower, would achieve a FSR of 3.3:1.

It is therefore recommended that if the two sites are split, and the overall FSR for both sites within Area 17 remains at 3:1, the maximum building envelopes for the tower and possibly the Queens Road podium of 79-81 Queens Road and 2-8 Spencer Street are lowered in height and/or have smaller ground floor footprints to ensure the required landscape and deep soils areas can be delivered, and the overshadowing of William Street Park is minimised.

Other

- The Indicative Design Concept is consistent with the required 8m setback William Street, the required 3m setbacks to Spenser Street and Queens Road and the required 6m desired through site link along the western boundary.
- The Indicative Design Concept proposes that vehicular access will be provided off Spencer Street. This is inconsistent with the vision for Spencer Street and vehicular access should preferably be provided off William Street. If this is not possible very careful design will be required to achieve a safe and attractive outcome for pedestrians along Spencer Street.
- The Indicative Design Concept provided indicates a that the Ground Floor takes up the majority of the two sites. It is not clear with this design how 30% of the site will be delivered as landscape area with 50% of this landscape area as deep soil.

Recommendations

The current minimum site area for Area 17 was established to achieve the desired future character identified in the Master Plan, DCP and LEP and this remains the preferred option. If this not possible there should be an expectation that non amalgamation may reduce the development potential and increase the costs and design complexity for both sites.

Some of the issues identified can be addressed by Architects during Design Competition and DA Design however the critical requirement is that building heights and setbacks established

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during the Planning Proposal stage are realistic and are able to deliver an appropriate urban form and an acceptable level of amenity for all sites and the adjacent public domain.

- If the minimum site area for Area 17 to achieve the bonus heights and FSR is reduced from 4,096m2 to 3,151m2 this should be conditional on a legal right of access being granted to 10-12 Spenser Street that ensures access across 79-81 Queens Road and 2-8 Spencer Street for trucks at Ground Level and access for vehicles at all basement levels.
- If Area 17 split into two sites, alternate built forms will need to be developed as the current DCP envelopes are based on an amalgamated site. This will require setbacks from the shared boundary between the sites of at least 3m for all built form that is over 5 storeys in height.
- A potential building envelope that considers the impact of ADG setbacks has been tested by SGL This testing suggests that the larger site, Area 17A which is 3,151m^2 should be able to accommodate a development with a FSR of 3.3:1 and Area 17B which is 962m^2 should be able to accommodate a development with a FSR of 1.8:1. The two sites combined would then have a FSR of 3:1.
- Both the Indicative Design Concept and the SGL testing show that a twenty-storey building is not needed to achieve the maximum FSR on Area 17A. This means the building could be lower in height (approximately 17 storeys) and/or have a lower podium along Queens Road and smaller ground floor footprint to minimise overshadowing and ensure landscape and deep soils areas can be delivered.
- It is noted that removing the bonus Height and FSR permissible from 10-12 Spenser Street may reduce the possibility of amalgamation of the two sites in the future.
- It is recommended that an additional clause is added to the LEP for Area 17 which identifies the alternate minimum site area, heights and FSRs if the sites cannot be amalgamated. Alternate detailed DCP building envelopes should also be created.

Sincerely yours,

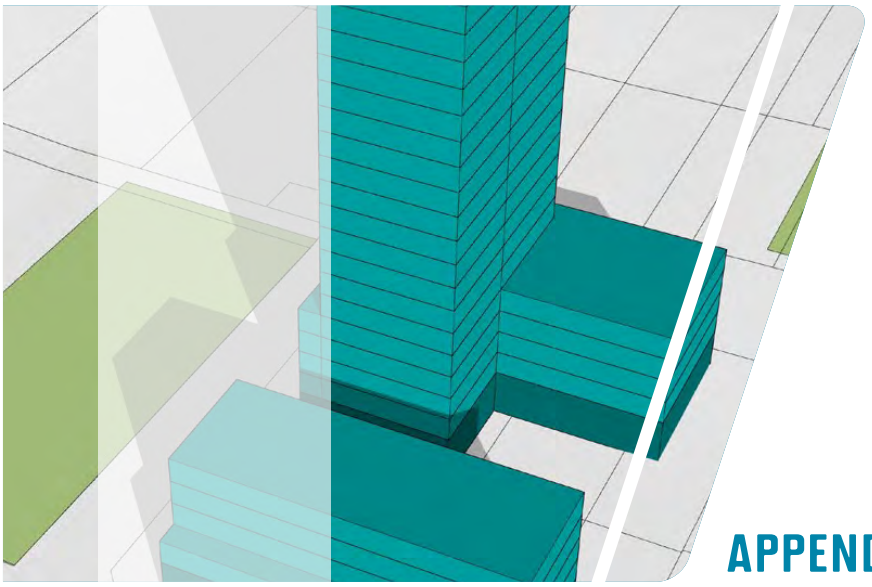
Diana Griffiths

B. Arch, MURP (Hons), RPIA (Fellow),
RUDA, Recognised Practitioner in Urban Design (UK)
Director of Urban Design
Studio GL Pty Ltd

Attachments

Studio GL testing of the following

- Current DCP Building Envelopes,
- Proposed Building Envelopes and
- Potential Building Envelope.



APPENDIX

Appendix

DCP Scheme

The DCP PRCUTS Stage 2 Scheme is shown in the figures below.

Total GROSS Site Area	4,118 m²
Site 17A Area	3,153 m²
Site 17B Area	964 m²

Site 17A Total GFA	**11,281 m²**
Site 17A Total FSR	**3.6 : 1**
Site 17B Total GFA	**1,454 m²**
Site 17B Total FSR	**1.5 : 1**

Total GROSS FSR	**3.1 : 1**

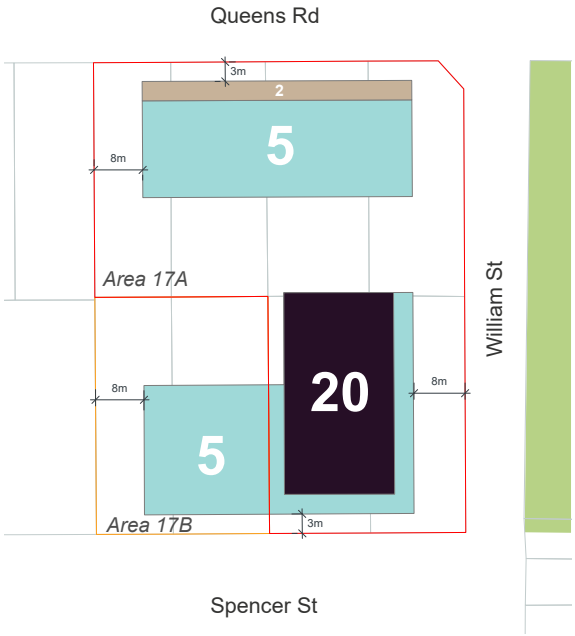


Figure 3 DCP Plan

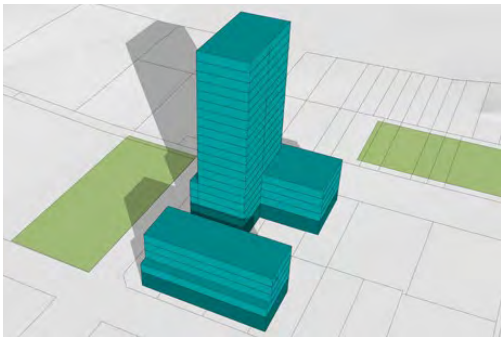


Figure 4 South-western View: DCP

Figure 2 North-eastern: DCP

Appendix

PP Reference Scheme

Key information about the Planning Proposal Reference Design is shown below, including building heights, FSR and building envelopes based on modelling prepared by Studio GL.

Total GROSS Site Area	4,118 m²
Site 17A Area	3,153 m²
Site 17B Area	964 m²

Site 17A Total GFA	**11,616 m²**
Site 17A Total FSR	**3.7 : 1**
Site 17B Total GFA	**1,887 m²**
Site 17B Total FSR	**2.0 : 1**

Total GROSS FSR	**3.3 : 1**

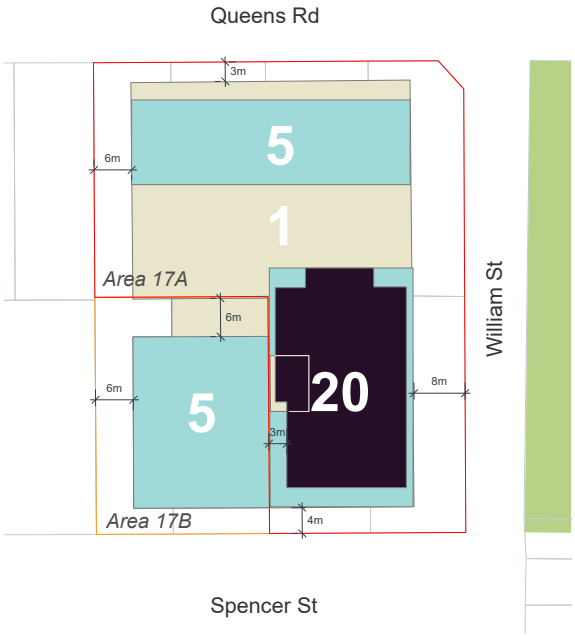


Figure 7 Planning Proposal Plan

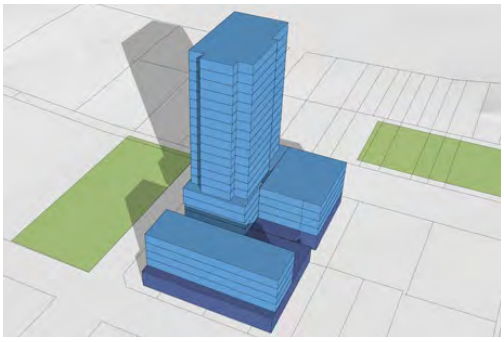


Figure 5 South-western View: Planning Proposal

Figure 6 North-eastern View: Planning Proposal

Appendix

SGL Potential Alternate Scheme

Key information reflecting a potential alternate SGL scheme is shown below, including building heights, FSR and building envelopes.

Total GROSS Site Area	4,118 m²
Site 17A Area	3,153 m²
Site 17B Area	964 m²

Site 17A Total GFA	**10,430 m²**
Site 17A Total FSR	**3.3 : 1**
Site 17B Total GFA	**1,762 m²**
Site 17B Total FSR	**1.8 : 1**

Total GROSS FSR	**3.0 : 1**

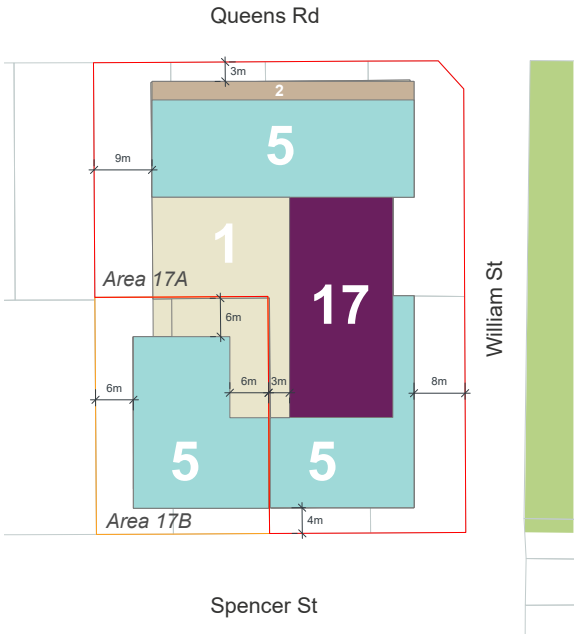


Figure 10 SGL Potential Alternate Scheme Plan

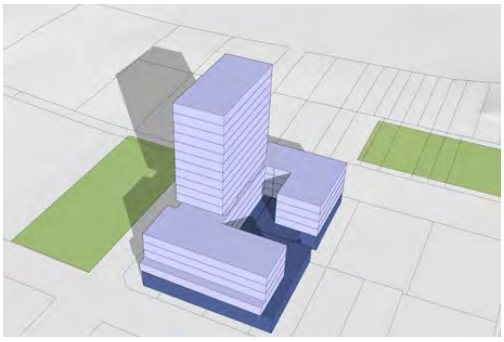


Figure 8 South-western View: SGL Potential Alternate

Figure 9 North-eastern View: SGL Potential Alternate

19th December 2024

Att: Daniel Tusa
Develotek
Level 10/97-99 Bathurst St,
Sydney NSW 2000

Hi Daniel,

As discussed during our call earlier today, please see below summary of communication with the property owners and key developments regarding 10-12 Spencer Street, Five Dock:

• On 10 August 2023, an offer of $8,125,000 was submitted to the property owners via registered post.

• Following multiple follow-ups and conversations, the vendor confirmed their lack of interest in the offer or selling the property.

• On 12 October 2023, Develotek submitted a revised offer of $10,500,000 directly to the vendors via email and registered post. Despite several follow-ups by both myself and Develotek, the vendor reiterated their lack of interest in selling.

• On 17 May 2024, during a conference call, the vendors, Develotek, and I discussed the possibility of pursuing a joint Development Application (DA). The vendor indicated they would require their lawyer to review any documentation. Develotek offered to cover all associated costs, including legal reviews and the preparation of the DA.

• On 6 June 2024, Develotek sent the vendor a detailed plan for producing a joint DA to align with the council's master plan objectives, with no cost to the vendor.

• On 4 July 2024, Develotek followed up to discuss the proposed plan but received no response.

• On 24 July 2024, Develotek spoke with the vendor, who stated that pursuing either a joint DA or property acquisition would be a waste of time.

• No further discussions have taken place since this communication.
If you or the council require additional information, official copies of offers, or further clarification on the above, please do not hesitate to contact me directly.

Regards,

Rocco Tripodi
Principal Director

M 0407 771 655

Belle Property Commercial
PO Box 384, Enmore NSW 2042
02 9519 9888

RT Property Group Pty Ltd
ABN 45 609 443 110
Bellecommercial.com/inner-west

TITAN ADVISORY GROUP

Ref: 24VAL-156

19 December 2024

Alex Lekovski – Development Manager
Develotek
Level 10, 97-99 Bathurst Street,
SYDNEY NSW 2000

By email: alex@develotek.com.au

Dear Alex,

RE: Valuation for Isolation Purposes – 10-12 Spencer Street Five Dock

Please find below preliminary advice relating to this matter in preparation for isolation purposes.

Introduction: I have been instructed by Mr Alex Lekovski of Develotek to provide value calculations in relation to the existing industrial use and on the basis of a future development in isolation in accordance with a planning package provided.

Existing Use: The Subject Land is currently used as a leased industrial property improved with a two level industrial duplex of brick and metal construction built circa 1980s.

The building comprises a two level industrial building with ancillary office accommodation. Additionally, the land comprises 2 attached high clearance industrial units with a mezzanine office space. Upon aerial imagery, the total floor area amounts to 920 m^2.

Lease Information: The Subject Property is fully occupied with a current lease to Akasha Brewing Company Pty Ltd with a current passing rental of $173,679 per annum + GST. The lease expires on 31 October 2028

Subject Property	
Commencement Date:	1 November 2023
Terminating Date	31 October 2028
Commencing Rental:	$172,679.88 per annum + GST
Term:	5 Years
Option:	5 Years
Outgoings:	100% of the total outgoings (payable by the lessee)
Passing Rent:	$172,679.88 per annum + GST
Lessee:	Akasha Brewing Company Pty Ltd
Lessor:	Roy Sacchetti & Charles Sacchetti
Permitted Use	Microbrewery and tasting room

Valuation – Existing Use: In forming my advice, I have considered the general industrial market in the inner western suburbs of Sydney. I have also considered several leased investments that have transacted during 2024.

I note that there is a paucity of evidence in recent months however discussions with active real estate agents in this location indicate generally static market conditions from the start of 2024. I have relied on several sales which are summarized below:

Address	Sale Price/ Contract Date	Land Area/ Building	Yield
153 Parramatta Rd, North Strathfield	11/03/2024 $23,000,000	5,960m^2 4,216m^2	4.78%
130 Tennyson Rd Mortlake	25/09/2023 $3,800,000	442.6m^2 634m^2	3.90%
10 Chapel St, Marrickville	28/03/2024 $2,260,000	416m^2 390m^2	3.43%
60 Silverwater Rd, Silverwater	17/05/2024 $4,100,000	1,057m^2 674m^2	2.90%

Having regard to the above sales, I have applied a yield of 4.0% as appropriate. This has resulted in a capitalized value for the Subject Property of $5,750,000.

The supporting calculation to derive the value based on the current rental of the Subject Property is annexed to this report.

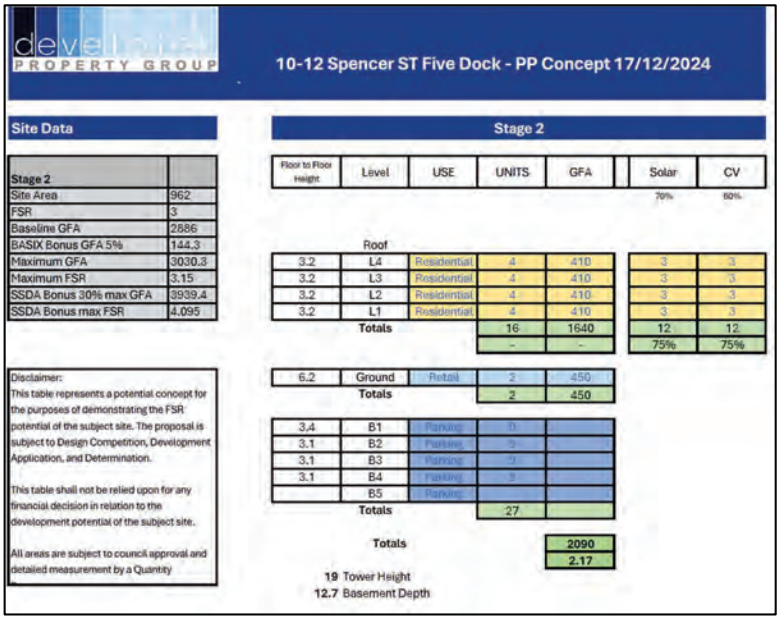
Valuation - Development Site:

I have also been instructed to provide an alternative valuation as a potential development site. To assist in calculating the valuation on this basis, I have been provided with a Planning Package which identifies the Subject Property to have a developable floor space of 2,090m^2, (representing a 2.17:1 FSR on the site area).

A copy of this planning package is also annexed to this valuation advice for review.

An extract of the Summary sheet identifying the potential floor space over the Subject Property is shown below:

TITAN ADVISORY GROUP



10-12 Spencer ST Five Dock - PP Concept 17/12/2024

Site Data

Stage 2	
Site Area	962
FSR	3
Baseline GFA	2886
BASIX Bonus GFA 5%	144.3
Maximum GFA	3030.3
Maximum FSR	3.15
SSDA Bonus 30% max GFA	3939.4
SSDA Bonus max FSR	4.095

Disclaimer:
This table represents a potential concept for the purposes of demonstrating the FSR potential of the subject site. The proposal is subject to Design Competition, Development Application, and Determination.

This table shall not be relied upon for any financial decision in relation to the development potential of the subject site.

All areas are subject to council approval and detailed measurement by a Quantity

Stage 2

Floor to Floor Height	Level	USE	UNITS	GFA	Solar 70%	CV 80%
	Roof					
3.2	L4	Residential	4	410	3	3
3.2	L3	Residential	4	410	3	3
3.2	L2	Residential	4	410	3	3
3.2	L1	Residential	4	410	3	3
	Totals		16	1640	12	12
			-	-	75%	75%
6.2	Ground	Retail	2	450		
	Totals		2	450		
3.4	B1	Parking	11			
3.1	B2	Parking	9			
3.1	B3	Parking	7			
3.1	B4	Parking	8			
	B5	Parking				
	Totals		27			
	Totals			2090		
				2.17		

19 Tower Height
12.7 Basement Depth

Valuation Calculations:

As stated earlier in this advice, the valuation of the Subject Property based on an isolated site has been considered to have a potential 2,090m^2.

I have applied this to an adopted GFA rate, having reference to sales evidence available in the surrounding locations. There is limited available evidence transacted in the Canada Bay LGA and surrounding LGA's. This is particularly evident for larger development sites.

I have relied upon sales evidence from the neighbouring locations of Ashbury, Dulwich Hill and Burwood for comparison.

