ORDINARY COUNCIL MEETING

ATTACHMENTS BOOKLET

Under Separate Cover

Tuesday, 15 April 2025

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Furthermore, when compared to its neighbouring suburbs within Burwood LGA, the subject site has a lower proportion of households renting when compared to both the suburbs of Burwood (North) (58.1%) and Croydon (North) (32.4%).

The total number of households in Concord has increased by 1,594 between 2016 and 2021. This number is expected to increase with more high density housing to be built over the next 5 years.

HOUSING LOAN REPAYMENTS

Table 9. House Loan Repayments

Monthly housing loan repayments

export reset

Concord - Households (Enumerated)	2021		
Monthly repayment amount	Number	%	City of Canada Bay %
$299 or less	86	5.7	5.5
$300 - $599	36	2.4	1.8
$600 - $999	50	3.3	3.2
$1,000 - $1,199	31	2.0	2.4
$1,200 - $1,399	33	2.2	2.7
$1,400 - $1,599	44	2.9	3.0
$1,600-$1,799	42	2.8	3.3
$1,800 - $1,999	26	1.7	2.5
$2,000 - $2,199	106	7.0	7.3
$2,200 - $2,399	41	2.7	3.2
$2,400-$2,599	62	4.1	4.7
$2,600-$2,999	65	4.3	6.9
$3,000-$3,999	233	15.4	17.5
$4,000-$4,999	194	12.8	11.7
$5000 and over	336	22.2	17.4
Not stated	130	8.6	6.9
Total	1,515	100.0	100.0

Source: Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented in profile.id by .id (informed decisions).

Please refer to specific data notes for more information

The analysis of the monthly housing loan repayments indicates that households in Concord compared to the City of Canada Bay shows that there was a larger proportion of households paying high mortgage repayments ($2,600 per month or more), as well as a larger proportion of households with low mortgage repayments (less than $1,200 per month).

Overall, 54.7% of households were paying high mortgage repayments, and 13.4% were paying low repayments, compared with 53.5% and 12.9% respectively in the City of Canada Bay.

HOUSING RENT REPAYMENTS

Table 10. Monthly Housing Rental Payments

Weekly housing rental payments

export reset

Concord - Households (Enumerated)	2021		
Weekly rental amount	Number	%	City of Canada Bay %
Less than $100	14	1.2	0.6
$100-$149	59	5.1	3.1
$150-$199	46	4.0	1.7
$200-$249	29	2.5	1.5
$250-$299	31	2.7	1.7
$300-$349	44	3.8	1.9
$350-$399	65	5.6	3.1
$400-$449	97	8.4	6.9
$450-$499	63	5.4	10.2
$500-$549	78	6.7	13.2
$550-$649	138	11.9	21.4
$650-$749	168	14.5	14.3
$750-$849	123	10.6	7.6
$850+	149	12.9	9.4
Not stated	52	4.5	3.3
Total households renting	1,156	100.0	100.0

Source: Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented in profile.id by .id (informed decisions).

Please refer to specific data notes for more information

Analysis of the weekly housing rental payments of households in Concord compared to the City of Canada Bay shows that there was a smaller proportion of households paying high rental payments ($450 per week or more), and a larger proportion of households with low rental payments (less than $250 per week).

Overall, 62.2% of households were paying high rental payments, and 12.8% were paying low payments, compared with 76.1% and 7% respectively in the City of Canada Bay.

FUTURE HOUSING AND POPULATION PROJECTIONS

As identified within the Canada Bay Local Housing Strategy the expected population growth within Canada Bay is to be of 104,337 in 2026 and 119,859 in 2036. Further to this figure, the Department of Planning has also outlined a potential high growth of 106,650 by 2026 and a further 129,800 by 2036.

As further identified in the Local Housing Strategy the demand for apartment type dwellings had the highest increase compared to other dwelling types (detached and semi-detached dwellings) where it increased by 1100 over the 2016- 2018, period. The demand for apartment dwellings is expected to continue to grow by 5,100 dwellings by the year 2026. Therefore, the increased density proposed under the planning proposal is consistent with the expected demand and will be able to provide additional housing for the increased population.

BASELINE DEMOGRAPHIC PROFILE – EMPLOYMENT PROFILE

The development proposal is likely to attract workers from the CBD and workers who live in the suburb of Concord and surrounds who are in receipt of a market-based income. The proximity to good bus connections as well as the future Metro will assist in access to employment.

The size of Concord's labour force in 2021 was 7,270 persons, of which 2,260 were employed part-time and 3,977 were full time workers.

Table 11. Employment Status

Employment status

export reset

Concord - Persons in the labour force (Usual residence)	2021			2016			Change
Employment status	Number	%	City of Canada Bay %	Number	%	City of Canada Bay %	2016 to 2021
Employed	6,990	96.1	95.9	6,970	95.6	95.0	+19
Employed full-time	3,977	54.7	59.2	4,520	62.0	64.3	-543
Employed part-time	2,260	31.1	26.8	2,145	29.4	26.3	+115
Employed, away from work	753	10.4	9.9	305	4.2	4.3	+448
a Unemployed (Unemployment rate)	280	3.9	4.1	322	4.4	5.0	-42
Looking for full-time work	164	2.3	2.4	167	2.3	2.6	-3
Looking for part-time work	116	1.6	1.7	155	2.1	2.4	-39
Total labour force	7,270	100.0	100.0	7,293	100.0	100.0	-23

Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions).
Please refer to specific data notes for more information

Labour force status

export reset

Concord - Persons aged 15+ (Usual residence)	2021			2016			Change
Labour force status	Number	%	City of Canada Bay %	Number	%	City of Canada Bay %	2016 to 2021
Total labour force (Participation rate)	7,270	60.4	64.3	7,293	61.8	63.8	-23
Not in the labour force	4,387	36.5	31.1	4,047	34.3	30.2	+339
Labour force status not stated	371	3.1	4.6	460	3.9	6.0	-90
Total persons aged 15+	12,028	100.0	100.0	11,796	100.0	100.0	+231

Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions).
Please refer to specific data notes for more information

Analysis of the employment status (as a percentage of the labour force) in Concord in 2021 compared to the City of Canada Bay shows that there was a similar proportion of employment, as well as a similar proportion of unemployed. Overall, 96.1% of the

labour force was employed, and 3.9% were unemployed compared with 95.9% and 4.1% respectively for the City of Canada Bay.