These are summarised in the following schedule:

TITAN ADVISORY GROUP

Address	Sale Price/ Contract Date	Area/ GFA	GFA Rate $/m²
1a Hill St, Dulwich Hill	22/02/2022 $19,800,000	2,883m² 6,609m²	$2,846/m²
25 Burwood Rd, Burwood	9/10/2022 $6,500,000	505.8m² 1,517m²	$4,026/m²
20-24 Railway Pde & 2-4 Burleigh St, Burwood	10/02/2023 $28,750,000	1,315.2m² 7,891.2m²	$3,643/m²
52 Ramsay Rd, Five Dock	01/04/2022 $13,800,000	1,668.3m² 4,173m²	$2,976/m²
98-100 Wentworth Rd & 9-11 Oxford St, Burwood	14/11/2024 $6,200,000*	968m² 2,904m²	$2,135/m²
10-16 Stanley St, Burwood	18/12/2024 $11,000,000	1,485m² 2,970m²	$3,704/m²
251-257 Maroubra Rd, Maroubra	8/11/2024 $19,630,000	2,779m² 6,114m²	$3,210/m²
161-165 Botany Rd, Waterloo	13/06/2023 $9,900,000	690.5m² 2,879.25m²	$3,438/m²

** Under Exchange – Sale price subject to confirmation..*

The sales evidence provide for a range per metre for potential floor space of between $2,135/m² and $4,026/m². The upper limit of this range being for the smallest site in a highly sought after location.

Having regard to the sales adopted, I have adopted a rate of $4,000/m² as appropriate.

The calculation to determine the compensation payable for the Subject Property is as follows:

2,090m² x $4,000/m² = $8,360,000
Potential GFA x Rate ($/m²) = Market Value

Reconciliation of valuations:

There is a significant variance between the two valuations with the existing use value of $5,750,000 substantially lower than the value of the property as a development site of $8,360,000 in accordance with the planning proposal.

There is a significant financial benefit to redevelop the Subject Property in accordance with the planning proposal for future mixed use deelopment.

I trust this is suitable to your requirements. If there are any questions regarding this advice, please do not hesitate to contact the author directly.

Prepared By:

Angelo Konidaris
Director

TITAN ADVISORY GROUP

Annexure 1 – Capitalisation Calculation

Capitalisation Approach					
Net Market Rent (fully let):					$230,240
	Less Outgoings				$0
Net Market Rent:					**$230,240**
Capitalised					@ 4.00%
Capitalised Value (before adjustments):					$5,755,996
Capital Adjustments:					
	Letting Up	3.0 mths			-($14,390)
	Leasing Fees	@ 8.5%			-($4,893)
	Essential Repairs				$0
	Sub-Total:				-($19,283)
Total Market Value:					$5,736,713
Current Market Value:		*Rounding*	*$50,000*		**$5,750,000**
Sensitivity Analysis:					
Net Market Annual Income:			$230,240	$230,240	$230,240
Capitalised			@ 4.25%	**@ 4.00%**	@ 3.75%
Capitalised Value:			$5,417,408	**$5,755,996**	$6,139,729
Capital Adjustments:			-($19,283)	**-($19,283)**	-($19,283)
Total Market Value:			$5,398,125	**$5,736,713**	$6,120,446
Market Value Range:			**$5,400,000**	**$5,750,000**	**$6,100,000**

Annexure 2 – Planning Package

Planning Proposal

79-81 Queens Rd & 2-8 Spencer Street Five Dock NSW 2046

Sheet List - Planning Proposal

Sheet Number	Sheet Name
PP000	Cover Page
PP001	Proposed Site Plan
PP002	Proposed DCP Envelope Plan
PP099	Basement Floorplans
PP100	Ground Floor Plan
PP101	Level 1 Floorplan
PP102	Level 2 Floorplan
PP103	Level 3 Floorplan
PP104	Level 4 Floorplan
PP105	Level 5 Floorplan
PP106	Lower Tower Floorplan
PP107	Upper Tower Floorplan
PP200	PP Elevations - Sheet 1
PP201	PP Elevations - Sheet 2
PP300	Proposed Section - William Street
PP400	Shadow Diagrams
PP401	Solar Access - Sun Eye Diagrams DCP
PP402	Solar Access - Sun Eye Diagrams PP

Projected Design Management

Queens & William Five Dock Planning Proposal

Revision Schedule

Rev	Description	Date
1	DRAFT PLANNING PROPOSAL	16/07/2024
2	PLANNING PROPOSAL SUBMISSION	05/08/2024

General Notes

This drawing remains the property of Projected Design Management Pty Ltd (PDM). Any form of reproduction of the drawing in full or part without permission constitutes an infringement of copyright.

All dimensions are in mm and angles in degrees unless noted otherwise.

Notify PDM and seek clarification of inconsistencies or conflicts immediately upon discovery.

Concept Design Notes

This drawing is strictly for use as a concept design for discussion purposes only.

The design has not been assessed against the BCA, Australian Standards, SEPP65, Council LEP or DCP.

This drawing must not be used or relied upon for any planning application, financial decision, or construction.

North

Client: DPG Project 37 Pty Ltd

develNet PROPERTY GROUP

Project Title: MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046

Drawing Title: Cover Page

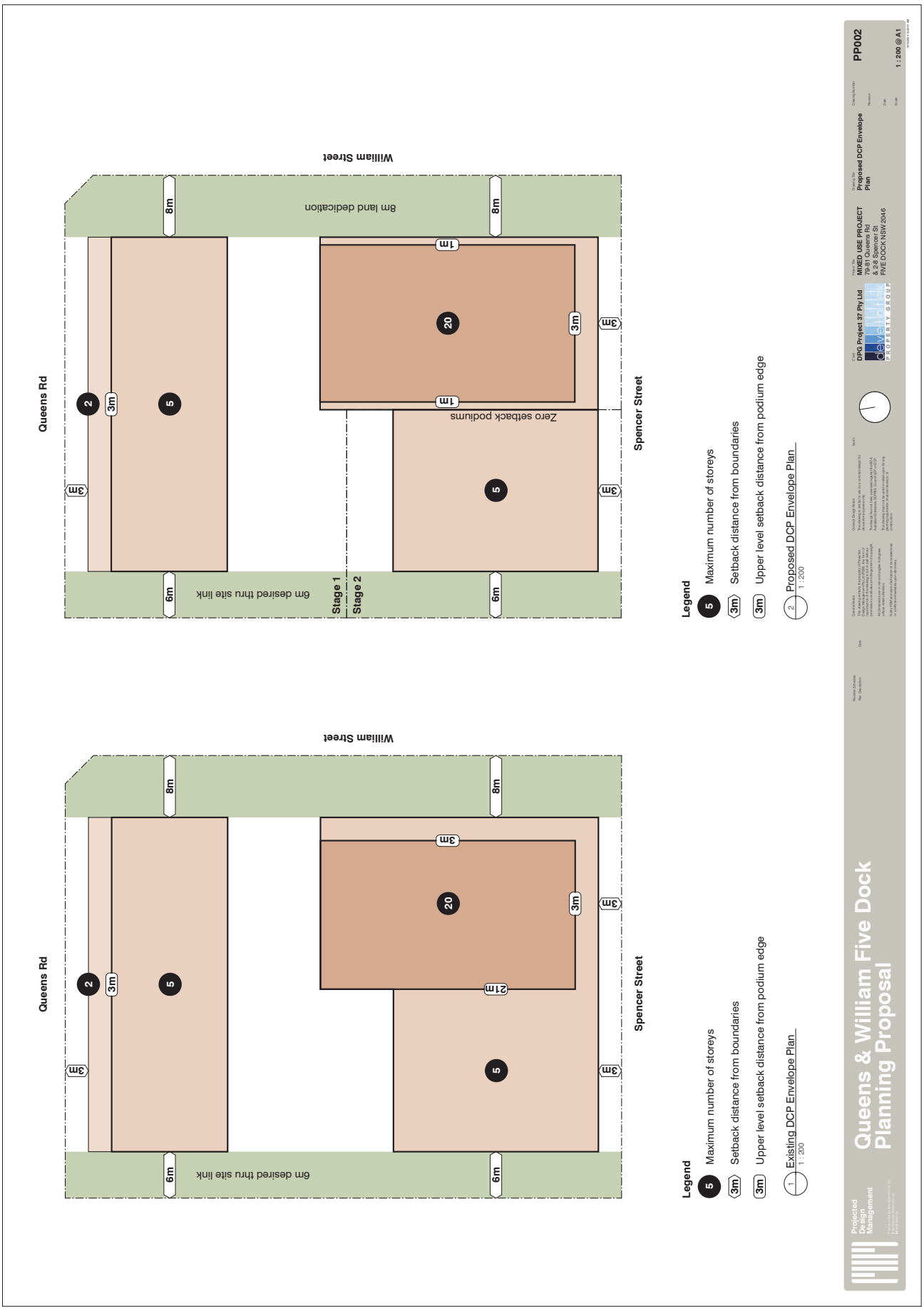
Drawing Number: PP000

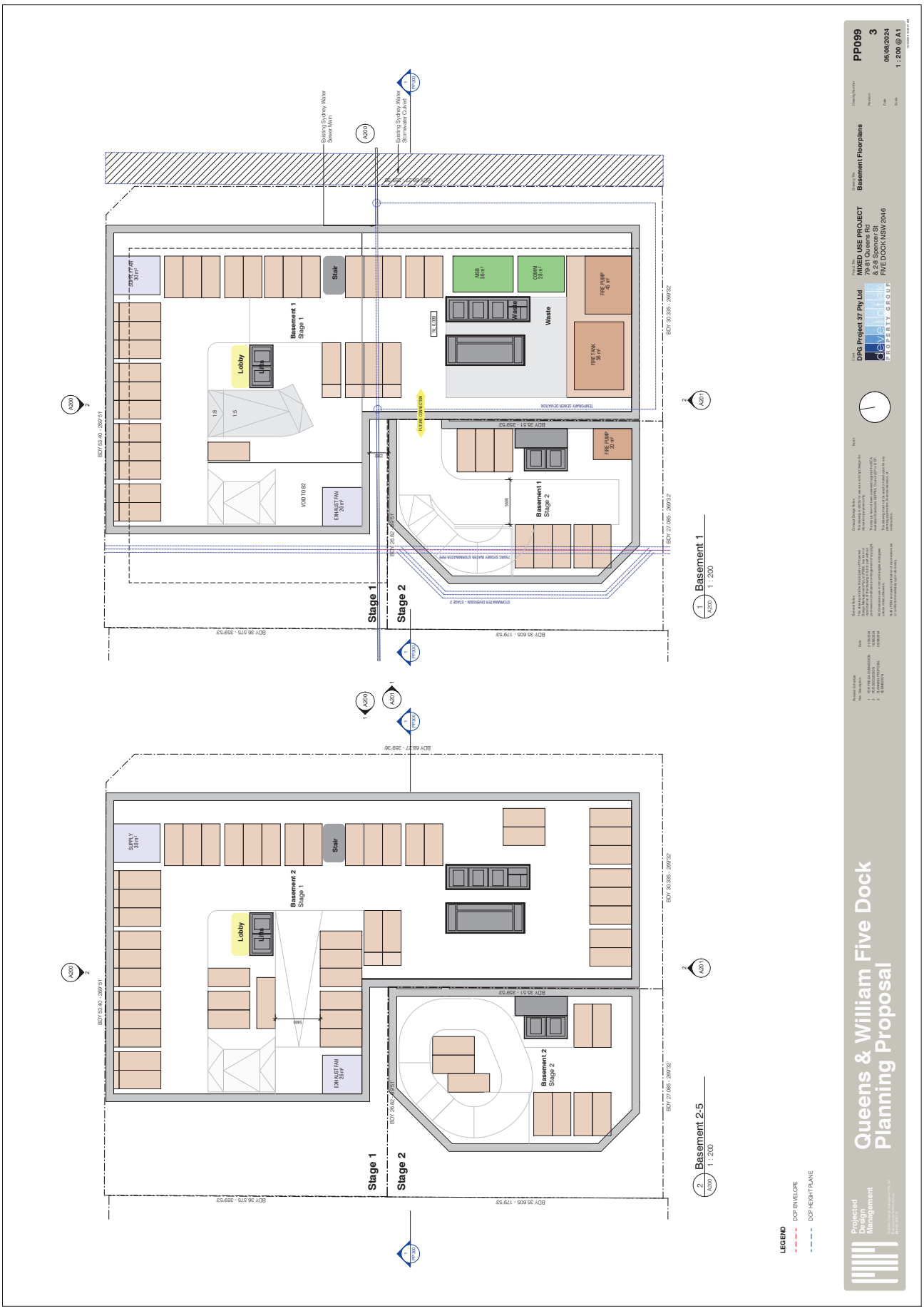
Revision: 2

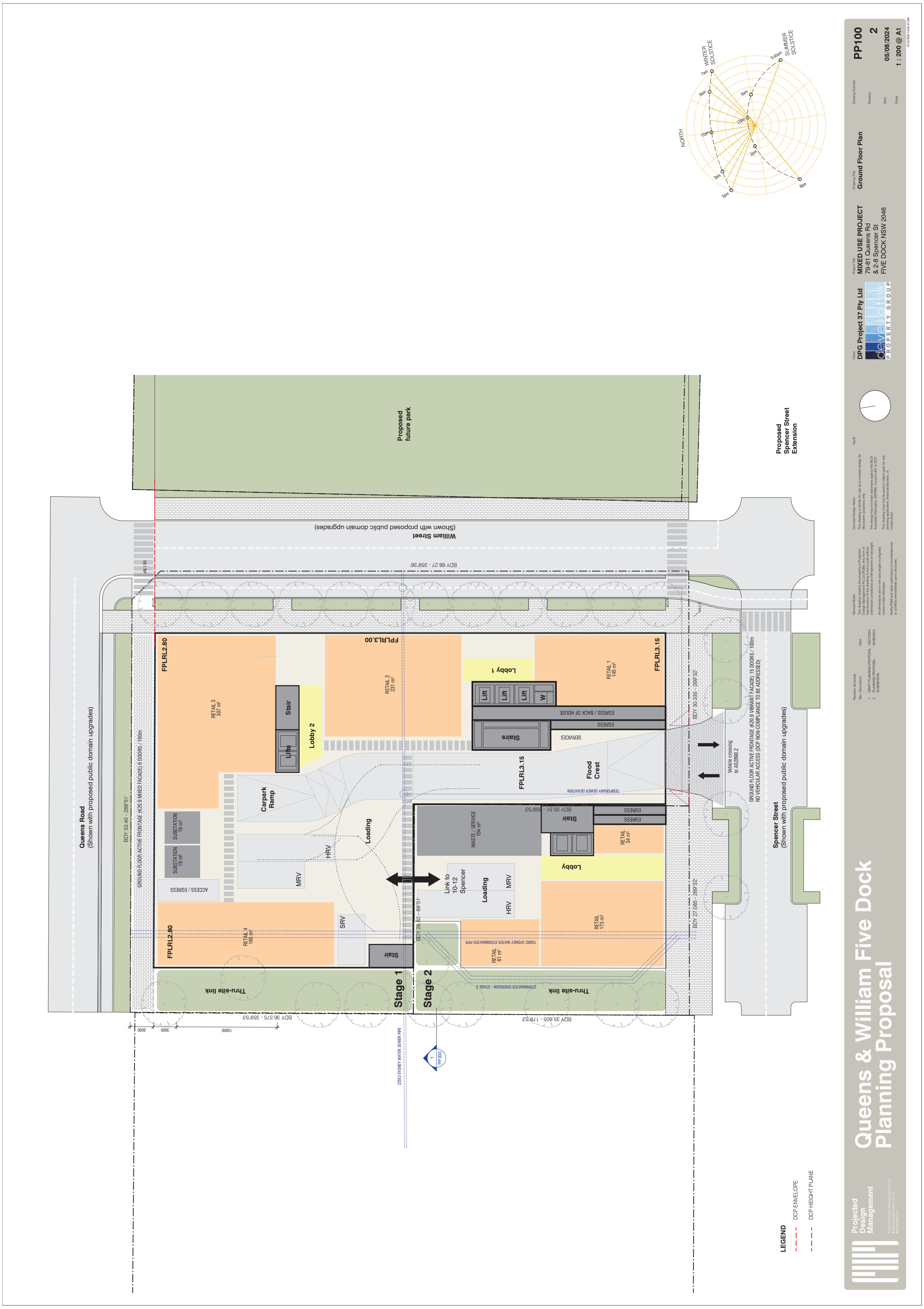
Date: 05/08/2024

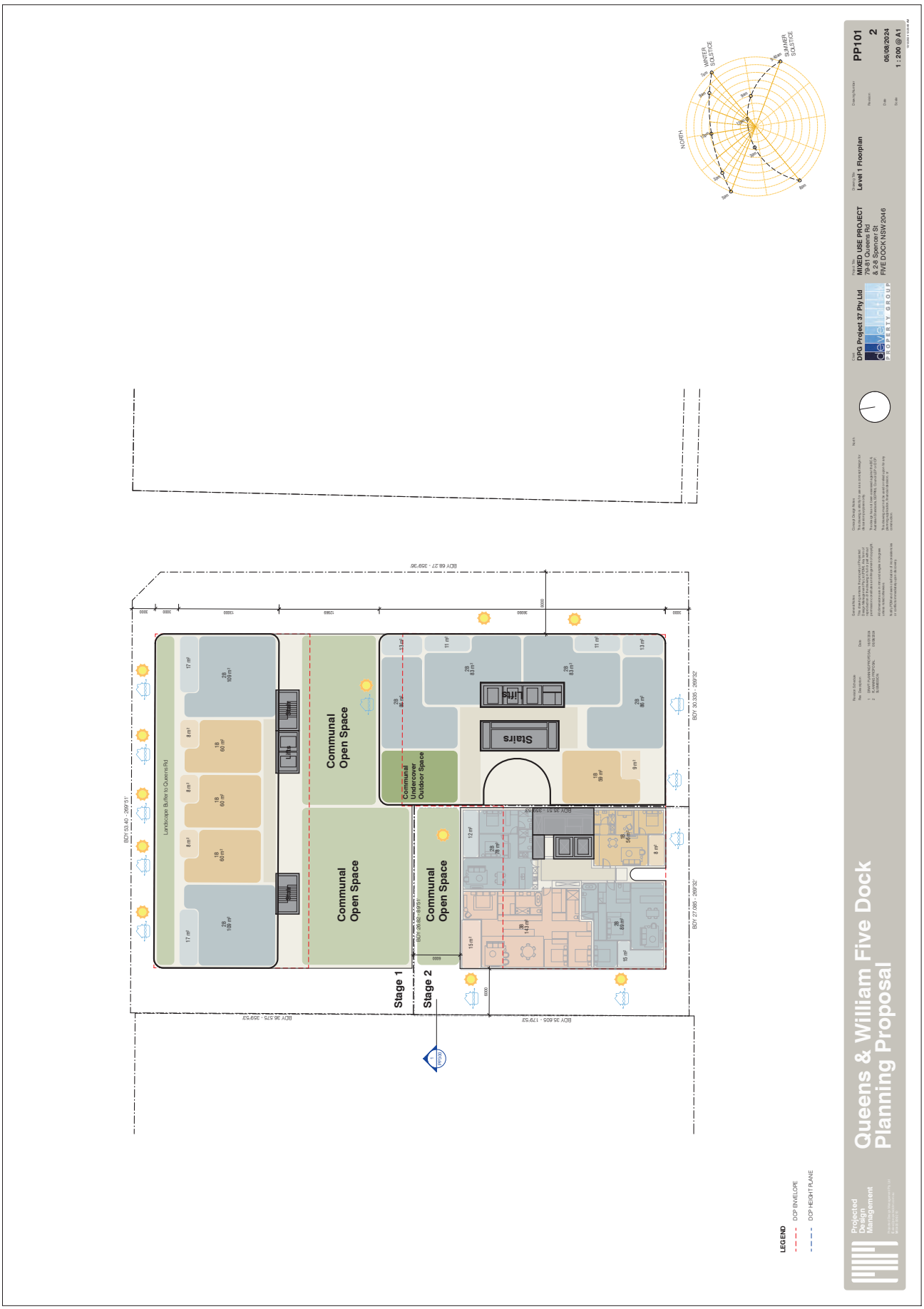
Scale: @ A1

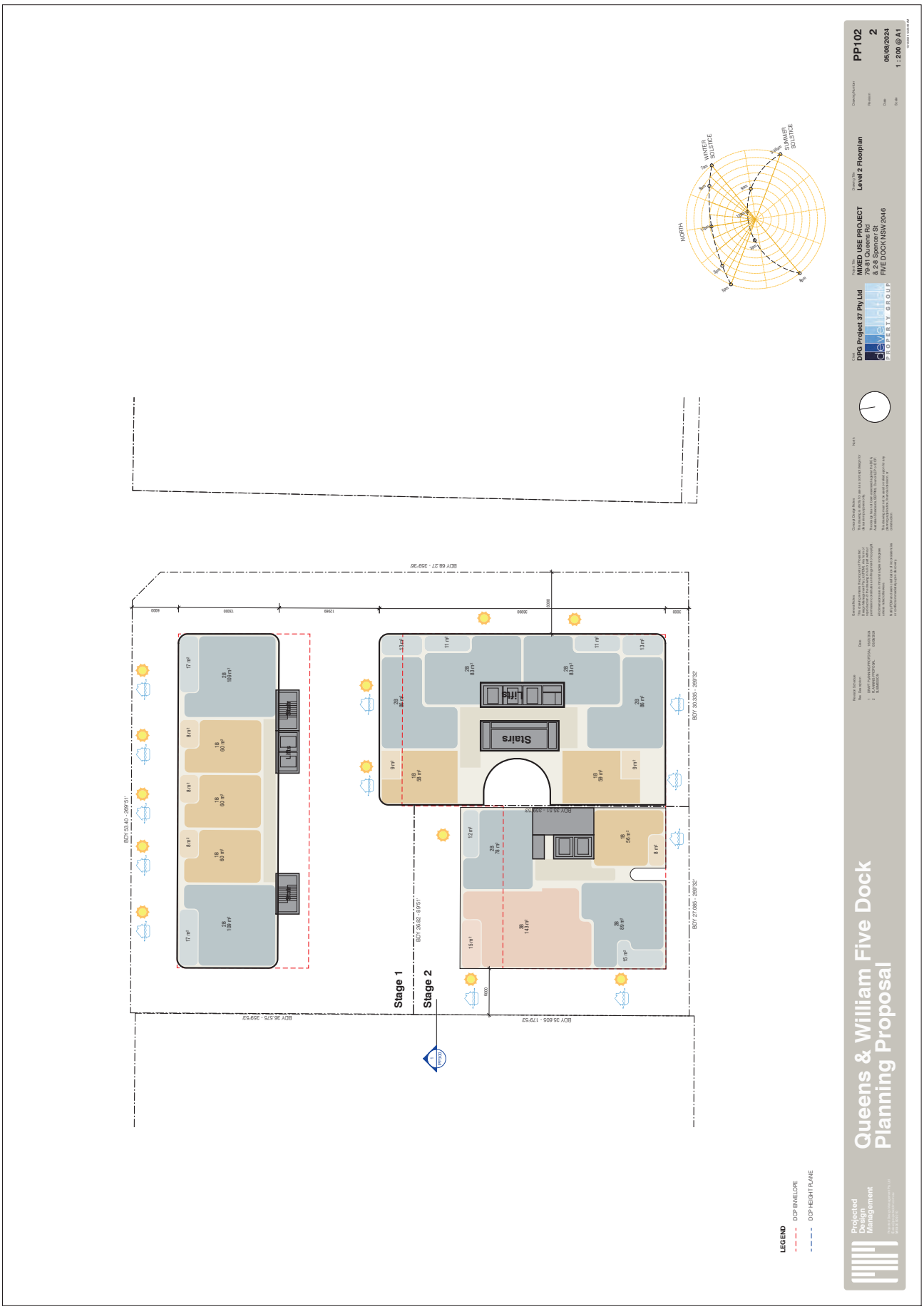

Queens & William Five Dock
Planning Proposal
Proposed Site Plan
PP001
2
10/06/2024
As indicated @ A1
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
William Street Park (Proposed)
Queens Road
Spencer Street
Open Space (Proposed)
Survey vs DP discrepancy
87.1m max HOB (DCP Section G-G) +8% (SEPP)
67m max HOB (DCP Section G-G)
Stage 1
Stage 2
DESIRED 6m SETBACK FOR THRU SITE LINK
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
1 DCP Site Plan - Part K20 Kings Bay
1 : 400
2 Proposed Site Plan - Planning Proposal - Staged
1 : 400
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE

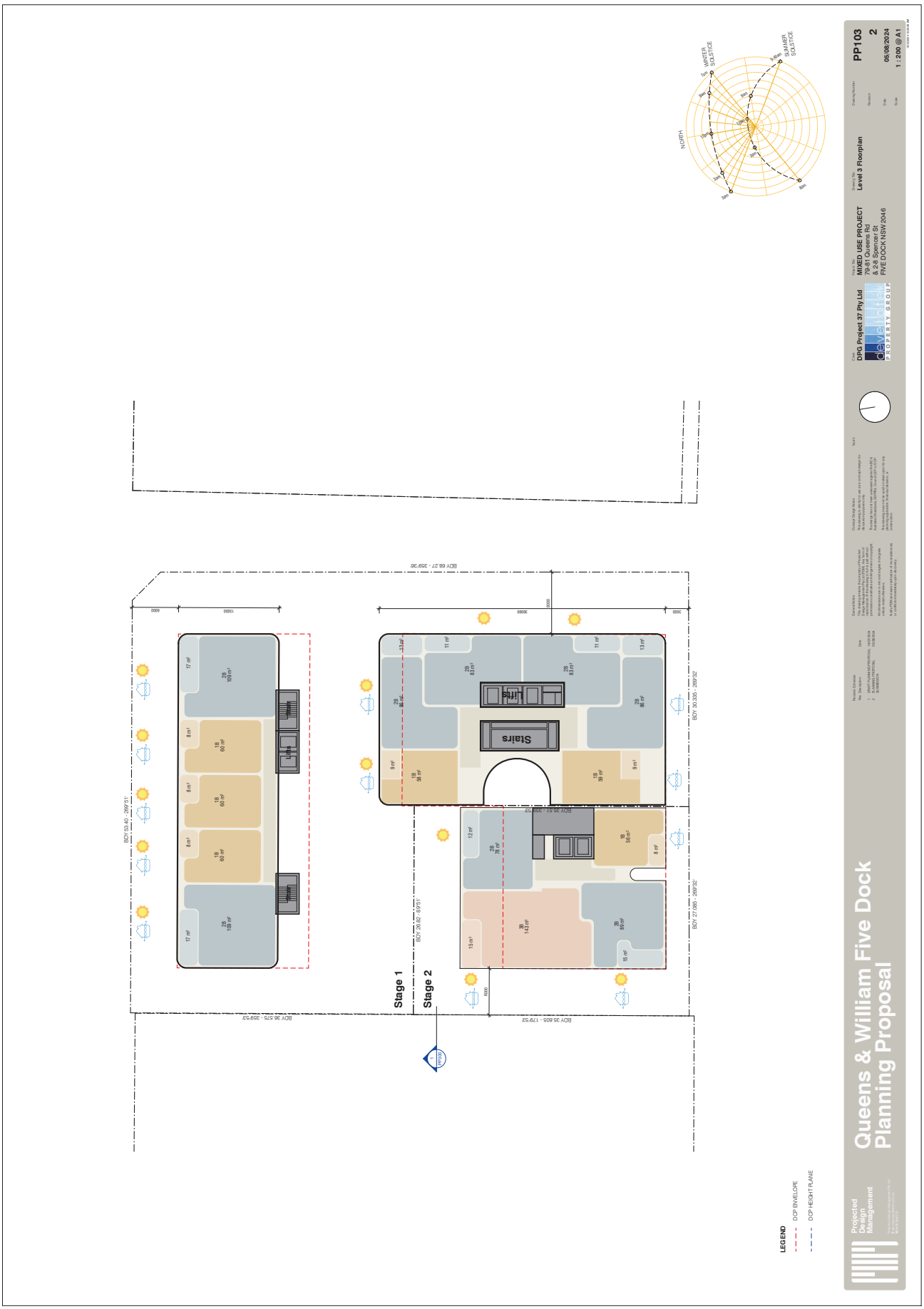

Queens & William Five Dock
Planning Proposal
Project Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Proposed DCP Envelope Plan
PP002
1 : 200 @ A1
Legend
5 Maximum number of storeys
3m Setback distance from boundaries
3m Upper level setback distance from podium edge
2 Proposed DCP Envelope Plan
1 : 200
William Street
8m land dedication
8m
Queens Rd
Spencer Street
Zero setback podiums
1m
20
3m
5
2
6m
Stage 1
Stage 2
Legend
5 Maximum number of storeys
3m Setback distance from boundaries
3m Upper level setback distance from podium edge
1 Existing DCP Envelope Plan
1 : 200
21m

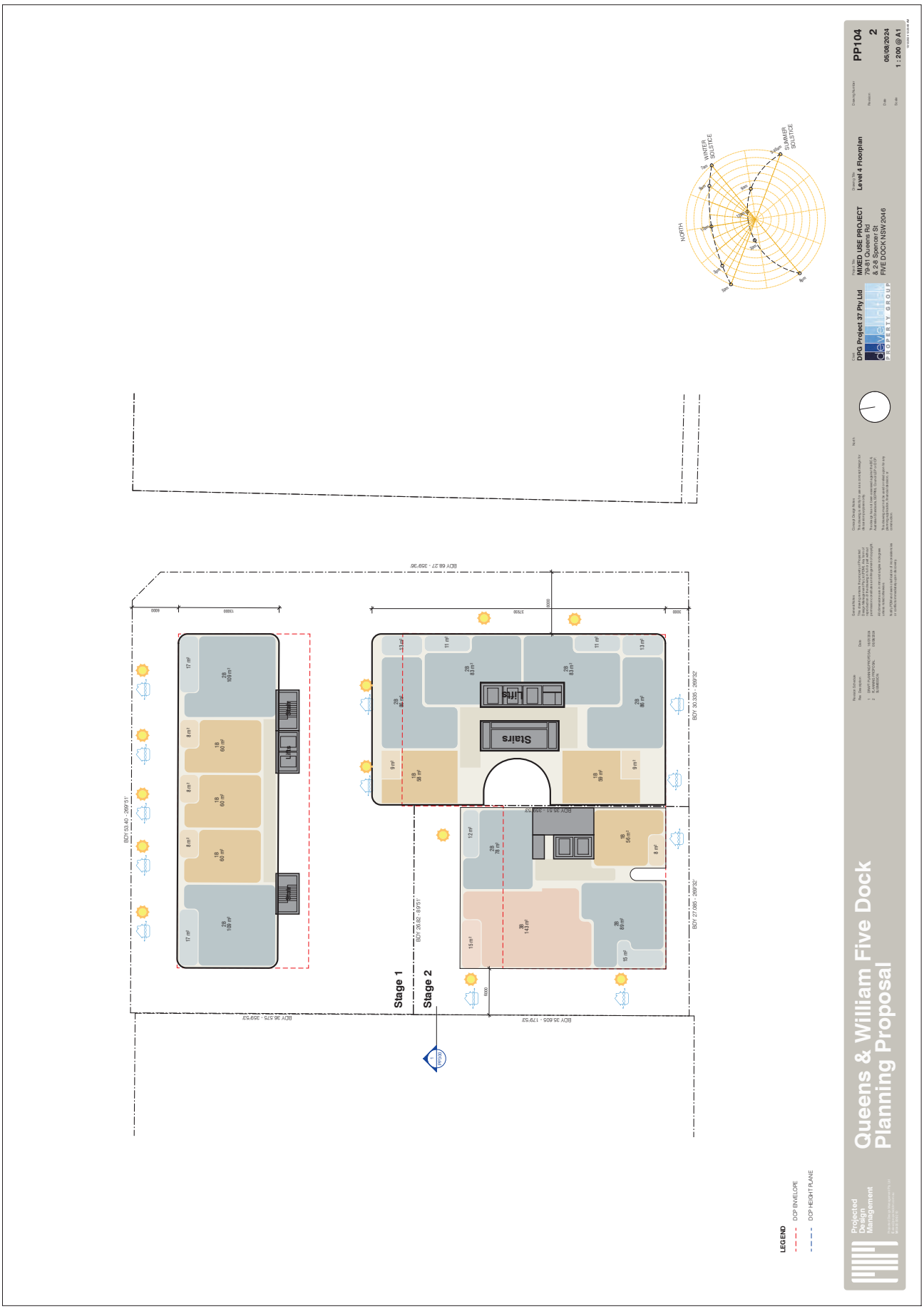

Queens & William Five Dock
Planning Proposal
Basement Floorplans
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP099
3
05.08.2024
1 : 200 @ A1
Basement 1
1 : 200
Basement 2-5
1 : 200
Stage 1
Stage 2
Lobby
Lifts
Stair
Waste
Basement 1 Stage 1
Basement 1 Stage 2
Basement 2 Stage 1
Basement 2 Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE

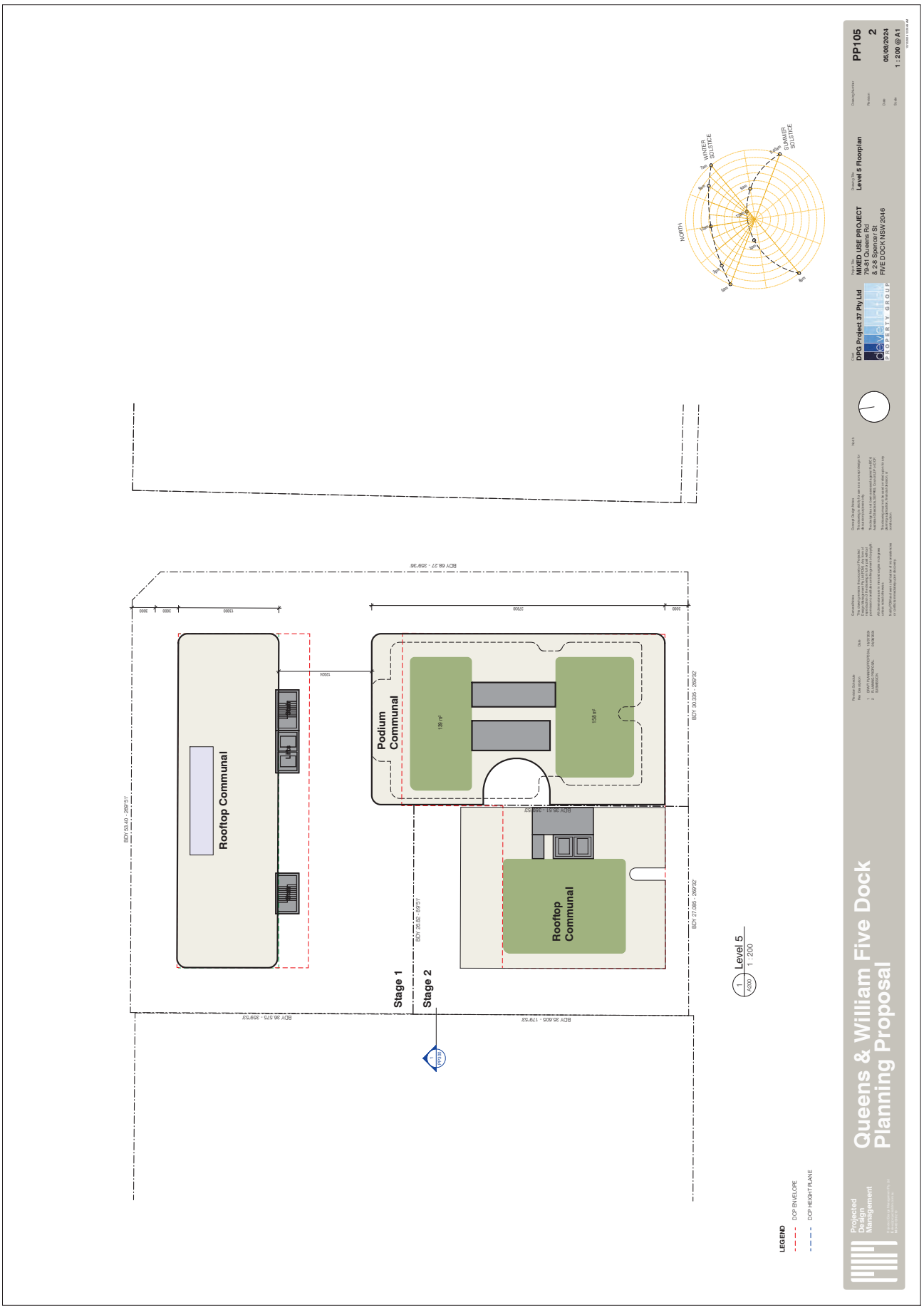

Queens & William Five Dock
Planning Proposal
Ground Floor Plan
PP100
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
05/08/2024
1 : 200 @ A1
Proposed future park
William Street
(Shown with proposed public domain upgrades)
Queens Road
(Shown with proposed public domain upgrades)
Spencer Street
(Shown with proposed public domain upgrades)
Proposed Spencer Street Extension
Stage 1
Stage 2
Thru-site link
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE

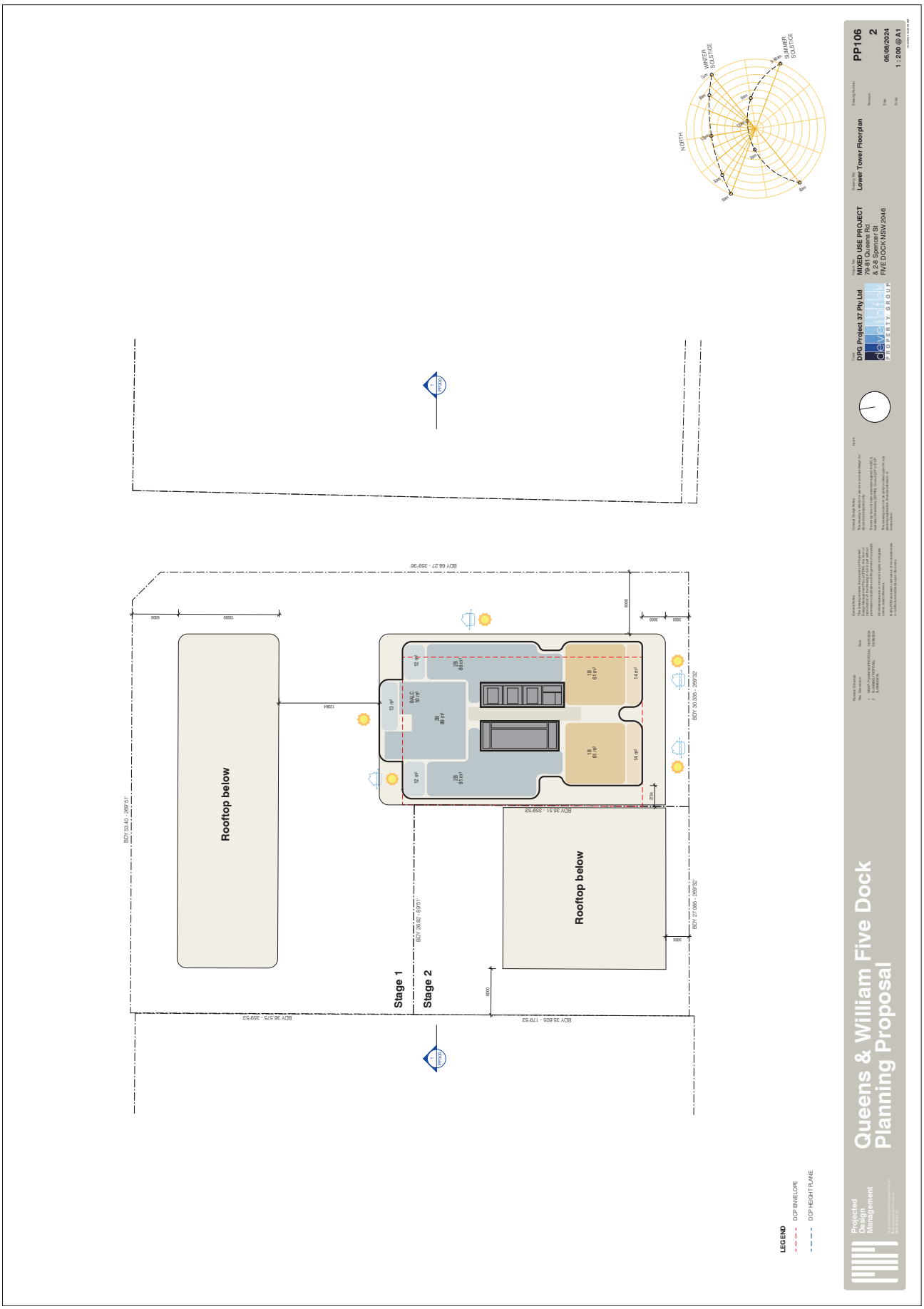

Communal Open Space
Communal Open Space
Communal Open Space
Communal Undercover Outdoor Space
Stairs
Lifts
Landscape Buffer to Queens Rd
Stage 1
Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Level 1 Floorplan
PP101
2
05.08.2024
1 : 200 @ A1
DPG Project 37 Pty Ltd
SUMMER SOLSTICE
WINTER SOLSTICE
NORTH