Between 2016 and 2021, the number of people employed in Concord showed a decrease of -23 persons and the number of unemployed showed a decrease of -42 people.

The labour force participation rate refers to the proportion of the population over 15 years of age who were employed or actively looking for work. "The labour force is a fundamental input to domestic production. Its size and composition are therefore crucial factors in economic growth.

From the viewpoint of social development, earnings from paid work are a major influence on levels of economic well-being. (Australian Bureau of Statistics, Australian Social Trends 1995).

Analysis of the labour force participation rate of the population in Concord in 2021 shows that there was a lower proportion of the labour force (60.4%) when compared with the City of Canada Bay (64.3%).

SUMMARY OF KEY DEMOGRAPHIC PROFILE

Key demographic characteristics that distinguish Concord include the following:

- 14,481 people living within Concord. Overall, the population of Concord grew by an additional 200 residents between 2016 and 2021, a growth of 1.4%.
- Diverse and multicultural suburb with over 33.3% of its population born overseas;
- High concentration of couples with children (41.9%) and couples without children (23.4%);
- Low density housing is the dominant housing type with 68.8% of all housing stock within Concord, with the suburb experiencing a gain of 41 high-density dwellings between 2016-2021, with the suburb overall only increasing by 94 dwellings between the last 5 years.
- Very high home ownership with 73% of Concord residents purchasing or fully owning a home and a low proportion of residents renting (22.7%), indicating a strong demand for alternative tenure types within the suburb.

Concord has experienced a very strong population growth between 2016 and 2021, however with very limited increase in the dwelling stock indicating there are significant shortage in housing offered within the locality.

As such the planning proposal will enable increased density and increased housing stock within the locality.

EXISTING SOCIAL INFRASTRUCTURE

The subject site is located within the catchment area of significant existing social infrastructures. These include local community centres, medical centres, childcare centres, public open spaces, educational establishments and recreational facilities. The subject site also benefits from proximity to Burwood and Strathfield which further offers community infrastructures such as commercial precincts, educational establishments and public open space.

Future residents will benefit significantly from these local social infrastructures within walking distance of the subject site, or alternatively a short bicycle ride or public transport trip.

Figure 1: Availability of existing social Infrastructure (Cred Consulting, 2017)

As seen in the above map the following social infrastructures are located within walking distance from the subject site.

Type of Community Infrastructure	Existing
High School	- Concord High School (D1)
Primary Schools	- Lucas Gardens School (P7) - Concord Public School (P3) - St Marys Primary School (P13)
Aged and disability facilities	- Concord Food Services Building (A1)
Out of School Hours Care (OSHC)	- Concord Out of Hours Care (G3) - Abbotsford Community Centre (G1)
Health facility	- Canada Bay Private Hospital (H2)
Venue for Hire – Council Owned	- Concord Community Centre (C2)
Scout Halls	- Concord Scout Hall (S1)

Arts and Culture	-	Harry's Shed/Tech Shed (W3)
	-	Lapidiary Club (W4)

As noted within the report Concord has the highest community facilities floor space within the Canada Bay LGA.

PUBLIC DOMAIN AND OPEN SPACE – PRCUTS

The subject site is well serviced by existing open space areas and also community facilities. Under PRCUTS Stage 1, 2 parks are identified, which are accessible to the subject site, along with other surrounding areas. This provides exceptional amenity values for residents within the area.

Figure 2: Availability of existing social and open space, with the subject site identified by yellow outline (SJB, 2021)

TRANSPORT

The site is in a highly accessible location enjoying near access to key public transport modes. These include;

- 200m of the Burwood North Metro, currently under construction
- Rapid bus services along Parramatta Road,
- Local bus services along Burwood Road
- Within walking distance of the Burwood Train Station

COMMERCIAL PRECINCTS

The subject site resides within proximity to Concord commercial precinct as well as Burwood Strategic Centre and the emerging Burwood North Strategic Centre. The locality provides a wide variety of commercial, retailing, and other essential services such as health, education, and legal services.

DEMAND FOR SOCIAL AND COMMUNITY FACILITIES

The planning proposal does introduce higher density within the subject precinct and will increase the demand for social and community facilities. However, it is important to note that the net increase in the number of people within the precinct is not significant and will not adversely impact the existing and proposed social and community facilities and will not overwhelm the system.

LOT I4

The subject site is referred to as Lot I4 within the PRCUTS Stage 2 Burwood- Concord Precinct Mater Plan Report prepared by Group GSA.

	Proposed PRCUTS	Planning Proposal	Net Increase
Number of Units	275	387	+112 units
Expected population[1]	578	813	+235 People

As seen from the above table, the net increase in the proposed population considered within the Burwood-concord precinct Master plan is limited to approximately 235 people and is not perceived to have a significant social impact on the precinct.

[1] 2.1 based on the assumed occupancy rate within the City of Canada Bay (April 2023), *Infrastructure Strategy: Parramatta Road Corridor Stage 1 and Stage 2 Precincts*.

The proposed developments do not strictly provide a new road, as we believe loss in existing affordable housing to make provision for a new road does not align with the current planning vision and framework within NSW, given the Housing Crisis.

As specified within the Social Infrastructure (Community) Strategy and Action Plan prepared by Cred Consulting the suburb of Concord has the largest community floor space which is council owned with 107m^2 per 1,000 people which is above the industry Benchmark of 80m^2.

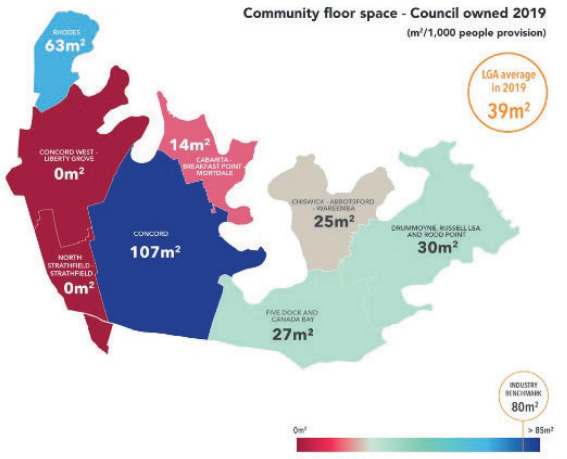


Figure 3: Availability of existing social Infrastructure (Cred Consulting, 2017)

There is accordingly adequate social infrastructure within the area to support the additional population generated from the planning proposal.