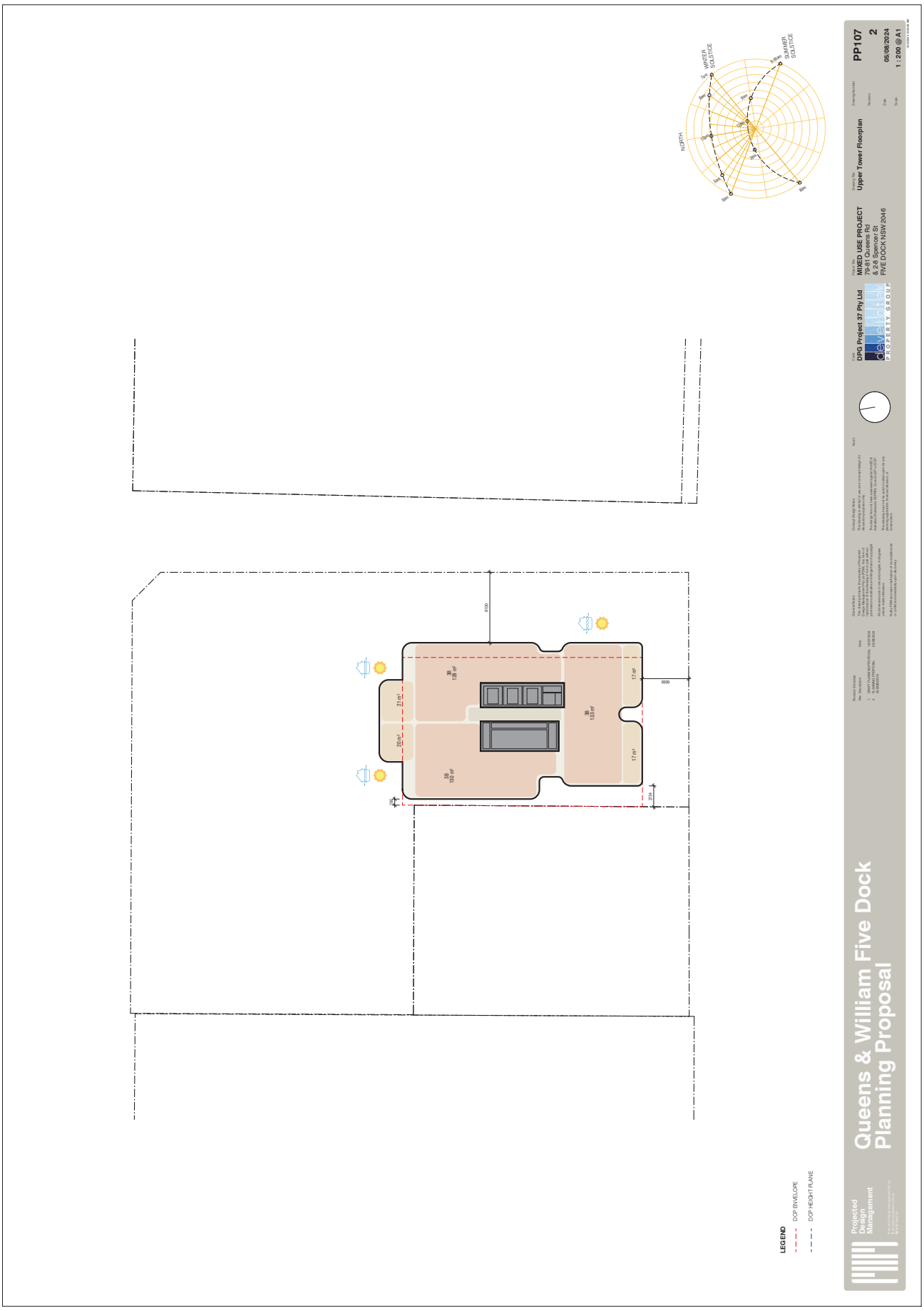

Queens & William Five Dock
Planning Proposal
Level 2 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP102
2
05.08.2024
1 : 200 @ A1
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stairs
Lifts
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE

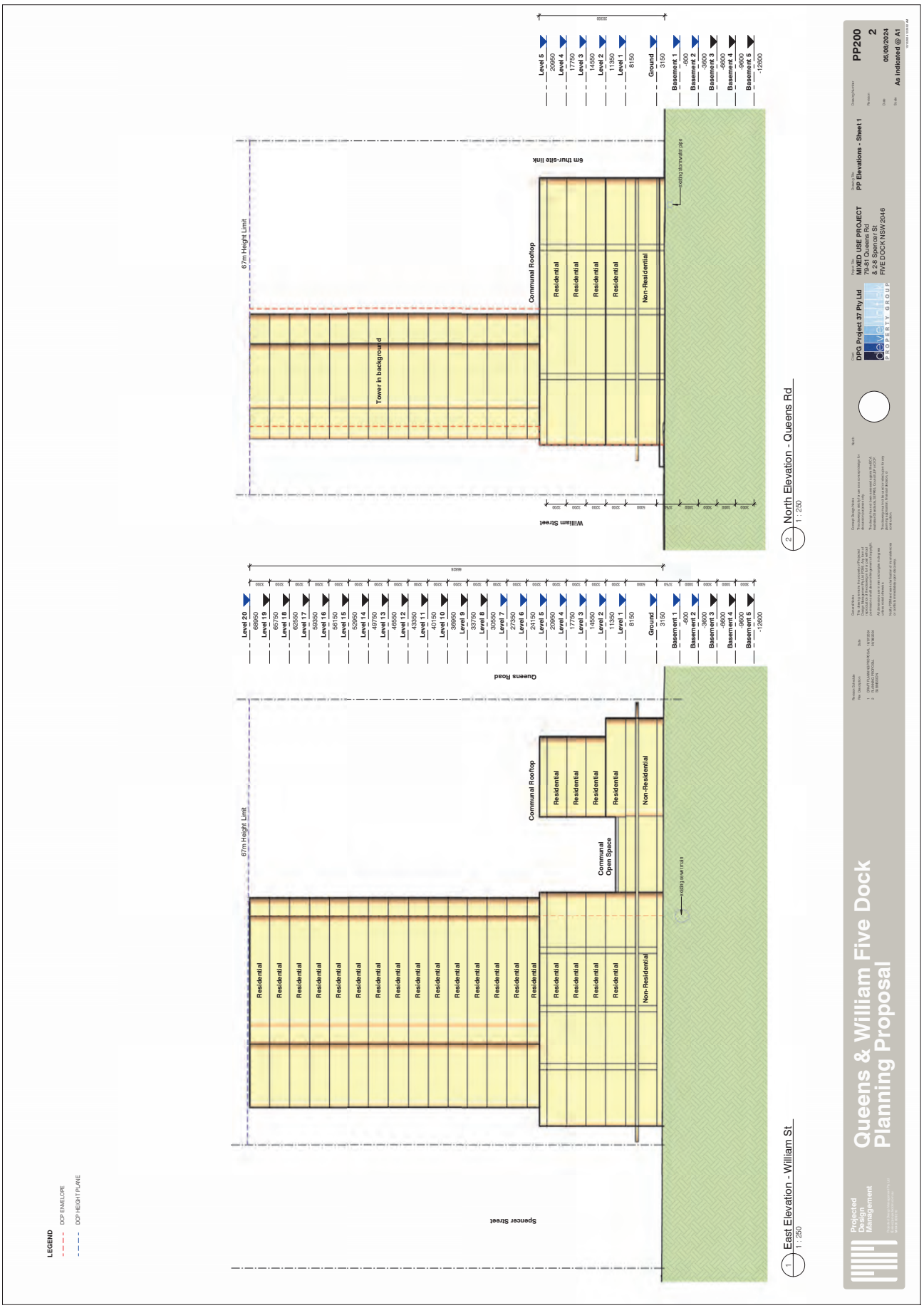

Queens & William Five Dock
Planning Proposal
Level 3 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP103
2
05.08.2024
1:200 @A1
Stage 1
Stage 2
Stairs
Lifts
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE

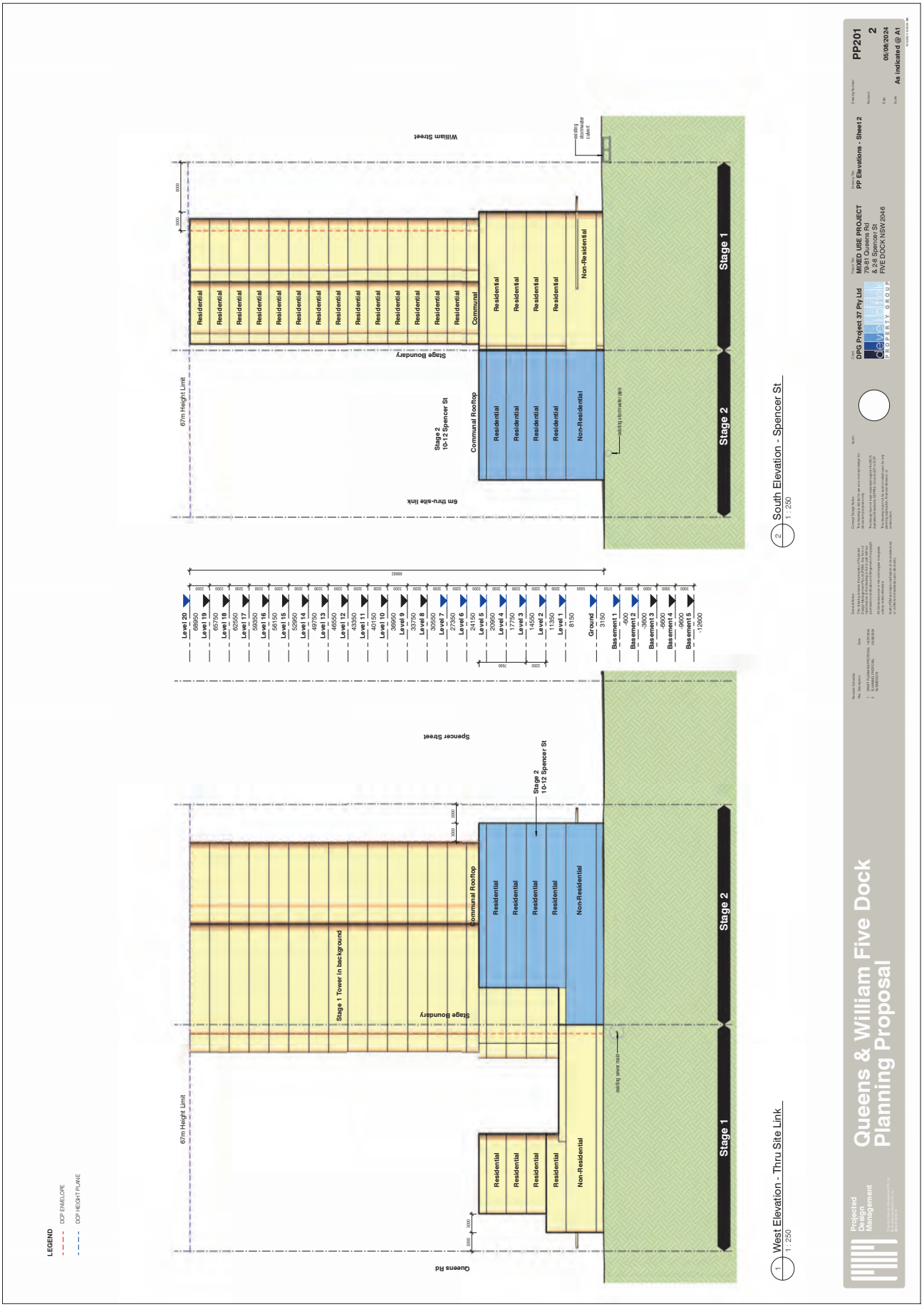

Queens & William Five Dock
Planning Proposal
Level 4 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP104
2
05.08.2024
1 : 200 @ A1
Stage 1
Stage 2
Stairs
Lifts
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE

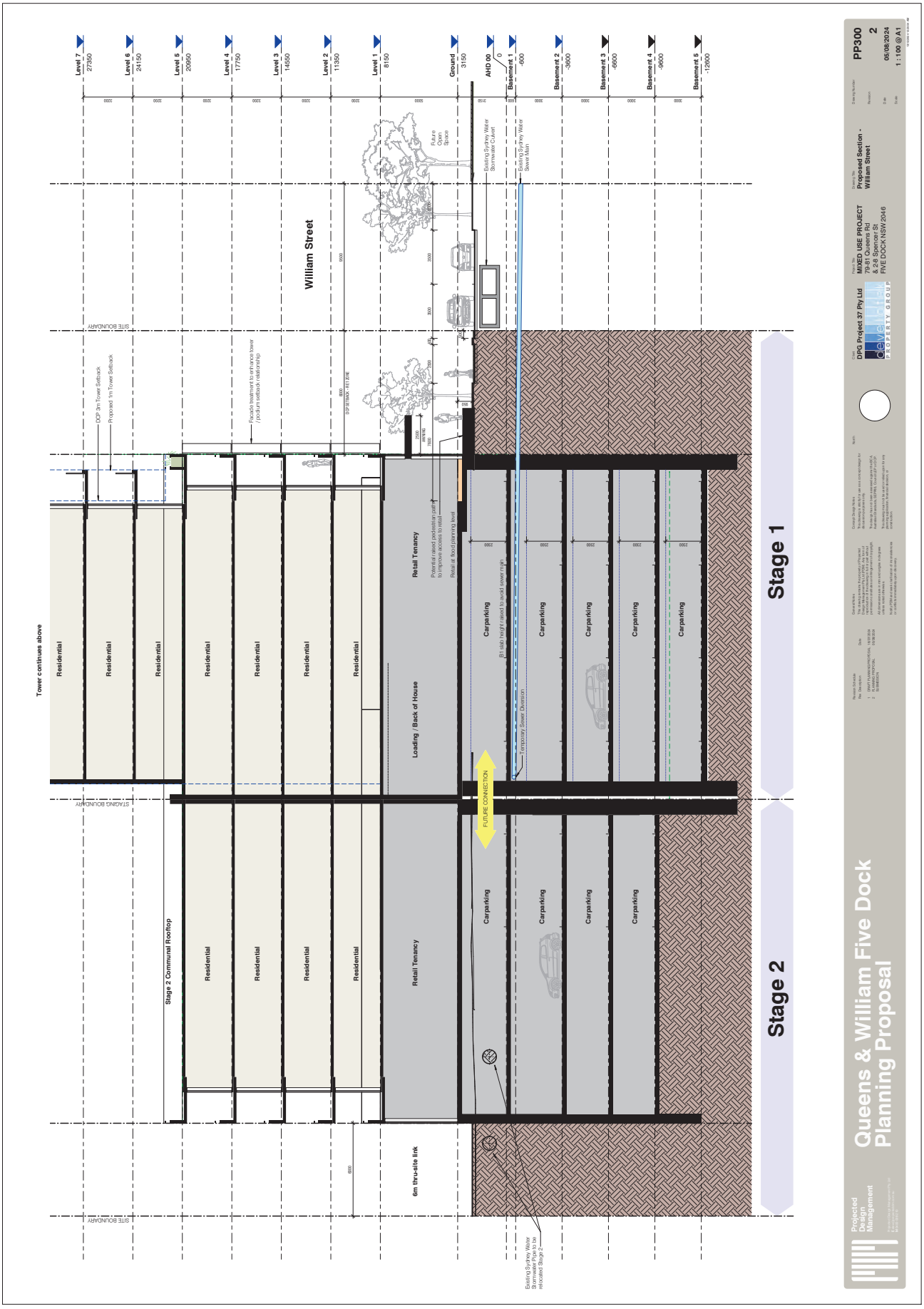

Rooftop Communal
Podium Communal
138 m²
168 m²
Rooftop Communal
Stage 1
Stage 2
Level 5
1 : 200
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Project Title
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Drawing Title
Level 5 Floorplan
Drawing Number
PP105
Revision
2
Date
05.08.2024
Scale
1 : 200 @ A1
Client
DPG Project 37 Pty Ltd
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE


Rooftop below
Rooftop below
Stage 1
Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Lower Tower Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP106
2
05.08.2024
1 : 200 @ A1


WINTER SOLSTICE
SUMMER SOLSTICE
NORTH
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Upper Tower Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
PP107
2
05.08.2024
1 : 200 @ A1


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 1
PP200
2
05.08.2024
As indicated @ A1
1 East Elevation - William St
1 : 250
2 North Elevation - Queens Rd
1 : 250
Spencer Street
Queens Road
William Street
67m Height Limit
Communal Rooftop
Communal Open Space
Residential
Non-Residential
6m Shar-site link
Tower in background
existing stormwater pipe
existing sewer main
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE


Queens & William Five Dock
Planning Proposal
1 West Elevation - Thru Site Link
1 : 250
2 South Elevation - Spencer St
1 : 250
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stage 1 Tower in background
Stage Boundary
Communal Rooftop
Residential
Non-Residential
Level 20
Level 19
Level 18
Level 17
Level 16
Level 15
Level 14
Level 13
Level 12
Level 11
Level 10
Level 9
Level 8
Level 7
Level 6
Level 5
Level 4
Level 3
Level 2
Level 1
Ground
Basement 1
Basement 2
Basement 3
Basement 4
Basement 5
67m Height Limit
Queens Rd
Spencer Street
William Street
6m thru-site link
Stage 2
10-12 Spencer St
existing stormwater pipe
existing stormwater culvert
existing sewer main
Project Designer
DPG Project 37 Pty Ltd
Project Title
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Drawing Title
PP Elevations - Sheet 2
Drawing Number
PP201
Revision
2
Date
05/08/2024
Scale
As indicated @ A1


Level 7 27350
Level 6 24150
Level 5 20950
Level 4 17750
Level 3 14550
Level 2 11350
Level 1 8150
Ground 3150
AHD 00 0
Basement 1 -600
Basement 2 -3600
Basement 3 -6600
Basement 4 -9600
Basement 5 -12600
William Street
SITE BOUNDARY
STAGING BOUNDARY
DCP 3m Tower Setback
Proposed 1m Tower Setback
Façade treatment to enhance tower / podium setback relationship
DRIVEWAY RETAINING WALL
Future Open Space
Existing Sydney Water Stormwater Culvert
Existing Sydney Water Sewer Main
Tower continues above
Residential
Retail Tenancy
Loading / Back of House
Potential raised pedestrian path to improve access to retail
Retail at flood planning level
Carparking
B1 slab height raised to avoid sewer main
Temporary Sewer Diversion
FUTURE CONNECTION
Stage 2 Communal Rooftop
6m thru-site link
Existing Sydney Water Stormwater Box relocated Stage 2
Stage 1
Stage 2
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Proposed Section - William Street
PP300
2
05.08.2024
1 : 100 @ A1


Queens & William Five Dock
Planning Proposal
Shadow - PP - 9am
Shadow - PP - 10am
Shadow - PP - 11am
Shadow - PP - 12pm
Shadow - PP - 1pm
Shadow - PP - 2pm
Shadow - PP - 3pm
DCP shadow dashed red
Stage 1
Stage 2
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Shadow Diagrams
PP400
2
05.08.2024
1 : 1200 @ A1


1 Sun Eye - 9am DCP
2 Sun Eye - 10am DCP
3 Sun Eye - 11am DCP
4 Sun Eye - 12pm DCP
5 Sun Eye - 1pm DCP
6 Sun Eye - 2pm DCP
7 Sun Eye - 3pm DCP
Queens & William Five Dock
Planning Proposal
Project Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Solar Access - Sun Eye
Diagrams DCP
PP401
3
05.08.2024
@ A1


1 Sun Eye - 9am PP
2 Sun Eye - 10am PP
3 Sun Eye - 11am PP
4 Sun Eye - 12pm PP
5 Sun Eye - 1pm PP
6 Sun Eye - 2pm PP
7 Sun Eye - 3pm PP
Queens & William Five Dock
Planning Proposal
Project Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 28 Spencer St
FIVE DOCK NSW 2046
Solar Access - Sun Eye
Diagrams PP
PP402
3
05.08.2024
@ A1

develotek PROPERTY GROUP

10-12 Spencer ST Five Dock - PP Concept 17/12/2024

Site Data

Stage 2	
Site Area	962
FSR	3
Baseline GFA	2886
BASIX Bonus GFA 5%	144.3
Maximum GFA	3030.3
Maximum FSR	3.15
SSDA Bonus 30% max GFA	3939.4
SSDA Bonus max FSR	4.095

Disclaimer:
This table represents a potential concept for the purposes of demonstrating the FSR potential of the subject site. The proposal is subject to Design Competition, Development Application, and Determination.

This table shall not be relied upon for any financial decision in relation to the development potential of the subject site.

All areas are subject to council approval and detailed measurement by a Quantity

Stage 2

Floor to Floor Height	Level	USE	UNITS	GFA		Solar	CV
						70%	60%
	Roof						
3.2	L4	Residential	4	410		3	3
3.2	L3	Residential	4	410		3	3
3.2	L2	Residential	4	410		3	3
3.2	L1	Residential	4	410		3	3
	Totals		16	1640		12	12
			-	-		75%	75%
6.2	Ground	Retail	2	450			
	Totals		2	450			
3.4	B1	Parking	0				
3.1	B2	Parking	9				
3.1	B3	Parking	9				
3.1	B4	Parking	9				
	B5	Parking					
	Totals		27				
	Totals			**2090**			
				2.17			

19 Tower Height
12.7 Basement Depth

Atlas Economics

20 March 2025

Helen Wilkins
City of Canada Bay Council

Sent via email: helen.wilkins@canadabay.nsw.gov.au

Dear Helen,

Re: 3B-11 Loftus St, 1-5 Burton St and 10-12 Gipps St, Concord - Affordable Housing Contributions Analysis

The City of Canada Bay Council (**Council**) has received a planning proposal for 3B-11 Loftus Street, 1-5 Burton Street and 10-12 Gipps Street, Concord (**the Site**) from Think Planners on behalf of LFD Concord Pty Ltd (**the Proponent**). The Site measures approximately 8,360sqm and is comprised of 14 single dwelling allotments. The planning proposal contemplates:

- Rezoning from R2 Low Density Residential to R4 High Density Residential.
- Amending the maximum FSR to 5:1.
- Amending the maximum building height to 75m.
- Amending Schedule 1 to include additional permitted uses of restaurant and café.

The planning proposal is accompanied by a draft letter of offer to enter a Voluntary Planning Agreement (**VPA**).

- 4% of total GFA delivered as affordable housing in perpetuity to Council or a community housing provider (**CHP**).
- Publicly accessible and embellished landscaped through-site links (north-south and east-west).
- Publicly accessible and embellished park.

Atlas Economics (**Atlas**) is engaged by Council to review the proposed contribution to Affordable Housing and provide advice whether it is reasonable and represents value-for-money. This is referred to as '**the Review**'.

Atlas has provided advice to Council since Parramatta Road Corridor Urban Transformation Strategy (**PRCUTS**) Stage 1. Atlas prepared a feasibility analysis for PRCUTS Stage 2 in 2024, identifying the Affordable Housing contribution rates that could apply to sites therein.

Scope and Purpose

The objective of the Review is to assess if the proposed Affordable Housing contribution (4%) is reasonable.

Atlas reviewed the planning proposal (as submitted) as well as an urban design review by Studio GL commissioned by Council. The capacity of the Site to contribute is underpinned by the development that will ultimately be permitted and undertaken.

The Review considers the financial feasibility of development and carries out the following:

- Review of the Site in its existing use to assess its existing-use-value (i.e. the opportunity cost of land).
- Feasibility modelling of development as proposed and as recommended in the urban design review (by Studio GL).
- Assessment of the capacity of the Site to contribute to Affordable Housing in a VPA.

For development to be feasible to undertake, a site's value as a development opportunity must exceed its value in existing use, and also provide an incentive for the existing uses to be displaced. The value of the Site in its existing use is also referred to the opportunity cost of land, i.e. the value that is foregone if the Site were to be rezoned and redeveloped.

LIMITATIONS AND ASSUMPTIONS

Atlas highlights the necessity for assumptions and acknowledges the limitations of a desktop analysis such as this.

- Searches of titles, plans or planning certificates have not been carried out.
- A desktop estimate of site value in existing use is made. We have not carried out site visits nor sighted any financial information (e.g. tenancy schedules, leases, option deeds).
- Generic feasibility modelling is based on numerical assumptions applied to conceptual development yields.
- Generic feasibility modelling is based on high-level revenue and cost assumptions and does not consider nuances of a site typically considered in detailed feasibility analysis.
- The feasibility analysis assumes there are no extraordinary costs (e.g. contamination, geotechnical constraints, asbestos removal, etc.) that would be applicable in a development of the Site.

Atlas would be pleased to revisit the analysis should further site information be received from the Proponent.

Proposed Development and Urban Design Review Recommendations

The planning proposal contemplates various buildings that range in height from 8 to 23 storeys. An urban design review by Studio GL makes a series of recommendations to improve the design, amenity and land use outcomes. **TABLE 1** summarises key parameters of the planning proposal and Studio GL's recommendations which include reduction in the overall density of development.

TABLE 1: Development Yields (Proposed and Recommended)*

PARAMETERS	PLANNING PROPOSAL	STUDIO GL
FSR	4.2:1**	3.0:1
RESIDENTIAL GFA (SQM)	34,960	24,972
NON-RESIDENTIAL GFA (SQM)	371	314
TOTAL GFA (SQM)	35,331	25,286
DWELLINGS	387	277
CAR SPACES	383	275
NUMBER OF STOREYS	8, 20, 23	8, 10, 15

*some parameters are approximated based on Planning Proposal metrics

**while the planning proposal notes an FSR of 5:1, analysis by Studio GL observes the built form that is equivalent to FSR 4.2:1

FIGURE 1 and **FIGURE 2** show the proposed distribution of building heights and those recommended by Studio GL.

FIGURE 1: Proposed Buildings and Storeys

Figure 45 South-western View: Planning Proposal

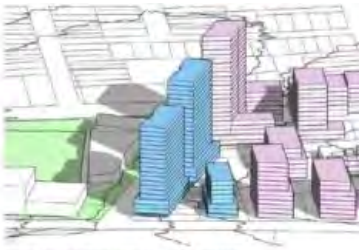


Figure 46 Southern View: Planning Proposal

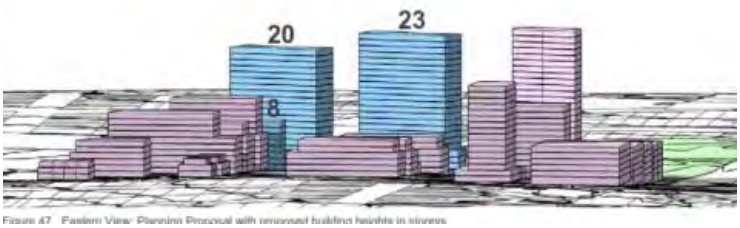


Figure 47 Eastern View: Planning Proposal with proposed building heights in storeys

Source: extracted from Studio GL

FIGURE 2: Recommended Buildings and Storeys

Figure 49 South-western View: SGL Recommendation

Figure 50 Southern View: SGL Recommendation

Figure 51 Eastern View: SGL Recommendation with proposed building heights in storeys

Source: Studio GL

Existing-use Value of the Site

The value of the Site is underpinned by the substantial size of the land, its location, the utility of the existing single dwellings.

The Site is comprised of 14 single dwellings of varying allotment sizes, ranging from 329sqm to 1,000sqm in area. The values of single dwellings in the locality can range from $2 million to $5 million, with influencing factors including location, block size, quality and size of the improvements (i.e. number of bedrooms, bathrooms, etc.). When analysed on a dollar rate per square metre of overall improved site area, the sale prices generally reflect a range as summarised in **TABLE 2**.

TABLE 2: Single Dwellings Existing-use Values, Concord

BLOCK SIZE (SQM)	AVERAGE SALE PRICE		ANALYSIS ($/SQM IMPROVED SITE AREA)	
	Low	High	Low	High
250-350	$1,700,000	$2,500,000	$6,800	$7,200
400-500	$1,800,000	$2,600,000	$4,500	$5,200
500-600	$2,100,000	$2,800,000	$4,200	$4,700
600-800	$2,800,000	$5,000,000	$4,700	$6,000

Source: Atlas

The analysis of sale prices against lot sizes is relevant to the feasibility analysis as there is an inverse relationship between the value of land (with a single dwelling) and block size. That is, the larger the block, generally the lower the property value (per square metre of site area). This has direct implications for the cost of land to a developer.

The Review ascribes existing-use values generally between $2.2 million and $3.2 million per dwelling, with larger lots between $3.5 million and $4.5 million, before any premium incentive/ inducement to the landowner. This averages $3.2 million per dwelling and is equivalent to approximately $6,000/sqm and $7,000/sqm of overall improved site area for smaller blocks and $4,000/sqm to $5,000/sqm for larger blocks. This is based on an analysis of market activity; the sales of a selection of single dwellings are contained in Schedule 1.

A premium of 30% is assumed as inducement to incentivise sale. This amount is intended to cover the cost of stamp duty for a replacement property elsewhere as well as incidental expenses. The premium is equivalent to an average of $800,000 per dwelling. Including the allowance for a premium, the cost of land assumed averages $4.0 million per dwelling.

The assumed cost of land, which is comprised of the estimated value of the single dwellings plus a premium equates to $55.4 million.

Generic Feasibility Analysis

The feasibility analysis utilises the residual land value or hypothetical development approach which assumes a gross realisation for the completed development, deducting all development costs and makes a further deduction for profit and risk. The residual land value (RLV) that remains is the value of the Site as a development site. If the RLV exceeds the assumed cost of land $55.4 million, the development is considered feasible.

TESTED SCENARIO

This modelling tests two development scenarios to observe the capacity (affordability) to contribute to items of public benefit (Moreton Street extension and affordable housing contributions) in a VPA. The tested scenarios are - 'as proposed' and 'as recommended' by Studio GL

TABLE 3: Development Yields Modelled

PARAMETERS	PLANNING PROPOSAL	STUDIO GL
FSR	4.2	3.0
RESIDENTIAL GFA (SQM)	34,960	24,972
NON-RESIDENTIAL GFA (SQM)	371	314
TOTAL GFA (SQM)	35,331	25,286
DWELLINGS	387	277
1 BEDROOM	20%	20%
2 BEDROOM	60%	60%
3 BEDROOM	20%	20%
CAR SPACES	341	243

The feasibility modelling was informed by property market research into sales activity of residential and mixed-use developments. This provided insight into sale prices that could be achieved for completed residential units and commercial space on the Site.

Key performance indicators relied upon are hurdle rates (development margin and project IRR). Benchmark hurdle rates and their 'feasible' ranges are indicated in **TABLE 4**.

TABLE 4: Benchmark Hurdle Rates

PERFORMANCE INDICATOR	FEASIBLE	MARGINAL TO FEASIBLE	NOT FEASIBLE
DEVELOPMENT MARGIN	>20%	18%-20%	<18%
PROJECT RETURN (IRR)	>18%	17%-18%	<17%

Source: Atlas

BEFORE AFFORDABLE HOUSING CONTRIBUTIONS

Before considering contributions to items of public benefit, Atlas modelled a scenario where no public benefits are made (**TABLE 5**).

TABLE 5: Modelling Outcomes (before Public Benefit Contributions)

PARAMETERS	PLANNING PROPOSAL	STUDIO GL
FSR	4.2	3.0
RESIDENTIAL GFA (SQM)	34,960	24,972
NON-RESIDENTIAL GFA (SQM)	371	314
TOTAL GFA (SQM)	35,331	25,286
DWELLINGS	387	277
ASSUMED COST OF LAND	$55,375,000	$55,375,000
RESIDUAL LAND VALUE (RLV)	$105,334,838	$68,723,278
DEVELOPMENT MARGIN	18%-20%	18%-20%
FEASIBLE?	Yes	Yes

Source: Atlas

The modelling suggests that the proposed development (as submitted) has an RLV of $105.3 million. This is equivalent to $3,000/sqm GFA which is consistent with the prices paid for development sites (**TABLE S1-2**).

The smaller development scheme (as recommended by Studio GL) is also feasible, with the RLV of $68.7 million ($2,740/sqm GFA) while lower, also exceeding the assumed cost of land of $55.4 million.

AFTER AFFORDABLE HOUSING CONTRIBUTIONS

In this section, contributions to items of public benefit are tested. These are:

- Road extension to Moreton Street, estimated at a cost of $1,120,000[1].
- Affordable Housing contributions.

There are two methods in which affordable housing contributions could be made. These include:

- As a cash contribution at the current dollar amount of $12,222/sqm residential GFA.
- As completed dwellings that are gifted to Council or nominated CHP. In this scenario, the gross residential revenue is reduced by the proportion contributed. This assumes that a proportion of residential GFA will be constructed by the Proponent and on completion 'gifted' to Council or a CHP.

After iterative testing of different affordable housing contribution rates, the Review finds under the Studio GL recommended scheme, the development could have capacity to make a 4% affordable housing contribution along with delivering Moreton Street extension.

Under the proposed scheme equivalent to FSR 4.2:1, the testing finds the development could have the capacity to make a 10% contribution affordable housing along with delivering an extension to Moreton Street.

TABLE 6 shows the impact of contributions to public benefit on the feasibility of development.

TABLE 6: Modelling Outcomes (after Affordable Housing Contributions)

PARAMETERS	STUDIO GL		PLANNING PROPOSAL	
AFFORDABLE HOUSING	**DWELLINGS (4%)**	**CASH (4%)**	**DWELLINGS (10%)**	**CASH (10%)**
FSR	3.0:1	3.0:1	4.2:1	4.2:1
RESIDENTIAL GFA (SQM)	24,972	24,972	34,960	34,960
NON-RESIDENTIAL GFA (SQM)	314	314	371	371
TOTAL GFA (SQM)	25,286	25,286	35,331	35,331
DWELLINGS	277	277	387	387
AFFORDABLE HOUSING	$13,776,898	$12,107,822	$48,314,545	$42,461,222
MORETON STREET EXTENSION	$1,120,000	$1,120,000	$1,120,000	$1,120,000
ASSUMED COST OF LAND	$55,375,000	$55,375,000	$55,375,000	$55,375,000
RESIDUAL LAND VALUE (RLV)	$55,423,248	$55,495,456	$56,045,987	$56,299,215
DEVELOPMENT MARGIN	18%-20%	18%-20%	18%-20%	18%-20%
FEASIBLE?	Yes	Yes	Yes	Yes

Source: Atlas

The feasibility modelling shows that in circumstances where Affordable Housing contributions are made 'in-kind' (i.e. in the form of completed dwellings), the impact to development feasibility can be less. This is because the 'contribution' is made at the end of the development period when the completed dwellings are gifted/ dedicated. The contribution in-kind is also assisted by local (s7.11) and regional (HPC) infrastructure contributions being exempt.

In contrast, a cash payment would be required prior to construction commencement and well before any proceeds of sale are received. This cash payment ($12.1 million or $42.5 million as the case may be) is a cash flow burden on the development.

[1] Sourced and pro-rated from Council's infrastructure cost estimates carried out for the Parramatta Road Corridor Urban Transformation Strategy Stage 2

The modelling finds the following:

- If the Site is developed as proposed (FSR 4.2:1), development is feasible if 10% Affordable Housing contributions were made alongside delivery of the Moreton Street extension.
- If the Site is developed as recommended by Studio GL (FSR 3.0:1), development has less capacity to contribute to Affordable Housing, having a tolerance of 4% alongside delivery of the Moreton Street extension.

Recommendations

The Planning Proposal contemplates a rezoning that would facilitate a development equivalent to FSR 5:1 (although, Studio GL's review of the proposed scheme suggests an FSR of 4.2:1). This however is not supported by the urban design review, which recommends a lower density equivalent to FSR 3:1.

If the Site were developed to Studio GL's recommended FSR 3:1 and endorsed by Council, a 4% contribution to Affordable Housing could be received by Council as completed dwellings or in cash. Feasibility modelling shows that the former would be more financially attractive for the Proponent, however it is possible if given the choice that the Proponent would prefer to contribute in cash.

POST-COMPLETION OF REVIEW

Subsequent to completion of the Review, Atlas has been provided with information from Proponent wherein it advises that a total purchase price of $85m has been agreed with the landowners of the 14 single dwellings. This would be equivalent to an average of $6m per dwelling, representing a premium of 100% to the landowners (or a doubling of market value).

The Review assumed a 30% premium could be included over and above market value, thereby totalling an assumed cost of land of $55.4m. The advised cost of land is significantly higher than that assumed in the Review.

If the Site has the environmental capacity of a higher density built form than FSR 3:1, detailed validation of the reasonableness of the advised cost of land could be undertaken. If however, higher density buildings would result in unacceptable environmental impacts, a lower cost of land would need to be achieved.

We trust this assists Council in its consideration of the Planning Proposal and proposed VPA offer.

Yours sincerely

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SCHEDULE 1

Analysis of Market Activity

Existing-use Sales Activity

To understand the value of the selected sites' 'as is', the sales activity of comparable residential property is analysed. **TABLE S1-1** provide a snapshot of the sales of single residential dwellings in Concord.

TABLE S1-1: Sales Activity of Residential Uses

ADDRESS	SUBURB	SITE AREA (SQM)	SALE PRICE	ANALYSIS ($/SQM IMPROVED SITE AREA)	SALE DATE	ACCOMMODATION
11 Gipps St	Concord	297	$1,700,000	$5,724	Dec 2024	2 x 1 x 2
7 Lansdowne St	Concord	766	$4,450,000	$5,809	Nov 2024	5 x 5 x 2
8 Sydney St	Concord	581	$5,000,000	$8,606	Oct 2024	5 x 5 x 2
36A Gipps St	Concord	379	$1,750,000	$4,617	Oct 2024	2 x 1 x 1
66 Gipps St	Concord	581	$1,300,000	$2,238	Oct 2024	3 x 2 x 1
61 Gipps St	Concord	416	$2,120,000	$5,096	Dec 2023	3 x 2 x 1
34 Gipps St	Concord	460	$1,855,000	$4,033	Dec 2023	3 x 1 x 1
23 Burwood Rd	Concord	350	$2,335,000	$6,671	Oct 2023	5 x 2 x 2
40 Burwood Rd	Concord	500	$2,100,000	$4,200	June 2023	3 x 1 x 4
72A Gipps St	Concord	289	$2,080,000	$7,197	Feb 2023	4 x 4 x 2
3 Loftus St	Concord	297	$2,350,000	$7,912	Sept 2022	3 x 1 x 1
2A Loftus St	Concord	253	$2,437,000	$9,632	Sept 2022	3 x 1 x 1
31 Burton St	Concord	335	$2,460,000	$7,343	Aug 2022	4 x 2 x 2
5 Lansdowne St	Concord	766	$3,700,000	$4,830	Jul 2022	4 x 3 x 2

Source: various

The Study adopts existing-use values generally between $2.2 million and $3.2 million per dwelling, with larger lots between $3.5 million and $4.5 million. This is equivalent to approximately $6,000/sqm and $7,000/sqm of overall improved site area for smaller blocks and $4,000/sqm to $5,000/sqm for larger blocks.

Development Site Sales

There is a dearth of development site sales in the Concord locality in the 12-18 months. To understand the price developers are prepared to pay, the analysis considered a selection of development site sales, as outlined in **TABLE S1-2**.

TABLE S1-2: Sales Activity of Development Site Sales

ADDRESS	SITE AREA (SQM)	GFA (SQM)	FSR	SALE PRICE	ANALYSIS ($/SQM GFA)	SALE DATE
1-9 MARQUET ST & 4 MAY ST RHODES	2,917	23,002	7.9:1	$65,500,000	$2,848	May 2024
2-4 POPE ST RYDE	1,447	2,605	1.8:1	$7,500,000	$2,879	Nov 2023
1-20 RAILWAY RD & 50 CONSTITUTION RD MEADOWBANK	7,773	21,950	2.8:1	$65,000,000	$2,961	Oct 2023
129-153 PARRAMATTA RD & 53-75 QUEENS RD FIVE DOCK	31,200	93,618	3.0:1	$260,000,000	$2,777	Aug 2023
363 VICTORA RD GLADESVILLE	1,650	4,231	2.6:1	$11,000,000	$2,600	May 2023
20-24 RAILWAY PDE & 2-4 BURLEIGH ST BURWOOD	1,315	7,890	6.0:1	$28,750,000	$3,644	May 2022
52-56 RAMSAY RD FIVE DOCK	1,670	4,175	2.5:1	$13,800,000	$3,310	Apr 2022

There has been a dearth of development site sales transacted in recent years; though the prices paid fall within a relatively 'tight' range of $2,600/sqm to $3,600/sqm GFA for sites with development potential.

The analysis of development site sales observes a residential site value range of $3,000/sqm to $3,500/sqm GFA. Sites with a non-residential floorspace component disclose lower rates, ranging from $2,000/sqm to $2,500/sqm GFA depending on the proportion of residential available. Relevantly, many of the sale prices would not reflect any obligation for Affordable Housing contributions.

SCHEDULE 2

Generic Feasibility Modelling Assumptions

PROJECT TIMING

The site is assumed to be appropriate zoned. Planning and design are assumed to be progressed immediately upon settlement. Thereafter a development application is assumed to occur with pre-sales occurring shortly thereafter.

Demolition and construction are assumed from Month 21 in stages spanning 18-21 months per stage. The project is assumed to be completed in 2-3 years following the commencement of off-the-plan sales.

REVENUE ASSUMPTIONS

Average end sale values are adopted based on market research and analysis. The Site's proximity to the future Burwood North Metro station. Accordingly, sale prices achieved are likely to be more attractive than those currently achieved.