PRCUTS – Stage 1 and Stage 2 Infrastructure Strategy

In addition to the above, the PRCUTs Stage 1 and Stage 2 Infrastructure Strategy proposes the delivery of the following precinct infrastructures within the Concord Burwood Precinct, which the residents within the subject site will be able to enjoy.

Burton Street Park

"*The Burton Street Park will provide much needed open space amenity to the area with opportunities for play, leisure, recreation and exercise. The park also provides a green outlook for surrounding residents while stitching together the streetscape for greater permeability. The park will include a breakout turn area, trees and understorey planting, a playground and ground floor activation and dining space.*

Moreton Street Linear Park

"*The Moreton Street Linear Park will provide a neighbourhood scale open space and grant opportunities for informal planning and a connection to nature for the resident of Burwood. The park will include a good extent of shaded areas as a result of dense tree canopy, playground and other play elements, a turfed area for informal activity and passive recreation, small gardens incorporating water sensitive urban design and integrated shared path linking to the broader open space network"*

Burton Street Plaza

"*The Burton Street Plaza will provide a new civic heart to Burwood precinct, providing the area with the place activation it requires. The park will function as an extension to the entrance to the future Burwood North Metro Station that integrates the entrance with an activated public open space. The Plaza will include ground floor activation and dining space, a formal breakout lawn and a formal grove of trees in paving, interspersed with public seating to provide an essential casual gathering area.*

Through Links

Six Through Links are required and an additional seven Through Links are desired to facilitate north-south and east-west mobility across the Burwood Precinct.

Shared Zone Street

"*Two new shared zone streets are required to provide important connections through the Burwood Precinct. One is focused on access to the rear of Burton Street Plaza and one acts as an extension of Moreton Street, connecting Loftus Street to Burwood Road. These shared zones will incorporate pedestrianised roads with paving treatments and flush kerb environment that clearly communicates the shared environment to all street users. "*

This planning proposals seeks to provide an enhanced and improved shared zone, with the extension of Morton Street terminating at a cul-del-sac head, with a 12m through site link providing a linear active connection that also meets a proposed park. This achieves the desirability for permeability and servicing of lots behind Gipps Street, along with a much improved linear park that connects to a generous park and through site link network.

Public domain enhancements

"Many of the blocks along Burwood Road and Parramatta Road will undergo public domain enhancements to facilitate the significant transformation of the corridors to create a vibrant and productive place. This will be done through an introduction of 3m, 5m or 6m wider public domain (footpaths etc). Enhancements will mainly feature continuous kerbside trees, maximising pedestrian footpath widths streets of

continuous area of accessible public domain along the edge of the pedestrian corridors and flush pedestrian crossovers at laneway entries.

Road amendments

"The creation of a shared slow zone in Frankie Lane and the western side of Neichs Lane will provide a shared slow zone for pedestrian throughfare in addition to service access to future development sites. These sites will feature opportunities for green walls, permeable paving where possible, footpath crossovers at laneway entries and flush carriageway areas. Frankie Lane will also be extended at its easterly dead-end and the north-east corner of Neichs Lane will be transformed into space contributing to the pubic domain. The extension of Moreton Road, connecting Loftus Street to Burwood Road will provide improved connectivity within the precinct and will provide opportunities for additional landscaping and tree planting.

The proposed development will not strictly provide a new road however will provide a north-south, east-west publicly accessible through-site link which will provide improved public domain works and will assist in improving connectivity within the precinct.

PLANNING PROPOSAL - OPEN SPACE AND PUBLIC DOMAIN IMPROVEMENTS

The planning proposal seeks to deliver a new public park and generous north to south through site links. These go beyond what is anticipate via PRCUTS, and comfortably meet the net increase of 235 people within the area. These benefits are discussed below with the urban design study providing further detail.

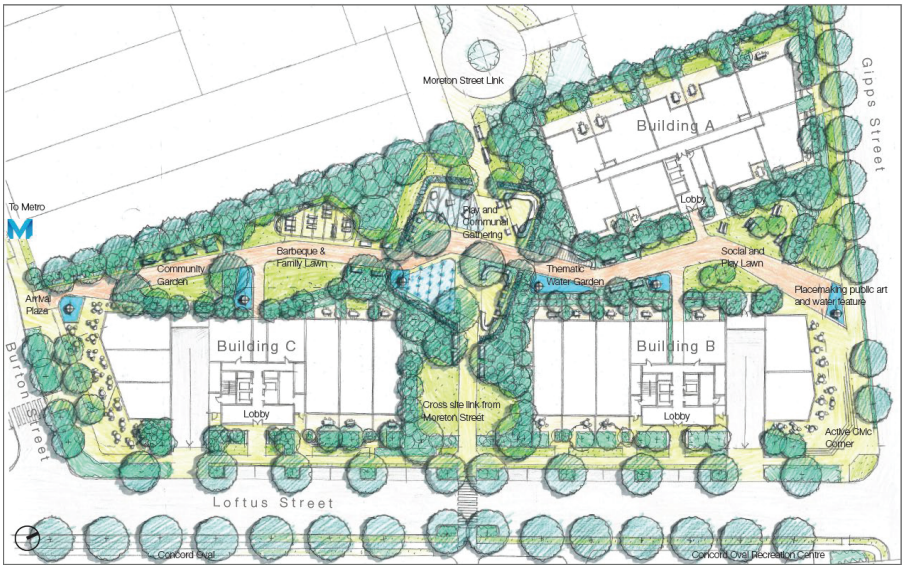


Figure 4: Open space concept and through site links (Site Image)

- Public Domain
    - *A public park* is provided within a centralised location, at the junction of the through site links, and is connected to Council's linear park. This provides a much improved open space network, with a connected space and more opportunities for a diverse range of programmed and unprogrammed passive activities. Landscape concept plans are provided, noting that this will contribute significantly to canopy cover within the precinct, along with a greener, cooler and more sustainable public domain. Furthermore it enhances opportunities in terms of how this space could be used, for example play equipment for children, associated with a community garden, seating etc. this will contribute to a vibrant and attractive public domain, given an identity to the eastern edge of the Stage 2 PRCUTS area.
    - *Through site links* are provided in both east to west and north to south directions, providing access to the public park and open spaces outside of the precinct. The through site links also make the area more accessible through the enhanced permeability, delivering more direct active transport links to the metro, services within the commercial area and homes. Safety is also enhance through the generous proportions of the through site links and their co-location with open space and opportunities for passive surveillance from dwellings.