- Non-residential - $8,000/sqm
- Residential:
  - 1 bedroom units - $14,000/sqm to $15,000/sqm
  - 2 bedroom units - $14,500/sqm to $15,500/sqm
  - 3 bedroom units - $15,500/sqm to $16,500/sqm

It is assumed that 50% of the apartments would be pre-sold prior to completion of construction and the balance would be sold post completion at an average rate of 5-10 units per month.

Other revenue assumptions:

- GST is excluding on non-residential sales and included on the residential sales.
- Sales commission at (2.5% residential, 2.0% non-residential) and marketing costs of 0.5% on gross sales.
- Legal cost on sales included at $1,500 per unit.

COST ASSUMPTIONS

- Assumed cost of land based on deemed opportunity cost of land ($104 million).
- Legal costs, valuation and due diligence assumed at 0.25% of land price and stamp duty at NSW statutory rates.
- Construction costs are estimated with reference to cost publications and professional experience:
  - Residential construction assumed $4,500/sqm of building area (110% of GFA), balconies at $1,000/sqm.
  - Basement car parking at $60,000 per car space.
- Construction contingency at 5%.
- Professional fees and application fees at 9% of construction costs.
- Development management fees at 1% of construction costs.
- Statutory fees:
  - DA and CC fees at statutory rates.
  - Long service levy of 0.25% of construction costs.
  - s7.11 contributions at $12,555 (1 bedroom), $18,932 (2 bedroom) and $20,000 (3 bedroom).
  - Housing and Productivity contributions at $30/sqm (retail/ commercial) and $10,000/dwelling.
- Finance costs:
  - Land value assumed as equity contribution with balance funded at interested capitalised monthly at 7% per annum.
  - Establishment fee at 0.35% of peak debt.

HURDLE RATES AND PERFORMANCE INDICATORS

Target hurdle rates are dependent on the perceived risk associated with a project (planning, market, financial and construction risk). The more risk associated with a project, the higher the hurdle rate.

Key hurdle rates assumed for the feasibility modelling are development margin and project return (IRR).

- Development margin - 20%.
- Discount rate/ project return - 18%.

If the resulting profit from this feasibility analysis is sufficient to meet the target hurdles (target development margin and discount rate), the project is considered financially feasible for development.

SLR

Flood Impact Risk Assessment and Flood Emergency Management Plan

10-12 Spencer St, 2-8 Spencer St, Five Dock

DPG Project 37 Pty Ltd

79-81 Queens Road and 2-8 Spencer Road
Five Dock NSW 2046

Prepared by:

SLR Consulting Australia

SLR Project No.: 630.031876.00001

10 December 2025

Revision: 0.1

Making Sustainability Happen

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
0	16 December 2025	HA	NWB	NWB

Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with DPG Project 37 Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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Acronyms and Abbreviations

AEP	Annual Exceedance Probability
Afflux	The difference between the normal water level and the water level due to a natural or artificial restriction/obstruction within the channel.
AHD	Australian Height Datum
Annual Exceedance Probability	The likelihood of a flood of a given magnitude occurring in any one year, expressed as a percentage.
ARR 2019	Australian Rainfall and Runoff, 2019
BoM	Bureau of Meteorology
Catchment	The area drained by a stream or body of water or the area of land from which water is collected.
DA	Development Application
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
Flood immunity	The degree to which infrastructure is protected from the encroachment of flood water.
Flood hazard	The potential loss of life, injury and economic loss caused by future flood events. The degree of hazard varies with the severity of flooding and is affected by flood behaviour.
FPL	Flood Planning Level
Hydraulics	The science of the conveyance of liquids through pipes and channels.
Hydrology	The properties of water and its distribution and movement across the ground.
LEP	Local Environment Plan
LiDAR	Light Detection and Ranging
LGA	Local government area
mm	Millimetres
mm/h	Millimetres per hour
m/s	Metres per second
NSW	New South Wales
Overland flow path	The path that water can follow if it leaves the confines of the main flow channel. Overland flow paths can occur through private property or along roads. Water travelling along overland flow paths, often referred to as ‘overland flows’, may either re-enter the main channel or may be diverted to another watercourse.
PMF	Probable Maximum Flood
SES	State Emergency Services
TfNSW	Transport for NSW

1.0 Introduction

This Flood Impact Assessment has been prepared by SLR Consulting Australia Pty Ltd (SLR) to support the Rezoning Application to facilitate the redevelopment of 79-81 Queens Road and 2-8 Spencer Road, Five Dock ('subject site') without the need to redevelop land at 10-12 Spencer Street including amendments to the relevant built form controls.

1.1 Site Description

The site is located at 79-81 Queens Road and 2-8 Spencer Road, shown on **Figure 1**. The land is formally known as:

- Lots 17, 20, 21 and 22, DP 1117 on land in Zone MU1 Mixed Use; and
- Lots 1 and 18, DP 540151 and 651570, respectively, on land in Zone MU1 Mixed Use and RE1 Public Recreation under the Canada Bay Local Environment Plan (Canada Bay LEP) 2013.

The site is bound by Queens Road to the north, William Street to the east, Spencer Street to the south, and adjacent properties to the west.

Figure 2 identifies the subject site on the revised DCP Building Envelopes Map (Figure K20-12) which will be exhibited with the revised planning proposal.

Figure 1: Site Location (highlighted in red)

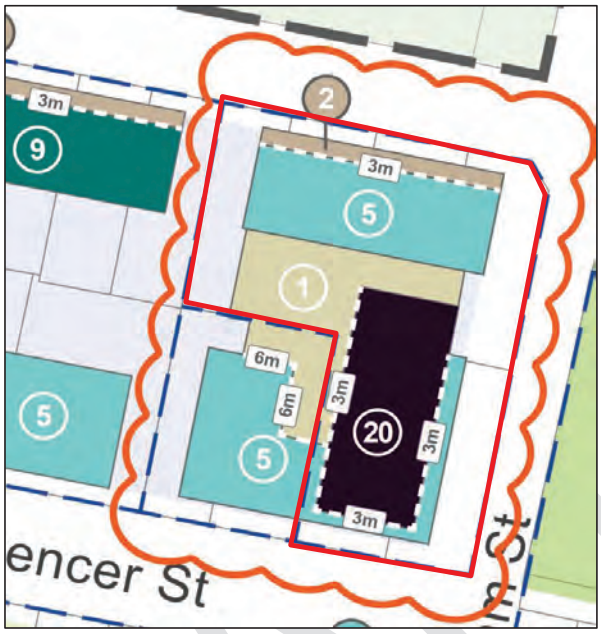


Figure 2: Revised DCP – Building Envelopes Plan (site highlighted in red)

1.2 Project Description

The project comprises a mixed-use development comprising ground level retail and residential land uses. The proposed Site Plan prepared by Project Design Management is shown in **Figure 2**.

Figure 2: Reference Site Plan (PDM)

Features of the proposed reference scheme include:

- Consolidated 3-storey basement with vehicular access from Spencer Street.
- Shared 1-storey podium comprising ground level retail, loading facilities and communal open space above.
- 2 residential buildings above, comprising a 5-storey building fronting Queens Road and a 20-storey building fronting Spencer Street.
- Ground level landscaping and public domain improvements, including:
  - 3 m public domain setback along Queens Road and Spencer Street.
  - 8 m public domain setback along Williams Street.
  - 6 m north-south through site link along the western boundary which will connect Queens Road and Spencer Street in the future once 10-12 Spencer Street is redeveloped.
- Associated infrastructure upgrades and diversions.

1.3 Purpose of this Document

Based on our review of the site and the information provided by DPG Project 37 Pty Ltd, including the Gateway Determination Report (PP-2025-321) prepared by the NSW Department of Planning, Housing and Infrastructure, we understand that a Flood Impact Risk Assessment Report and Flood Emergency Response Plan are required to support the rezoning application for the site.

This Flood Impact and Risk Assessment has been prepared in response to the comments in the Gateway Determination Report and in consultation with Canada Bay Council.

This document outlines the flood investigations required to be submitted to council to support the rezoning.

Further Flood Impact and Risk Assessment will be undertaken in support of the future Development Application drawings and in response to the current SEARs that apply to the subject site (Reference No. SSD-78287462).

2.0 Site Flooding Characteristics

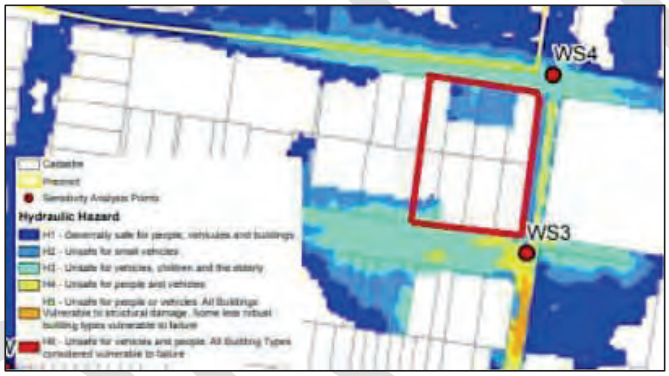
The site is located on a local overland drainage line, within the Williams Street catchment, draining to Kings Bay, in the City of Canada Bay local government area.

The site is subject to overland flooding, with modelling prepared for Council identifying flood characteristics for the site and surrounds.

2.1 Parramatta Road Corridor Flood Risk Assessment for City of Canada Bay Council

This flood risk assessment of the PRCUTS was prepared by WMA Water to provide details on floodplain risk, analyse floodplain strategies for the management of risk and identify compliance with the relevant State Government and City of Canada Bay Council floodplain management planning policies.

The site is identified as flooded and subject to flooding in the 1% Annual Exceedance Probability (AEP) event, with hazard levels H4 and H2 in vicinity of the proposal.



3.0 Planning and Design Guidelines

3.1 New South Wales Flood Prone Land Policy

The primary objective of the flood prone land policy is to reduce the impact of flooding and flood liability of owners and occupiers of flood prone land. The policy adopts a merit-based approach for development decisions in the floodplain with consideration of social, economic, and ecological factors, as well as flooding considerations.

3.2 Flood Risk Management Manual 2022

The Flood Risk Management Manual (2022) updates and replaces the Floodplain Development Manual (2005) as the NSW Government's manual to support the NSW Government's Flood Prone Land Policy. The manual provides sustainable strategies for managing occupation and use of the floodplain, conserving risk management principles.

The manual provides for evaluation of strategies and formulation of plans that achieve effective flood risk management outcomes accounting for social, economic, ecological, and cultural factors, together with community aspirations for the use of flood prone land. These are based on a hierarchy of risk avoidance, minimisation (using planning controls) and mitigation works. The manual applies to floodplains across NSW in both rural and urban areas and is used to manage major drainage issues in overland flooding areas.

3.3 Floodplain Risk Management Guidelines

These series of guidelines and other resources complement the Flood Risk Management Manual and provide extra support to Newcastle City Council (Council) when they are creating and carrying out floodplain risk management plans.

3.4 Australian Rainfall and Runoff: A Guide to Flood Estimation

Australian Rainfall and Runoff: A Guide to Flood Estimation 2019 (Australian Government and Engineers Australia) (ARR 2019) is used nationally as a guideline document, data and software suite, providing the information necessary for the estimation of design flood characteristics in Australia. The purpose of ARR 2019 is to provide a framework for reliable and robust estimates of flood characteristics to enable the assessment of flooding risk and design of infrastructure. ARR 2019 also provides procedures for climate change impact estimation.

The procedures and data provided in ARR 2019 have been adopted in the flood modelling of the study area and assessment of the proposal flooding impacts presented in this document.

3.5 Technical Flood Risk Management Guideline: Flood Hazard

The *Technical Flood Risk Management Guideline: Flood Hazard* (Australian Institute for Disaster Resilience, 2014) (Technical Flood Risk Management Guideline) provides a basis for quantifying the variations in flood hazard on a floodplain. The development of Technical Flood Risk Management Guideline was overseen by the National Flood Risk Advisory Group. The guideline provides methods to assess the vulnerability of people and/or the built environment to flood hazard using specific flood parameters for a select range of flood events that can be compared to thresholds. By using the guideline, it is possible to describe the danger of the flooding to people, buildings and infrastructure in the community.

The Technical Flood Risk Management Guideline has been used to assess the flood hazards associated with the proposal.

3.6 City of Canada Bay – Development Control Plan

The sections of the City of Canada Bay Development Control Plan relating to flooding and drainage are listed below.

Section C7 Flooding Control

This Section establishes Council's approach to flood related development controls for the City of Canada Bay Local Government Area. Council's approach to flooding is based on the requirements of the New South Wales Government's Flood Prone Land Policy and Floodplain Development Manual discussed in Section 3.2.

Section C7 lists objectives, design principles and development controls for development for different development types within areas of varying flood risk. Control C1 Flood Affectation states that An Engineer's report is required to demonstrate how and certify that the development will not increase flood affectation elsewhere. This control has been addressed by the preparation of this study.

Appendix A2 Sections

The following Stormwater Management sections of the City of Canada Bay Development Control Plan have been addressed as part of this document, including:

- Street trees A27-A32
- Stormwater Management SWM1-SWM9
- On site stormwater detention OSD1-OSD91
- Scouring, Erosion and Water Quality Control SC1-SC14
- Rainwater Re-use RR1- RR11
- Stormwater Drainage Design SW1-SW84
- Stormwater Pollution and Erosion Control SPE1-SPE7
- Water Sensitive Urban Design WSUD1-WSUD5

K20.1 Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

This DCP has been prepared to support the implementation of the NSW Government Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) published in November 2016.

The DCP has been prepared to deliver the desired future character envisaged in PRCUTS, with refinements to achieve better urban design and community outcomes. Objective and Control sections relevant to flooding in the PRCUTS DCP are:

- O4 To achieve good design and equitable access in flood planning areas.
- O5 To minimise hazards and property damage from flooding.
- O6 To create activated frontages on sites that also need to consider flooding impacts
- C10 b) in flood prone areas where the ground floor is elevated above the footpath or adjoining public open space, street activation is to be created by locating entries at footpath level, and with internal steps. Any elevated areas outside are to form an activated continuation of the interior and are not to create a visual barrier to the interior

3.7 Additional NSW Documents

In addition to Council requirements, the following state government documents have been assessed in the preparation of the flood management report

- Considering flooding in land use planning: guidance and statutory requirements, Department of Planning, Industry and Environment – Planning Circular PS 21-006 dated 14 July 2021
- Flood Impact and Risk Assessment Flood Risk Management Guide LU01, prepared by the NSW Department of Planning and Environment, dated February 2022
- Support for Emergency Management Planning Flood Risk Management Guideline EM01, prepared by the NSW Department of Planning and Environment, dated June 2023

4.0 Flood Modelling

4.1 Model Description

This investigation has utilised the modelling developed for the 'Parramatta Road Corridor – Flood Risk Assessment for City of Canada Bay' project, by WMA Water.

The following cases were assessed:

- Existing Case – this model scenario represented the catchment conditions prior to the development of the proposed development.
- DCP (City of Canada Bay Development Control Plan) Case – this model scenario represented the developed conditions proposed by the DCP.
- Rezoning Case – this model scenario represented the developed conditions of the proposed mixed use development.

The model has been run for this investigation, with mapping produced for the following storm events:

- 1% AEP
- 1%% AEP + Climate Change (rainfall depths increased 30%)
- PMF

Details of the model are provided in Appendix A.

4.1.1 Amendments to Model for this Investigation

The model provided by City of Canada Bay has been used in this investigation with minor changes to the mode to ensure the model fits the purposes of the assessment. These changes were:

- Updated topography to reflect the current catchment conditions as the modelling was undertaken 2020.
- Model domain updated via TUFLOW shape files, where the buildings were cropped out of the model based on each development layout for each modelling cases.
- Quadtree was added to the model to improve resolution around the proposed development neighbouring.

  By default, TUFLOW Classic and HPC use a single 2D cell resolution over an entire model domain. This type of configuration is referred to as a fixed grid configuration.

To support 2D modelling at a range of spatial resolutions (which is often a project requirement), TUFLOW HPC models can use a quadtree grid or mesh.
The quadtree grid refinement feature supports the recursive division of square TUFLOW cells into four smaller square cells. Up to nine levels of cell size refinement are permitted. All cells in all levels of refinement share a common orientation and the hydraulic computations are a full 2D solution across the entire quadtree grid.

The 2D cell resolution was set to 2 metres for the entire model domain, while 2D cell resolution within the defined quadtree area was set to 0.5 metres.

4.2 Existing Results

Maps detailing the results of the modelling of the site in existing conditions are provided in Appendix B. The model results showed:

- In the 1% AEP event, flooding on the site is modelled to be the result of overland flow from the immediate upstream catchments, with the northern part of the site inundated (Figure B-1).
- Flood depth was generally below 0.5 metres with smaller portions up to 0.65 metres. Flood Hazard was categorised as up to H3, which it means it is unsafe for vehicles, children and the elderly (Figure B-2).
- In the 1% AEP with climate change and PMF events, peak flood depths reached up to 0.63 and 1.2 metres, respectively. Flood Hazard remained the same H3 category for both events.
- Peak flood levels in 1% AEP, 1% AEP with climate change and PMF events were calculated as approximately 2.34, 2.31 and 2.89 metres AHD across the whole flood extent at the site, respectively.

4.3 DCP Results

Maps detailing the results of the modelling of the site in DCP conditions are provided in Appendix C. The model results showed:

- In the 1% AEP event, flood depth was shown as below 0.5 metres across most of the site with smaller portions ranging between 0.6 and 0.75 metres. Flood Hazard was categorised as up to H3.
- In the 1% AEP with climate change and PMF events, peak flood depths reached up to 0.7 and 1.43 metres, respectively. Flood Hazard remained the same H3 category for the 1% AEP with climate change event, while increased to category H4 (unsafe for vehicles and people) for the PMF event.
- Peak flood levels in 1% AEP, 1% AEP with climate change and PMF events were calculated as approximately 2.47, 2.44 and 3.16 metres AHD in the southern east portion of the site, respectively.

4.4 Rezoning Results

Maps detailing the results of the modelling of the site in rezoning conditions are provided in Appendix D. The model results showed:

- In the 1% AEP event, flood depth was shown as below 0.5 metres across most of the site with smaller portions ranging between 0.6 and 0.75 metres. Flood Hazard was categorised as up to H3.

- In the 1% AEP with climate change and PMF events, peak flood depths remained similar to the DCP conditions reaching up to 0.73 and 1.43 metres, respectively. Flood Hazard remained the same H3 category for the 1% AEP with climate change event, while increased to category H4 (unsafe for vehicles and people) for the PMF event.
- Peak flood levels in 1% AEP, 1% AEP with climate change and PMF events were calculated as approximately 2.47, 2.45 and 3.18 metres AHD in the southern east portion of the site, respectively.

4.5 Flood Difference Mapping

Flood difference mapping has been prepared for the three modelled scenarios, existing, DCP and proposed re-zoning, which are presented in Appendix E.

The results of the modelling indicated that the differences in flood characteristics between the preposed re-zoning scenario and the existing scenario are near identical.

The differences in flood levels between the proposed re-zoning scenario and the DCP modelling are not significant for the 1% AEP event, with changes modelled as below 0.01 m in the 1% AEP event (Figure E-8) and up to a maximum of 0.02 m in the PMF event, contained entirely within a 10 metre section of William Street, adjacent to the proposed building.

The flood difference mapping for the proposed re-zoning indicates that there is not significant impact from the re-zoning, relative the existing approved DCP.

4.6 Flood Storage

The total flood storage within the property is estimated to be up to a maximum of 350 m^3 in the PMF event. This, when compared to the total volume of flood water in the PMF event, estimated to be approximately 400,000 m^3 for the William Street sub catchment of Kings Bay, represents a loss of less than 0.1% of the catchment floodplain storage volume. When combined with the changes to flood storage resulting from the development of the catchment, this loss is not considered significant.

5.0 Flood Emergency Management Plan

The modelling of Probable Maximum Flood presented in Section 4.0 indicates that during the PMF event, the Hazard classification of the flooded section of the site is estimated to be between H3 and H5.

The results of the modelling in Section 4.0 indicates that the site is cut off on William Street to the south and north, and on Queens Road to the west and east, during events as frequent as the 1% AEP to a depth of 0.25-0.5 metres up to 1.2 metres deep in the PMF. William Street is inundated up a depth of 0.55 metres in the 1% AEP events.

Insufficient technical information is available to provide detailed information on the rate and rise and duration of the Probable Maximum Flood event at this exact location.

5.1 Flood Evacuation Planning

The development is classified using the methodologies in Part C – Flood emergency response classification of communities of the Support for Emergency Management Planning Flood Risk Management Guideline EM01 as ‘Area with overland escape route’ in events up to the 5% AEP and ‘Low trapped island’ in the PMF storm event.