FUNDING APPROACH AND DELIVERY ARRANGEMENTS FOR LOCAL, DISTRICT REGIONAL FACILITIES

PRCUTs and contributions

Section 7.11 Contribution Plan applies to the subject site.

The Section 7.11 contribution is dedicated to the improvement of local infrastructures including local parks, community and cultural facilities, local sporting facilities, Civil infrastructures including roads footpaths, drainage and etc

Voluntary Planning Agreement

Open space and publicly accessible through site links will be delivered via a VPA, with the terms to be negotiated with council.

HOUSING DIVERSITY AND AFFORDABILITY

AFFORDABLE HOUSING

As specified in the Canada Bay Local Housing Strategy, affordable housing within the Canda Bay LGA remains to be a challenge, especially focusing on the availability of affordable housing for healthcare workers for the Concord Hospital. Additionally, the demographic demand analysis undertaken as part of the local Housing Strategy identified that the dominant age demographic will continue to be within the 25 to 34 category. Young professionals within this age group values access to employment and public transport. The Housing Strategy values that providing affordable housing within proximity to public transport and strategic centres is vital.

The local housing strategy also specifies that over the 20 year period between 2016-2036 the demand for affordable housing is expected to grow by 1.7% annually which is higher than the expected average annual growth of NSW which is expected to be 1.5%. It is therefore important that the supply of affordable housing increases within the Canada Bay LGA.

As specified above the planning proposal will deliver 4% of the GFA will be affordable Housing and dedicated to Canada Bay Council, via a future development application.

The proposal will provide additional homes near key transport modes and within strategic centres. Future residents are close to transport, daily and convenient services, entertainment, community infrastructure and jobs within the Strategic Centre.

PROBABLE IMPACTS – WAY IN WHICH STAKEHOLDERS ARE LIKELY TO BE AFFECTED BY THE PROPOSAL

The planning proposal comprises the delivery of housing in an area nominated for higher density residential development.

The key impacts of the proposal are as follows;

- Traffic and traffic noise
- Construction noise and noise during occupation
- Overshadowing
- Safety
- Streetscape character

SUMMARY – RECOMENDATIONS

While a detailed analysis of the likely impacts will be undertaken at the development application stage, the following observations are relevant for the planning proposal:

TRAFFIC

The planning proposal is not expected to significantly impact upon the existing traffic networks within the subject area. The future development will be required to comply with Councils on-site parking requirements under the Canada Bay DCP. The site has the capacity for accommodating modest traffic volumes and the proximity to local services and public transport gives alternative transport options for future residents.

It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic. The proposed car parking area is considered appropriate and will meet service the traffic and parking needs of the proposal without significantly impacting upon existing road networks.

CONSTRUCTION NOISE AND SUBSEQUENT OCCUPATION NOISE

It is noted that the site is vacant and its redevelopment is anticipated. The planning proposal does not directly give rise to new construction impact, rather the planning proposal will likely result in longer construction times for any future project as the intensity of development will change.

Acoustic impacts arising from the construction of the proposal are likely to be transient during the construction process, and the hours of operation will be limited to standard EPA guidelines of Monday through Saturday. It is anticipated that conditions of consent would reinforce this issue.

OVERSHADOWING

While the planning proposal does not pre determine the development outcome, the urban design analysis for the site, and the DCP to accompany the planning proposals provides a built form that can be anticipated on the site. The design of these envelopes has considered overshadowing impacts and is designed to reduce the potential for overshadowing neighbouring properties, it is considered that appropriate solar access is to be provided on site and for neighbouring properties.

SAFETY

A detailed CPTED analysis will accompany a future development application, however, the reference design and DCP envelopes adopt best practice crime safety methodologies such as activation of the streets, provision of open and visually clear through site links, territorial reinforcement, etc.

The proposed development is capable of incorporating landscaping embedded with CPTED principles and will not permit easy concealment of intruders.

The proposal is capable of incorporating design elements including clearly defined and controlled access points as well as clearly defined public and private spaces to minimise opportunity for criminal activity.

STREETSCAPE CHARACTER

The overall design scheme associated with the proposed development has been developed in consultation with the Council and as such will positively contribute to the evolving built form character within the area.

It is considered that the proposal responds well to the individual context of its site and surroundings and positively contributes to the visual appreciation and cohesiveness of the streetscape, providing a future built form that will be compliant with Council controls and visually pleasing.

The proposal will have minimal adverse environmental, or amenity impacts and provide an appropriate outcome on site in an appropriate location. Overall, it is considered that the proposal results in an appropriate outcome on site and within the context of the area and will contribute to the orderly development of the Canada Bay LGA.

CONCLUSION

This Social Impact Assessment concludes that the planning proposal will lead to controls that will result in positive social benefits with any potentially negative associations capable of being appropriately managed and addressed in the future detailed design and in the determination of the future DA.

The site is capable of delivering a high quality residential development that will significantly contribute towards strengthening, supporting and improving the performance of the precinct through provision of housing supply, dedication of Affordable Housing and the provision of north-south and east-west through-site link.

The potential impact associated with the development are a-typical of large development adjacent a development within a major precinct including but not limited to traffic, construction noise, overshadowing, safety and streetscape character. The potential negative social impacts resulting from the proposal are of minor. Noting that there are significant number of existing community facilities within Concord and the proposed increase in density is unlikely to have any negative impacts on these facilities.

The proposal has been designed in a manner that permits the safe and efficient use of the site. The building envelopes are capable of incorporating CPTED principles into the future DA design including the provision of appropriate landscaping and an appropriate access sequence.

The Social Impact Assessment reviews the current proposal and concludes that the proposal will not generate negative social impacts, rather will contribute to meeting a social need, consistent with State and Local policies and planning controls.