In the scenario where a PMF storm event occurs and persons are still at the premises and unable to shelter in place, adequate warning will be required to allow vehicular access or walking at a continually rising grade to higher ground and safety in events up to the 1% AEP flood. During periods of prolonged inundation, where refuge within the precinct may not be suitable, an evacuation route from the precinct to the regional evacuation centre at the Homebush Precinct has been mapped and is presented on Figure 3. This evacuation route relies on roads that are currently constructed.

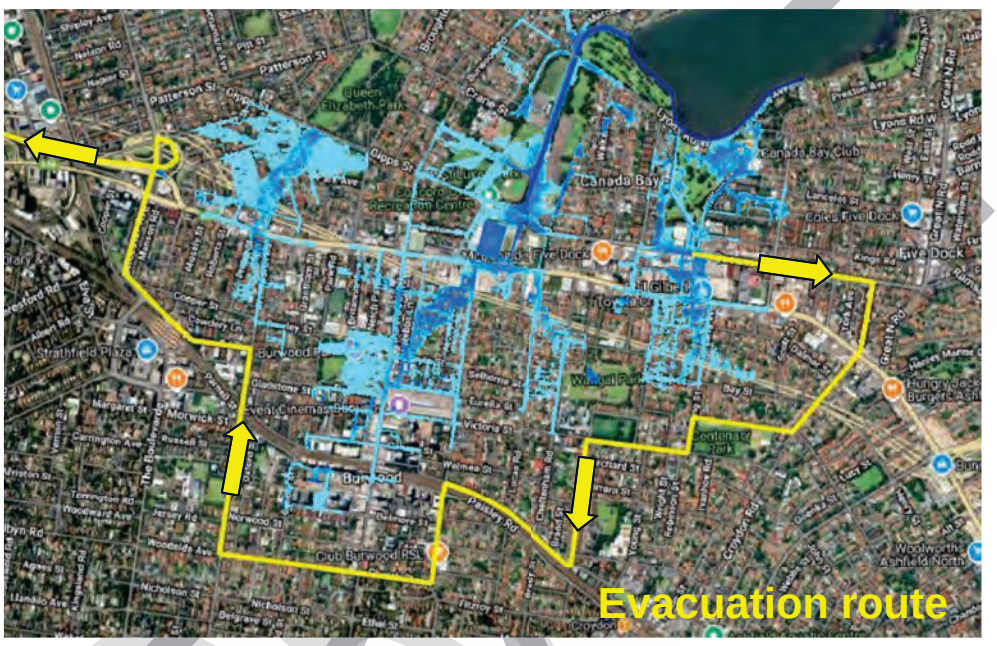


Figure 3: Local Flood Evacuation Mapping

This study has not been prepared for submission to the SES but has been prepared as a preliminary study to guide further investigations.

This evacuation route on Figure 3 has been mapped in accordance with requirements discussed between Infrastructure NSW and the Department of Planning, Industry and Environment. This preliminary evacuation plan avoids using any of the more direct, potential routes to the west or south of the PRCUTS Precinct. This is to avoid using evacuation routes that are already flooded.

A Flood Emergency Management Plan will be developed for the premises, outlining roles and responsibilities in the event of a flood within the Kings Bay catchment. This management plan will specify actions to be taken in the event of flood warnings being issued by the Bureau of Meteorology and the SES. These actions will include closing the take away food and drink premises prior to a flood event (when evacuation orders are given by the SES) and plans and management measures to evacuate staff and customers to safety.

5.2 Shelter in Place Refuge

The proposed development has internal and accessible floor areas above the PMF flood elevation and will therefore include a shelter-in-place refuge area, should the building be occupied during a flood event of greater magnitude than the probable maximum flood. This

area has been designed in accordance with the *Shelter-in-place guideline for flash flooding* prepared by the NSW Department of Planning, Housing and Infrastructure in 2024.

The construction of the refuge area will be designed to be able to withstand the effects of flooding. A chartered structural engineer will be required to provide design certification that the building is able to withstand the hydraulic loading due to flooding resulting from the PMF.

6.0 Conclusion and Recommendation

This Flood Impact Assessment has been prepared by SLR Consulting Australia Pty Ltd (SLR) to support the Rezoning Application for the proposed mixed use development with in-fill affordable housing at 79-81 Queens Road and 2-8 Spencer Road, Five Dock. This report includes:

- Descriptions of the site and the existing flooding issues relating to the William Street sub-catchment of Kings Bay, including a review of the existing available flood study information undertake for the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)
- The results of hydrologic and hydraulic modelling undertaken to determine flood levels on the site and local catchment, based on modelling developed for the catchment, which demonstrate that the proposal is flood affected in events including the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) event
- The flood impacts that would occur on the area surrounding the site as a result of the proposal have been mapped, demonstrating the limited extent of potential impacts.

A draft Flood Emergency Management Plan has been prepared as part of this report, with recommendations made for possible flood risk and emergency management procedures including potential evacuation routes and shelter-in-place area that would minimise flood risk to acceptable levels, and that the proposal meets the requirements of the City of Canada Bay DCP.

7.0 References

Australian Disaster Resilience Guideline 7-3: *Technical flood risk management guideline: Flood hazard*, 2014, Australian Institute for Disaster Resilience CC BY-NC

Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors), 2019, *Australian Rainfall and Runoff: A Guide to Flood Estimation*

Department of Planning and Environment (DPE), 2023, *Flood risk management manual – The policy and manual for the management of flood liable land*

Department of Planning, Housing and Infrastructure, 2024, *Shelter-in-place guideline for flash flooding*

Appendix A Model Summary Sheet

Flood Impact Assessment and Flood Emergency Management Plan

Five Dock

DPG Project 37 Pty Ltd

SLR Project No.: 630.031876.00001

8 August 2025

Appendix B Existing Flood Mapping

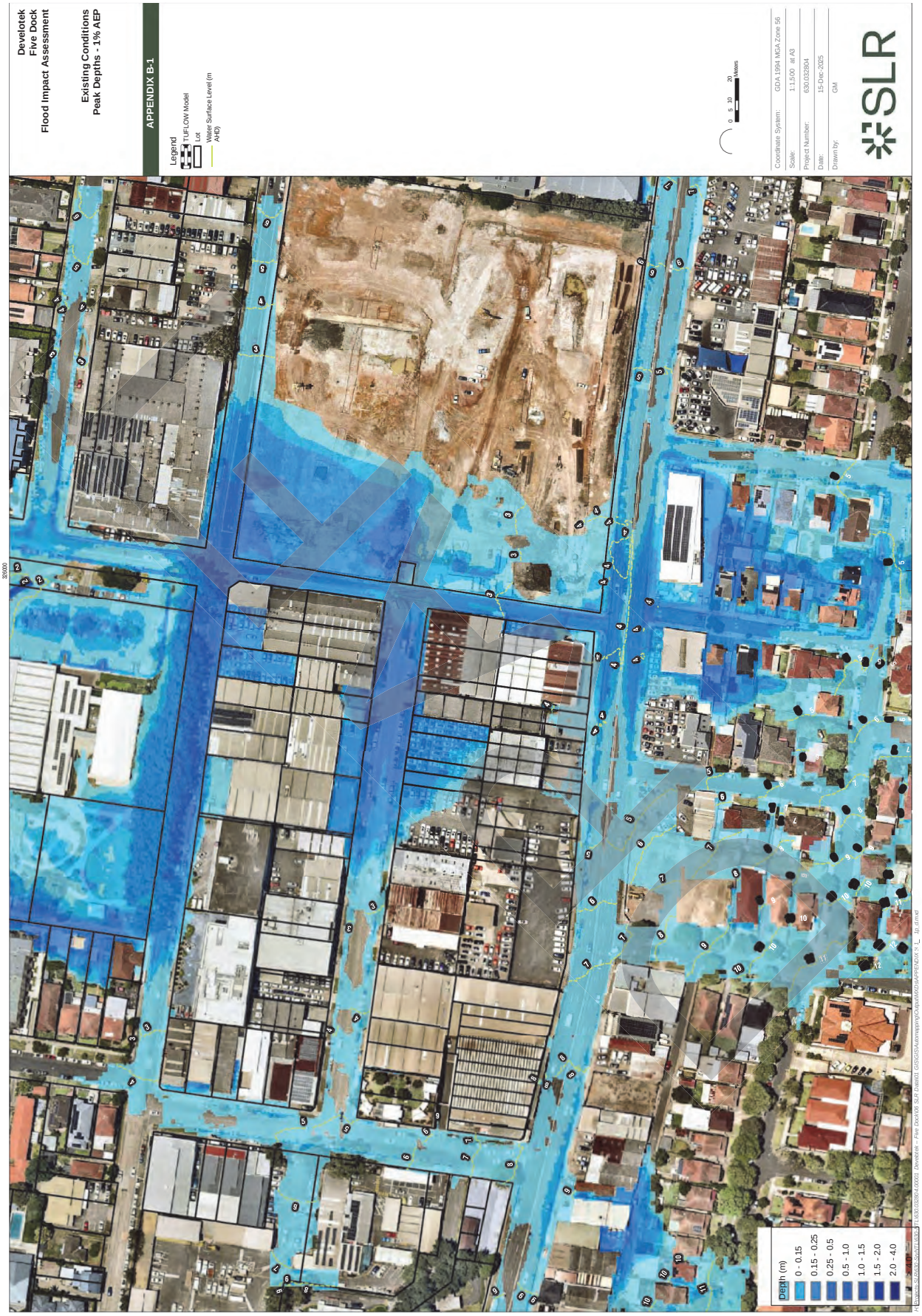
Flood Impact Assessment and Flood Emergency Management Plan

Five Dock

DPG Project 37 Pty Ltd

SLR Project No.: 630.031876.00001

8 August 2025

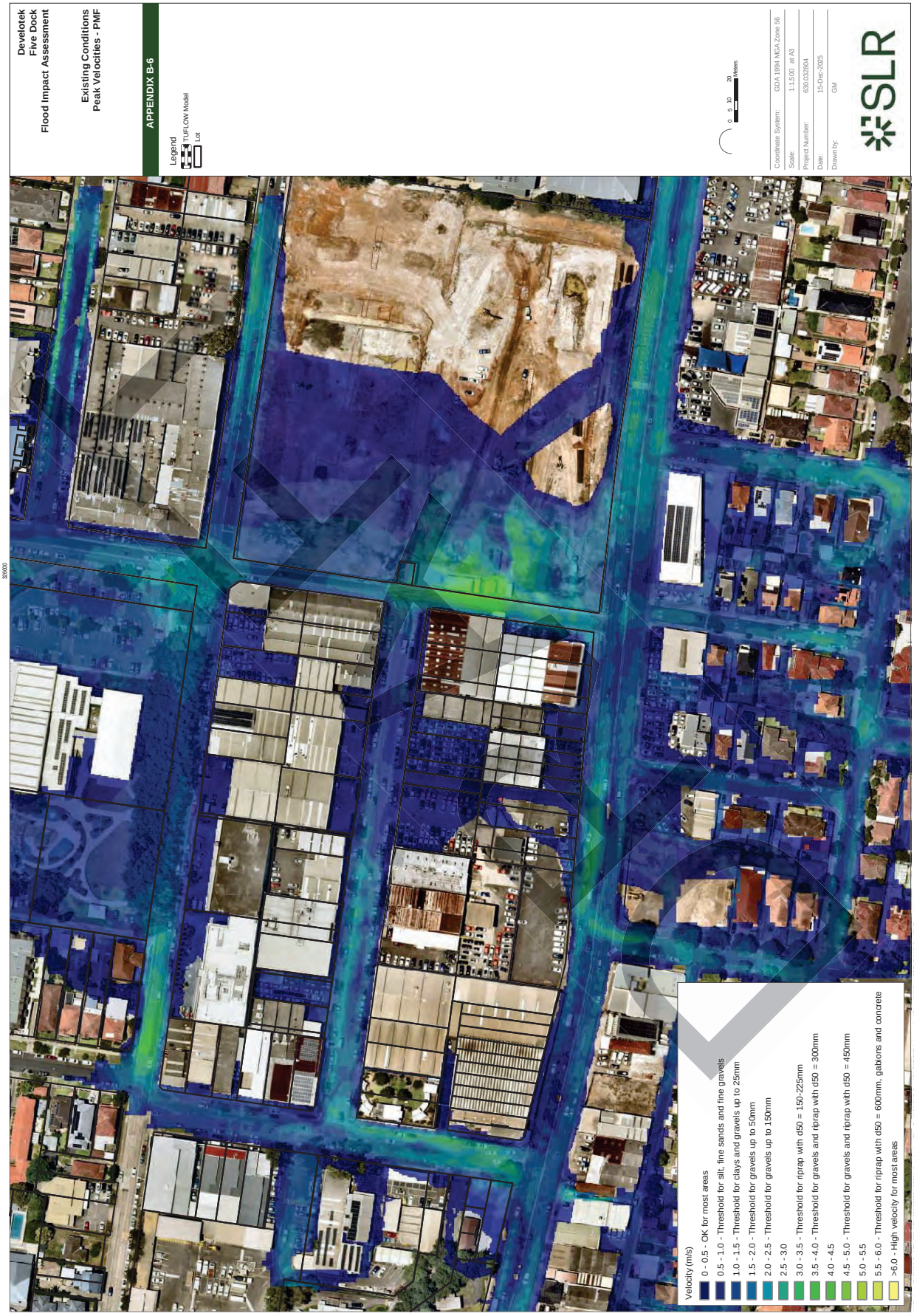

Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Depths - 1% AEP
APPENDIX B-1
Legend
TUFLOW Model
Lot
Water Surface Level (m AHD)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0
> 4.0


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Depths - 1% AEP + CC
APPENDIX B-2
Legend
TUFLOW Model
Lot
Water Surface Level (m AHD)
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Depths - PMF
APPENDIX B-3
Legend
TUFLOW Model
Lot
Water Surface Level (m AHD)
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0

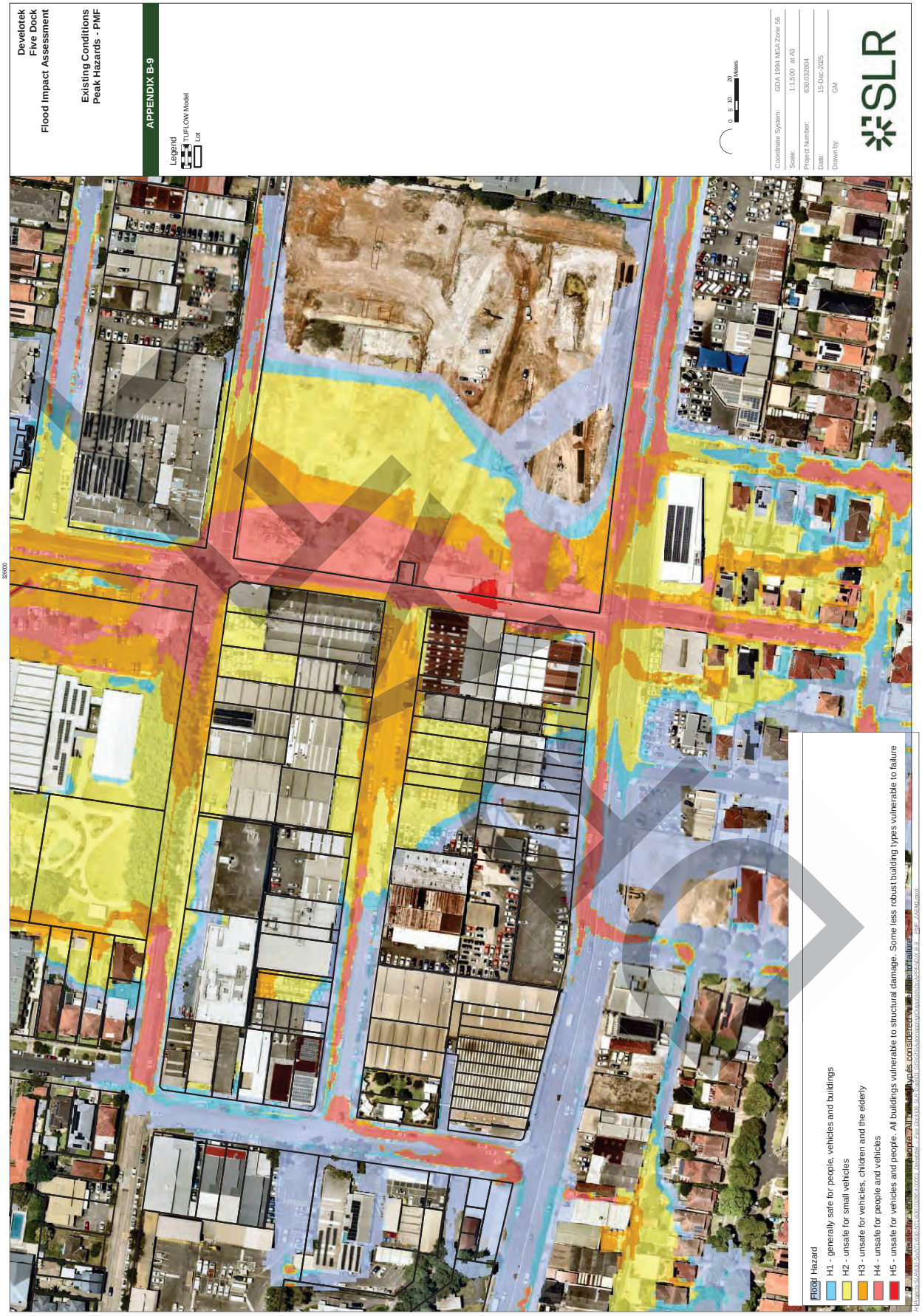
Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Velocities - 1% AEP
APPENDIX B-4
Legend
TUFLOW Model
Lot
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Velocities - 1% AEP + CC
APPENDIX B-5
Legend
TUFLOW Model
Lot
0 5 10 20
Kilometres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Velocities - PMF
APPENDIX B-6
Legend
TUFLOW Model
Lot
0 5 10 20
Kilometres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Hazards - 1% AEP
APPENDIX B-7
Legend
TUFLOW Model
Lot
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure

Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Hazards - 1% AEP + CC
APPENDIX B-8
Legend
TUFLOW Model
Lot
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure


Develotek
Five Dock
Flood Impact Assessment
Existing Conditions
Peak Hazards - PMF
APPENDIX B-9
Legend
TUFLOW Model
Lot
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure

Appendix C DCP Flood Mapping

Flood Impact Assessment and Flood Emergency Management Plan

Five Dock

DPG Project 37 Pty Ltd

SLR Project No.: 630.031876.00001

8 August 2025


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Depths - 1% AEP
APPENDIX C-1
Legend
TUFLOW Model Extent
Lot
Water Surface Level (m AHD)
Proposed Building Footprint
0 5 10 20
Meters
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Depths - 1% AEP + CC
APPENDIX C-2
Legend
TUFLOW Model Extent
Lot
Water Surface Level (m AHD)
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Depths - PMF
APPENDIX C-3
Legend
TUFLOW Model Extent
Lot
Water Surface Level (m AHD)
Proposed Building Footprint
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Velocities - 1% AEP
APPENDIX C-4
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Velocities - 1% AEP + CC
APPENDIX C-5
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Velocities - PMF
APPENDIX C-6
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Hazards - 1% AEP
APPENDIX C-7
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Hazards - 1% AEP + CC
APPENDIX C-8
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure


Develotek
Five Dock
Flood Impact Assessment
DCP Conditions
Peak Hazards - PMF
APPENDIX C-9
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure

Appendix D Rezoning Flood Mapping

Flood Impact Assessment and Flood Emergency Management Plan

Five Dock

DPG Project 37 Pty Ltd

SLR Project No.: 630.031876.00001

8 August 2025


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Depths - 1% AEP
APPENDIX D-1
Legend
TUFLOW Model Extent
Lot
Rezoning
Water Surface Level (m AHD)
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0