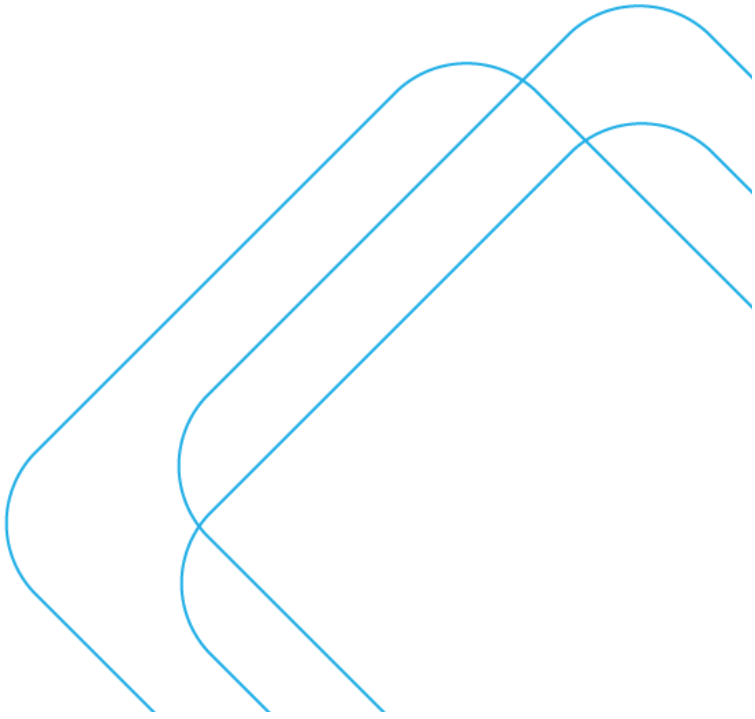
SCT Consulting

1-5 BURTON STREET, 3B-11 LOFTUS STREET & 10-12 GIPP STREET CONCORD PLANNING PROPOSAL

Transport Impact Assessment

9 DECEMBER 2024

SCT Consulting acknowledges
the traditional owners of the lands
on which we work.
We pay our respects to Elders
past, present and emerging.



Quality Assurance

Project:	1-5 Burton Street, 3B-11 Loftus Street & 10-12 Gipp Street Concord Planning Proposal		
Project Number:	SCT_00651		
Client:	LFD Concord Pty Ltd ATF LFD Concord Unit Trust	**ABN:**	50 289 162 010
Prepared by:	SCT Consulting PTY. LTD. (SCT Consulting)	**ABN:**	53 612 624 058

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Authoriser:	Andy Yung	Director	

Version	Date	Details
1.0	7 November 2024	Draft report
2.0	9 December 2024	Final report

Contents

Executive Summary

Introduction

SCT Consulting has been engaged by Mainway Project Management on behalf of LFD Concord Pty Ltd ATF LFD Concord Unit Trust (the proponent) to prepare a transport impact assessment (TIA) to support a planning proposal for an amalgamated site (the site) at 1-5 Burton Street, 3B-11 Loftus Street, and 10-12 Gipps Street, Concord, within the City of Canada Bay local government area (LGA), and to investigate the potential transport impacts associated with the proposal. The site is located adjacent to the north of the future Burwood North Metro Station and within the Burwood-Concord Precinct as identified in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).

The planning proposal discussed in this document aims to capitalise on emerging opportunities since the development of PRCUTS, especially with the delivery of the future Sydney Metro West, and the site location close to existing activity centres and amenities by proposing rezoning and an increase in development density to further enhance the creation of vibrant, sustainable, and walkable communities based on the 15-minute city principles and supported by the new high-capacity metro line.

Strategic context

The proposal complements Planning Priority E5 – *Providing housing supply, choice and affordability, with access to jobs, services, and public transport* under the *Eastern City District Plan*, part of the Greater Sydney Region Plan – *A Metropolis of Three Cities*.

The subject site is within Stage 2 of the Burwood-Concord Precinct and is recommended by the *PRCUTS Planning and Design Guidelines 2016* to be zoned R3 Medium Density Residential, with a maximum floor space ratio of 2.4:1 and a maximum building height of 40m.

The Parramatta Road Corridor Canada Bay Stage 2 Modelling Outcomes, prepared by Bitzios (2023), has found that the study area encompassing the site is expected to experience a higher level of traffic congestion, mostly on the road network west of Burwood Road, and proposed right-turn bans at Gipps Street (west) to Loftus Street (south) and Burton Road (west) to Burwood Road (south).

At the City of Canada Bay Ordinary Council Meeting on 18 June 2024, the Council resolved that a Council's draft planning proposal for Stage 2 of the Kings Bay and Burwood-Concord Precincts be endorsed for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination and public exhibition.

The intended outcome of the draft proposal is to achieve fine-grained housing precincts that are community and family-friendly, well-designed, sustainable, and resilient. The proposed amended planning controls for the subject site are all consistent with the *PRCUTS Planning and Design Guidelines 2016*. The site is estimated to be able to achieve 275 high-density residential units under the accompanying masterplan. The masterplan also proposes that Moreton Street be extended eastwards to Loftus Street through the middle of the site. The extension ultimately forms part of the requirements under the proposed amended *Canada Bay Local Environment Plan 2013* (the LEP).

Existing conditions

The area surrounding the site can be characterised as a predominantly low-rise residential neighbourhood made up of medium to large blocks. Close to the site are car-based retail uses along Parramatta Road to the south and several public open spaces and amenities, including St Lukes Park and Concord Oval. Burwood town centre is around 1.4km to the south of the site, while Concord town centre is 1.6km to the northwest.

Data from the Australian Bureau of Statistics Census in 2016 and 2021 were analysed to develop an understanding of the existing travel behaviour among the residents in the area around the site at the Concord – Mortlake – Cabarita Statistical Area Level 2 (SA2), where the subject site is located. The results show that:

– Of all employed persons, 22 per cent used public transport while 63 per cent used private vehicles and three per cent used active transport. Public transport users largely travelled by train for at least one leg of their trips (15 per cent), followed by bus (3 per cent).

– The SA2's trip containment rate—the proportion of residents who lived and worked in the SA2—is 17 per cent, which is lower than the LGA-wide trip containment of 24 per cent, according to the *Local Movement Strategy 2019*. However, considering a larger labour market to include the neighbouring SA2s, such as Concord West - North Strathfield and Burwood, the trip containment increases to 26 per cent, in line with the LGA-wide rate.

With the urban nature of the area, footpaths are provided along the majority of the roads surrounding the site. The footpaths are generally narrow and serve local foot traffic. Tree canopies are particularly dense on the eastern side of Loftus Street and both sides of Burton and Gipps Streets. However, tree canopies are scarce along larger roads, especially Burwood Road and Parramatta Road.

Cycling infrastructure around the site is currently limited. While Gipps Street is a designated cycling route, the infrastructure is unsupportive. The *Local Movement Strategy 2019* argues that Gipps Street is not suitable for cycling and instead proposes a secondary link along Patterson, Stanley, and Henry Streets slightly further north.

The subject site benefits from its location close to Parramatta Road, Burwood Road, and the future Burwood North Metro Station, and is served by extensive public transport services.

– The nearest existing train station is Burwood Station, 1.3km to the south, with services providing direct connections between Burwood and many key destinations, including the Sydney CBD, the Parramatta CBD, Rhodes, and Hornsby, and more than 40 services in each direction during both two-hour peak periods.
– The site is less than a 5-minute walk from bus stops on Parramatta Road and Burwood Road. The bus routes provide services to various destinations catering to both short and long-distance trips, including the Sydney CBD, Burwood, Hurstville, Macquarie Park, and Cabarita.
– The site is located within the Inner West On Demand service area which operates across the suburbs of Rhodes and Concord to Burwood and Five Dock, providing a flexible public transport option that aims to cover the first-mile last-mile connections by allowing users to book a trip, either when needed or in advance, via a mobile application.
– The northern entrance of the future Burwood North Metro Station along Sydney Metro West is around 300m from the site. The metro (under construction) will provide a rapid, high-capacity east-to-west connection between the Sydney CBD and Westmead with stops at Parramatta and Sydney Olympic Park. New bus stops are proposed on Burwood Road north of Parramatta Road as well as underground and through-site pedestrian links.

The proposal

The proposed amendments to planning controls on the amalgamated site are land zoning R4 High-Density Residential, a maximum floor space ratio of 5.0:1, and a maximum building height of 75m. These will allow for the construction of residential flat buildings and a maximum floor space of 41,350 sqm.

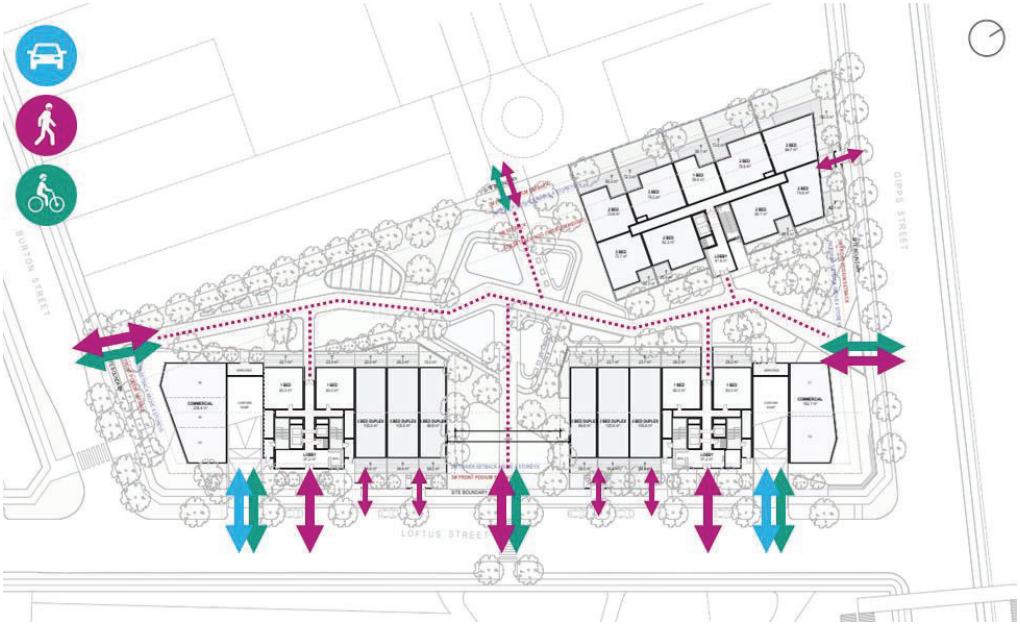
Under the proposed planning controls, the proposal has an indicative yield of 387 residential units and five ground-floor commercial units in a strategically located site close to economic and lifestyle centres and existing amenities, with access to high-capacity public transport services. The development is proposed to be constructed across three buildings and two three-level basement car parks with pedestrian through-site links and a public open space.

The proposal would result in an uplift of 112 additional residential units and five commercial units of 371 sqm combined gross floor area (GFA) from the baseline of the Council's draft Stage 2 planning proposal. For this report, the assessment of the potential transport impacts associated with the subject proposal is based on the understanding that the impacts would only be incurred from the development uplift as a result of the proposal when compared to the baseline.

A concept plan for site access arrangements is depicted in **Figure ES-1**. The plan serves the purpose of this planning proposal only, a more detailed design is subject to a future development application. Key design approaches are:

– Access for vehicles is provided at two driveways on Loftus Street.
– Pedestrian entries are distributed across the site frontages. The internal footpaths all lead to the internal public open space at the centre of the site and allow for access to all three buildings. Pedestrians also have direct access from the public footpaths to the two buildings on Loftus Street, all commercial units, and all street-facing ground-floor residential units.
– Cyclists may share the two driveways with other motor vehicles or the entrances to internal footpaths with pedestrians.

Figure ES-1 Concept access arrangements



Source: Rothelowman (2024) / Annotated by SCT Consulting

It is proposed that Residential Parking Category C under Section B3.4 of the DCP applies to the site as Category C currently applies to the Stage 1 Implementation Area of PRCUTS and would potentially apply to the site once planning amendments for Stage 2 are delivered. The planning proposal is required to provide no more than 383 car parking spaces and at least 859 bicycle parking spaces and associated end-of-trip facilities. Requirements for other types of parking facilities and the provision of all parking facilities will be determined at a later development application stage.

The planning proposal aims to also deliver benefits to the community through the provision of pedestrian through-site links and public open space, aligning with the strategic importance of the site.

Transport impact assessment

The estimation of trip generation associated with the proposal is informed by the recently published *Guide to Transport Impact Assessment* (GTIA) (Transport for NSW, 2024) and the accompanying surveys. The proposal indicatively comprises two land uses: residential and commercial.

Based on the development uplift of 112 residential units and commercial spaces of 371 sqm total GFA, the planning proposal would generate 23 and 19 additional two-way vehicle trips per hour during the AM and PM peak hours, respectively, in addition to the vehicle trips already expected to be generated from the baseline. Throughout the day, the development uplift would result in 185 additional vehicle trips and 551 additional person trips generated in both incoming and outgoing directions than the baseline of the Council's draft Stage 2 planning proposal.