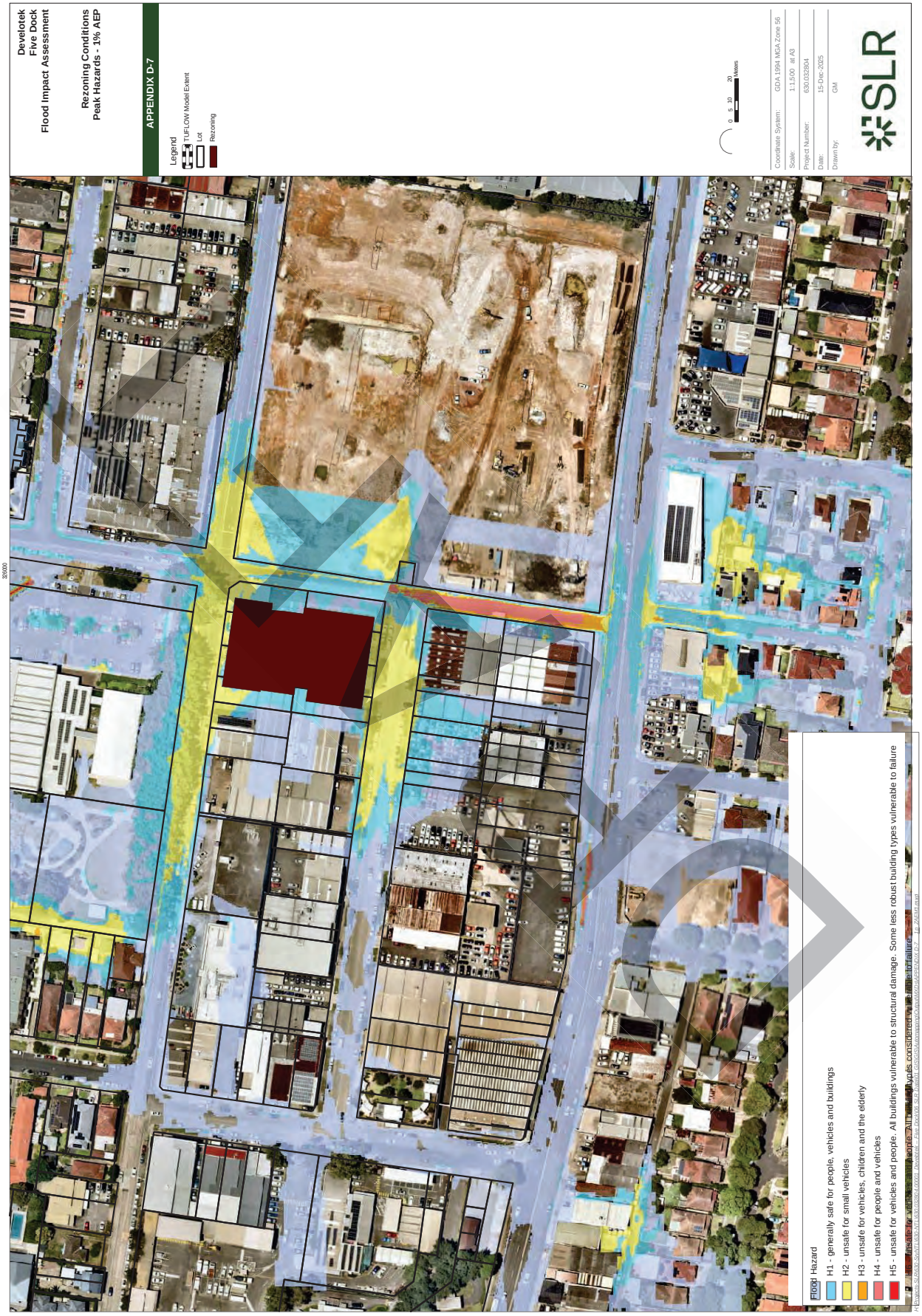

Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Depths - 1% AEP + CC
APPENDIX D-2
Legend
TUFLOW Model Extent
Lot
Rezoning
Water Surface Level (m AHD)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0

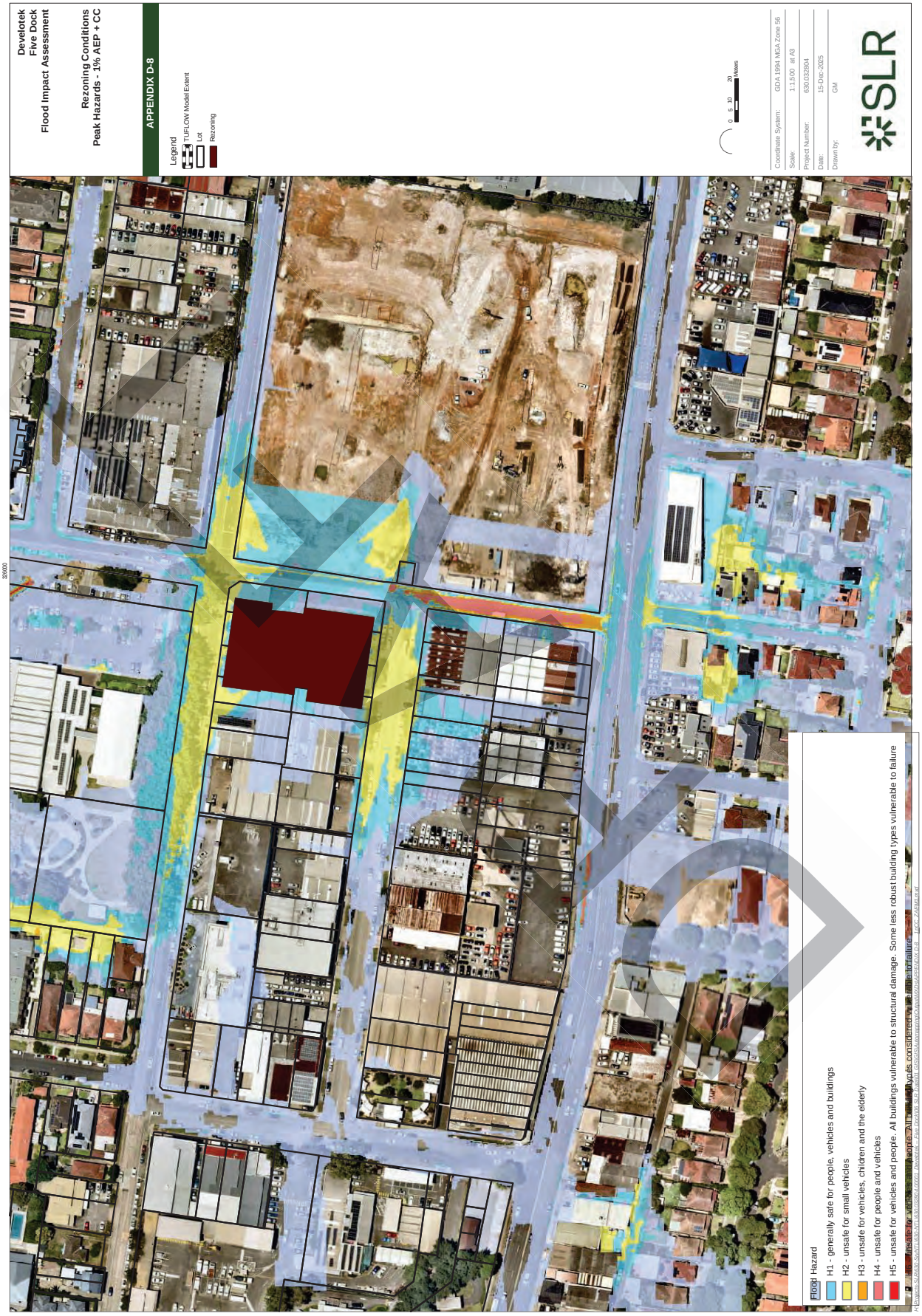

Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Depths - PMF
APPENDIX D-3
Legend
TUFLOW Model Extent
Lot
Rezoning
Water Surface Level (m AHD)
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Depth (m)
0 - 0.15
0.15 - 0.25
0.25 - 0.5
0.5 - 1.0
1.0 - 1.5
1.5 - 2.0
2.0 - 4.0


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Velocities - 1% AEP
APPENDIX D-4
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20
Meters
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Velocities - 1% AEP + CC
APPENDIX D-5
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Velocities - PMF
APPENDIX D-6
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20
Kilometres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Velocity (m/s)
0 - 0.5 - OK for most areas
0.5 - 1.0 - Threshold for silt, fine sands and fine gravels
1.0 - 1.5 - Threshold for clays and gravels up to 25mm
1.5 - 2.0 - Threshold for gravels up to 50mm
2.0 - 2.5 - Threshold for gravels up to 150mm
2.5 - 3.0
3.0 - 3.5 - Threshold for riprap with d50 = 150-225mm
3.5 - 4.0 - Threshold for gravels and riprap with d50 = 300mm
4.0 - 4.5
4.5 - 5.0 - Threshold for gravels and riprap with d50 = 450mm
5.0 - 5.5
5.5 - 6.0 - Threshold for riprap with d50 = 600mm, gabions and concrete
>6.0 - High velocity for most areas


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Hazards - 1% AEP
APPENDIX D-7
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure
H6 - unsafe for vehicles and people. All building types considered vulnerable to failure


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Hazards - 1% AEP + CC
APPENDIX D-8
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20
Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure


Develotek
Five Dock
Flood Impact Assessment
Rezoning Conditions
Peak Hazards - PMF
APPENDIX D-9
Legend
TUFLOW Model Extent
Lot
Rezoning
0 5 10 20
Kilometres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Flood Hazard
H1 - generally safe for people, vehicles and buildings
H2 - unsafe for small vehicles
H3 - unsafe for vehicles, children and the elderly
H4 - unsafe for people and vehicles
H5 - unsafe for vehicles and people. All buildings vulnerable to structural damage. Some less robust building types vulnerable to failure

Appendix E Flood Difference Mapping

Flood Impact Assessment and Flood Emergency Management Plan

Five Dock

DPG Project 37 Pty Ltd

SLR Project No.: 630.031876.00001

8 August 2025


Develotek
Five Dock
Flood Impact Assessment
DCP vs Existing
Peak Afflux - 1% AEP
APPENDIX E-1
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
Elevation Contour (0.01m interval)
0 5 10 20
Meters
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3


Develotek
Five Dock
Flood Impact Assessment
DCP vs Existing
Peak Afflux - 1% AEP + CC
APPENDIX E-2
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
Elevation Contour (0.01m interval)
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3


Develotek
Five Dock
Flood Impact Assessment
DCP vs Existing
Peak Afflux - PMF
APPENDIX E-3
Legend
TUFLOW Model Extent
Lot
Proposed Building Footprint
Elevation Contour (0.01m interval)
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
Coordinate System:
GDA 1994 MGA Zone 56
Scale:
1:1,500 at A3
Date:
Drawn by:
SLR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Develotek
Five Dock
Flood Impact Assessment
Rezoning vs Existing
Peak Afflux - 1% AEP
APPENDIX E-4
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.0.1m interval)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3


20000
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Develotek
Five Dock
Flood Impact Assessment
Rezoning vs Existing
Peak Afflux - 1% AEP + CC
APPENDIX E-5
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.01m interval)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3


20000
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Develotek
Five Dock
Flood Impact Assessment
Rezoning vs Existing
Peak Afflux - PMF
APPENDIX E-6
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.0.1m interval)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by:
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
> 0.3


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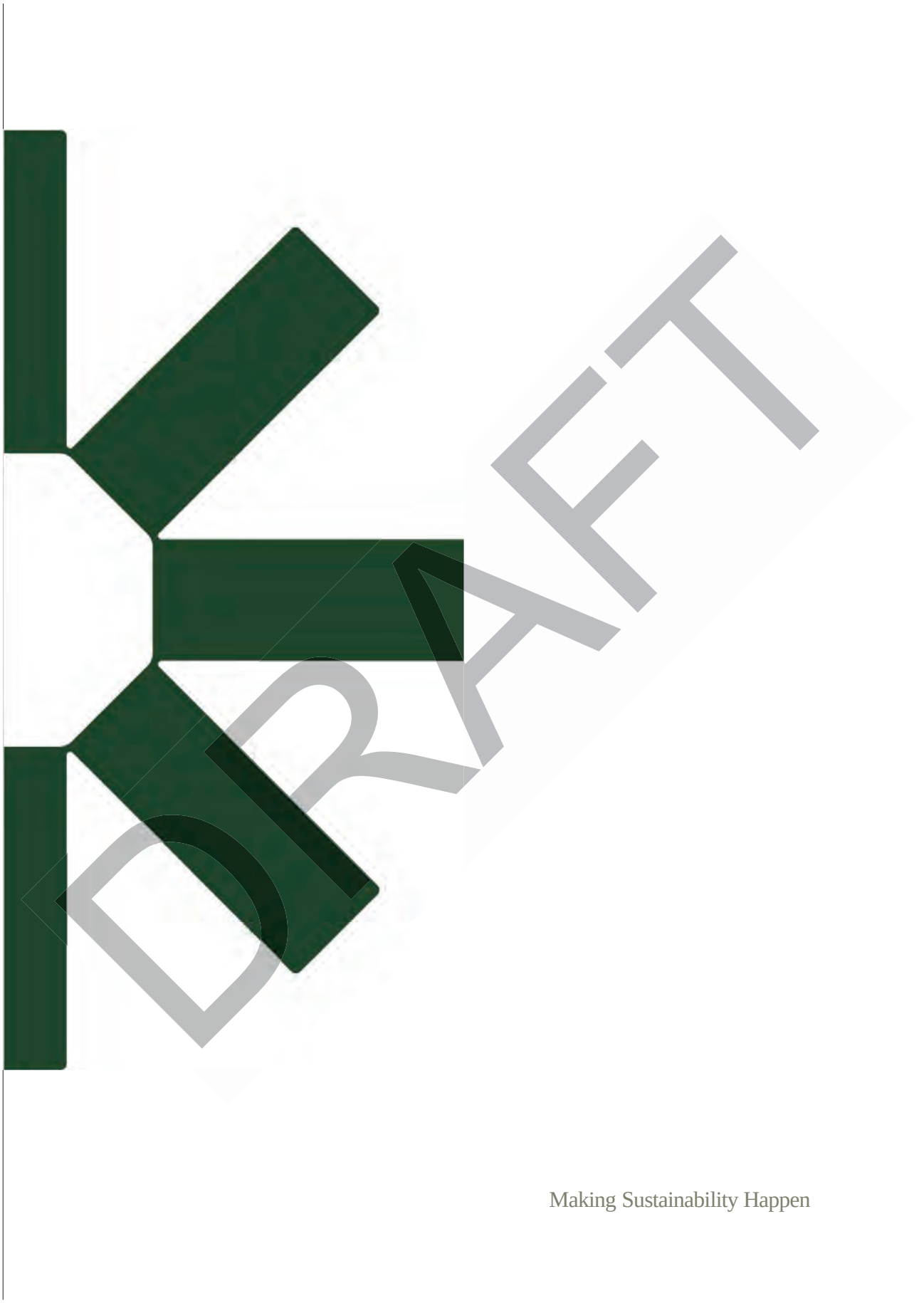
Develotek
Five Dock
Flood Impact Assessment
Rezoning vs DCP
Peak Afflux - 1% AEP
APPENDIX E-7
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.01m interval)
0 5 10 20 Miles
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032804
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3
DRAFT


Develotek
Five Dock
Flood Impact Assessment
Rezoning vs DCP
Peak Afflux - 1% AEP + CC
APPENDIX E-8
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.01m interval)
0 5 10 20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032904
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
0.3


Develotek
Five Dock
Flood Impact Assessment
Rezoning vs DCP
Peak Afflux - PMF
APPENDIX E-9
Legend
TUFLOW Model Extent
Lot
Rezoning
Elevation Contour (0.01m interval)
0
10
20 Metres
Coordinate System: GDA 1994 MGA Zone 56
Scale: 1:1,500 at A3
Project Number: 630.032904
Date: 15-Dec-2025
Drawn by: GM
SLR
Afflux (mm)
Less than -0.3
-0.3 - -0.2
-0.2 - -0.1
-0.1 - -0.05
-0.05 - -0.02
-0.02 - 0.02
0.02 - 0.05
0.05 - 0.1
0.1 - 0.2
0.2 - 0.3
> 0.3



Making Sustainability Happen

Department of Planning, Housing and Infrastructure

Gateway Determination

***Planning proposal (Department Ref: PP-2025-145)**:* That seeks to amend the Canada Bay Local Environmental Plan 2013 to enable the land at 79-80 Queens Road/2-8 Spencer Street to be developed independently of 10-12 Spencer Street, Five Dock.

I, the Director, Local Planning (North East and Central Coast) at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canada Bay Local Environmental Plan 2013 to enable the land at 79-80 Queens Road/2-8 Spencer Street to be developed independently of 10-12 Spencer Street, Five Dock should proceed subject to the following.

The LEP should be completed on or before **26 June 2026**.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended with the following changes:

    (a) Update the planning proposal and supporting documents to reflect Council resolved amendments with supporting assessment, including the objectives and intended outcomes.
    (b) Provide proposed mapping including the key sites map, incentive height of buildings map and incentive floor space ratio map.
    (c) Clarify if the incentive height of building for 'Area 17A' will retain part 2.5m for land along Spencer Street. Update proposed mapping to reflect.
    (d) Demonstrate consistency with the intent of Action 9.2 of the Canada Bay Local Strategic Planning Statement.
    (e) Clarify the minimum site area required for Area 17A.
    (f) Remove the proposed local provision for a single access via a consolidated driveway and basement.
    (g) Reflect inconsistency with Direction 1.4 Site Specific Provisions.
    (h) Provide a flood impact and risk assessment (FIRA) that comprehensively addresses the requirements of the Direction and is prepared in accordance with Flood Impact and Risk Assessment – Flood Risk Management Guide LU01 (2023), Flood Risk Management Manual (2023) and Attachment C of the LEP Making Guideline (2023). The planning proposal is to be updated in response to the findings of the FIRA.
    (i) Confirm if any updates to the planning proposal are required in response to Clause 4.5 of the Canada Bay Local Environmental Plan 2013.
    (j) Include the existing number of jobs on site and the proposed number of jobs as a result of development.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

    (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and

(b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 17 October 2025

Jazmin van Veen
Director, Local Planning (North, East and Central Coast)
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces

PP-2025-145 (IRF25/1320)

Planning Proposal - 79-80 Queens Road/2-12 Spencer Street, Five Dock

Actions taken to address the Gateway conditions

Condition	Action taken to address the Condition
(a) Update the planning proposal and supporting documents to reflect Council resolved amendments with supporting assessment, including the objectives and intended outcomes.	Completed. The planning proposal has been updated to reflect Councils amendments resolved on 15 April 2025
(b) Provide proposed mapping including the key sites map, incentive height of buildings map and incentive floor space ratio map.	Completed. Refer to Attachment 2. Draft LEP Maps
(c) Clarify if the incentive height of building for 'Area 17A' will retain part 2.5m for land along Spencer Street. Update proposed mapping to reflect.	Completed. The planning proposal has been updated to clearly note that the 2.5m height along Spencer Street will be retained for Area 17A for 3m width along Spencer Street, as per the LEP.
(d) Demonstrate consistency with Action 9.2 of the Canada Bay Local Strategic Planning Statement.	Completed. Action 9.2 of the LSPS relates to the new local centre at Spencer Street in the Kings Bay precinct. The Planning Proposal has been updated accordingly to demonstrate consistency with the intent of Action 9.2.
(e) Clarify the minimum site area required for Area 17A.	Completed. The minimum site area required for Area 17A will be amended to 936sqm.
(f) Remove the proposed local provision for single vehicle access via a consolidated driveway and basement.	Completed. The planning proposal has been updated to remove the site specific provision relating to the single vehicle access via a consolidated driveway and basement. The provision has been included in the amended DCP (Refer to Attachment 3. Draft DCP).

(g) Reflect inconsistency with Direction 1.4 Site Specific Provisions.	Completed. The planning proposal includes an updated assessment of Direction 1.4 to reflect deletion of the site specific provision.
(h) Provide a flood impact and risk assessment (FIRA) that comprehensively addresses the requirements of the Direction and is prepared in accordance with Flood Impact and Risk Assessment – Flood Risk Management Guide LU01 (2023), Flood Risk Management Manual (2023) and Attachment C of the LEP Making Guideline (2023) The planning proposal is to be updated in response to the findings of the FIRA.	Completed. The proponent prepared a detailed Flood Impact and Risk Assessment (FIRA), which was exhibited with the planning proposal (Refer to Attachment 9. Flood Impact and Risk Assessment (FIRA). Further detailed flood modelling will also be undertaken as part of the subsequent State Significant Development Application (SSDA).
(i) Confirm if any updates to the planning proposal are required in response to Clause 4.5 of CBLEP.	Completed. The RE1 Public Recreation zoned land was amended to MU1 Mixed Use prior to exhibition. Note that the maximum height of 2.5m has been retained over this portion of the site. This approach enables that land to be included in the FSR calculation, while preserving its intended function as public domain, and it is consistent with the approach adopted for other sites in the precinct.
(j) Include the existing number of jobs on site and the proposed number of jobs as a result of development.	Completed. The planning proposal has been updated to include the following: • The existing site comprises light industrial development and accommodates a total of 18 operational jobs. • The proposed development will comprise retail premises at ground level and will accommodate 22 operational jobs and 2 building management jobs. • The proposed development will also generate approximately 200 construction jobs.