The results of the Place of Work data analysis provided a basis for estimating the distribution of vehicle trips generated. The further trip assignment analysis covered four intersections immediately adjacent to the site and resulted in six possible directions outwards/inwards of the study area. Based on the calculation, most vehicles would travel to/from the east via Parramatta Road, followed by vehicles to/from the west along Gipps Street, the north along Burwood Road, and the west via Parramatta Road.

The modal split of future residents and visitors was derived based on the calculated trip generation, relevant surveys presented in the GTIA, the travel behaviour analysis as presented, and the Household Travel Survey at the Canada Bay SA3 for the financial year 2022/23 (Transport for NSW, 2024). Ultimately, the modal split is estimated to be:

– During peak hours: 34% private vehicles, 62% public transport, and 4% active transport

– Daily: 40% private vehicles, 36% public transport, and 24% active transport

Based on the above findings, this report posits that:

– The additional vehicle trips generated by the planning proposal will not have an adverse impact on the surrounding road network than initially expected from the delivery of Stage 2 of PRCUTS. The initiatives proposed in the Bitzios (2023) report will adequately address the road network capacity constraint and no further upgrades as a result of the planning proposal are required. The road hierarchy will remain unchanged while Loftus Street has the potential to turn from a local street to a place for people.
– The provision of pedestrian links and open space will allow for greater connectivity and a safer environment for pedestrians and cyclists. The planning proposal is not expected to create any adverse impact on the surrounding footpaths and bicycle network but rather create a better place outcome and a safer environment for the more vulnerable road users.
– The future Burwood North Station along Sydney Metro West will be the key public transport hub for residents and workers in the area. Complemented by the extensive bus services within walking distance, all public transport trips generated by the planning proposal will be catered for sufficiently by both existing and planned services and no capacity constraints are expected.
– The location of the driveways allows for sufficient visibility of and for vehicles coming in and out of the driveways. The proposal for the east-west pedestrian through-site link, instead of an extension of Moreton Street, will create a single, continuous car-free public domain. It is satisfied that the planning proposal will pose no safety issues for any road users while encouraging active travel and limiting vehicular traffic around the site.

Conclusion

The transport impact assessment concludes that the planning proposal will not have significant adverse impacts on the surrounding transport network when compared to the baseline development scale. In contrast, the proposal will encourage public transport use, while the concept design approaches will enhance safety for all road users and the place quality in the area.

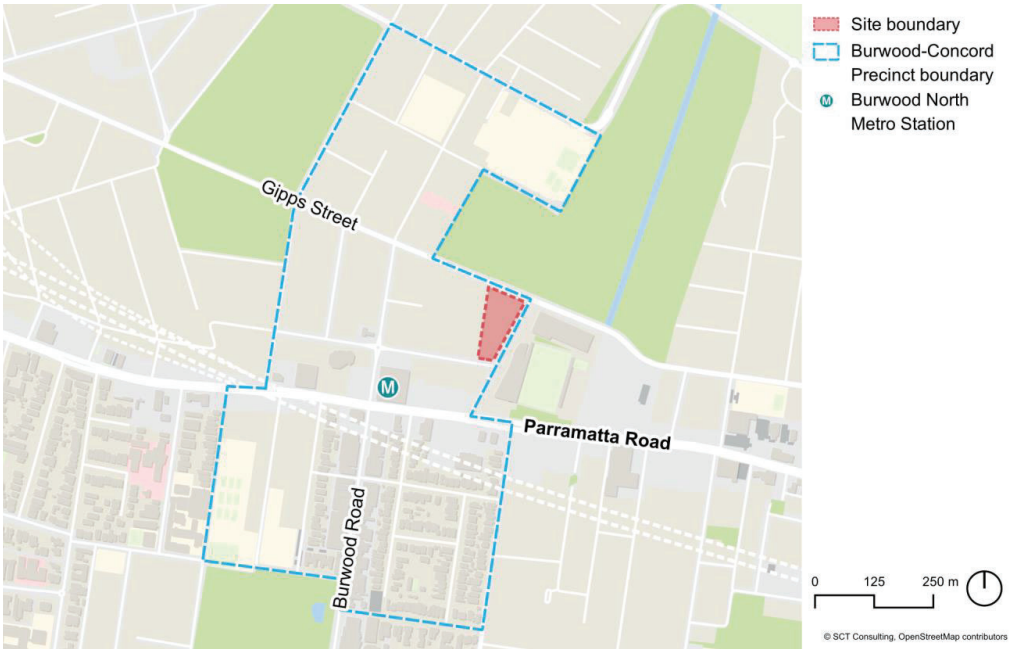
1.0 Introduction

1.1 Background

SCT Consulting has been engaged by Mainway Project Management on behalf of LFD Concord Pty Ltd ATF LFD Concord Unit Trust (the proponent) to prepare a transport impact assessment (TIA) to support a planning proposal for land at 1-5 Burton Street, 3B-11 Loftus Street, and 10-12 Gipps Street, Concord (the site), within the City of Canada Bay local government area (LGA).

The site is located adjacent to the north of the future Burwood North Metro Station and within the Burwood-Concord Precinct as identified in the *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS), as shown in **Figure 1-1**.

Figure 1-1 Location of the site



PRCUTS envisages the Precinct as a commercial gateway to Burwood town centre built around the proposed on-street rapid transit from Burwood to the Sydney CBD and recommends that the Precinct be upzoned to allow for higher-density residential development.

The planning proposal to deliver the City of Canada Bay's Stage 1 Implementation Area of PRCUTS has been made to the *Canada Bay Local Environmental Plan 2013* in 2022. The City of Canada Bay Council (the Council) adopted amendments to the City of Canada Bay Development Control Plan later in March 2023.

The subject planning proposal for the site discussed in this document aims to capitalise on emerging opportunities since the development of PRCUTS in 2016, especially with the delivery of the future Sydney Metro West, and the site location close to existing activity centres and amenities, by proposing rezoning and increasing development density to further enhance the creation of vibrant, sustainable, and walkable communities based on the 15-minute city principles and supported by the new high-capacity metro line.

1.2 Purpose and scope

This TIA report has been prepared to support the proposal for amendments to the planning controls applied to the site in Concord. It seeks to investigate the potential transport impacts associated with the proposal and includes the following:

- Review of the State, regional, and local strategic contexts around the site
- Study of the existing conditions around the site, including site context, travel behaviour, road network, active transport network, public transport network, and road crashes
- Review of committed development and future infrastructure delivery in the area surrounding the site
- Review of the subject planning proposal, including the proposed access arrangements and pedestrian links
- Analysis of trip generation and distribution and modal split associated with the proposal
- Assessment of the potential transport impacts on the road network, active transport network, public transport network, and safety
- Reference to relevant environmental planning instruments and local planning controls, including the Parramatta Road Corridor Urban Transformation Planning and Design Guidelines 2016, the *Canada Bay Local Environmental Plan 2013* (the LEP), and the City of Canada Bay Development Control Plan (the DCP)
- Reference to guides relevant to transport impact assessment, including the *Guide to Transport Impact Assessment* (2024)

1.3 Report structure

The remaining of the report is structured into the following sections:

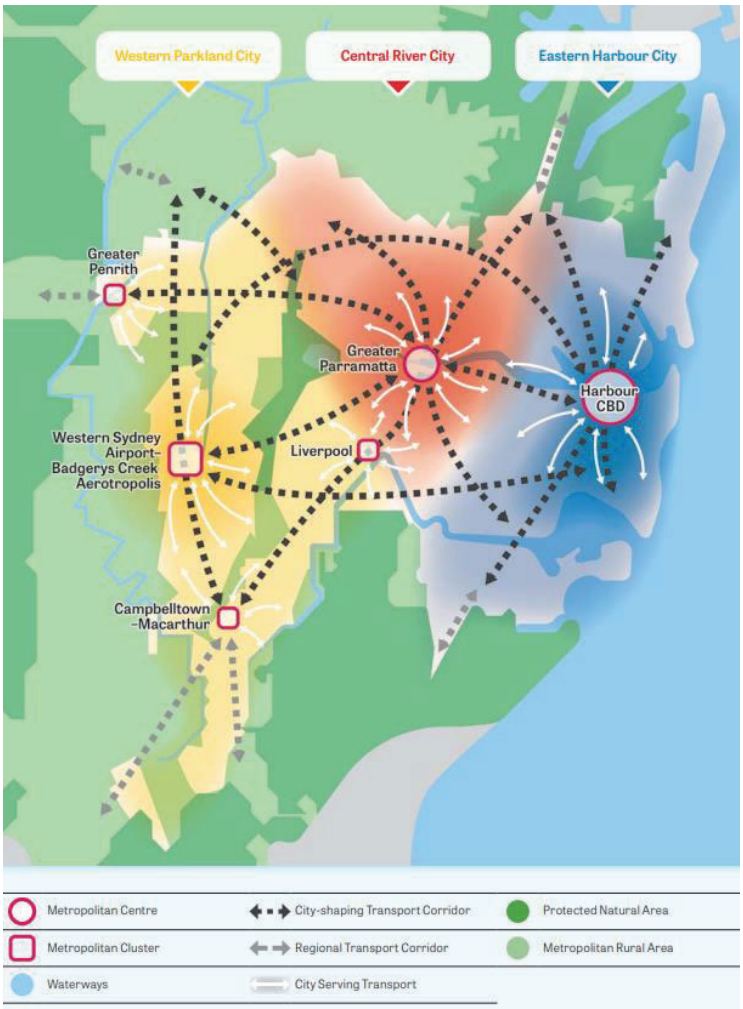
- **Section 2.0** reviews the State, regional, and local strategic contexts around the site.
- **Section 3.0** describes the existing site context, travel behaviour, and transport conditions.
- **Section 4.0** outlines an overview of the planning proposal.
- **Section 5.0** provides an assessment of the potential transport impacts associated with the proposal on the road, active transport, and public transport networks.
- **Section 6.0** presents the conclusion of the assessment.

2.0 Strategic context

2.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan – *A Metropolis of Three Cities* envisions transforming Greater Sydney into three interconnected cities: the Western Parkland City, the Central River City, and the Eastern Harbour City, as shown in **Figure 2-1**. This plan aims to enhance liveability, productivity, and sustainability by ensuring that most residents live within 30 minutes of their jobs, education, and health services.

Figure 2-1 Greater Sydney Regional Plan Three Cities



Source: Greater Sydney Commission (2018)

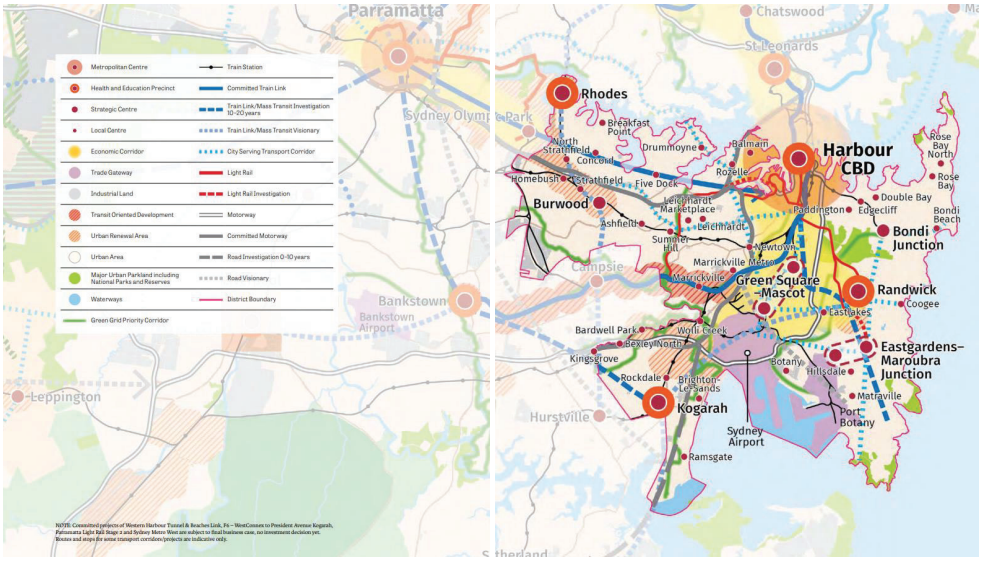
The Plan seeks to rebalance Greater Sydney by spreading the benefits of growth and ensuring housing, jobs, and services are within easier reach across the region. The delivery of the Plan builds on ten guiding directions across four spatial elements of Greater Sydney. The four spatial elements and relevant guiding directions are outlined below:

- **Infrastructure and collaboration** – Residents have quick and easy access to jobs and essential services. Infrastructure is sequenced to support growth and deliver it concurrently with new homes and jobs.
  - A city supported by infrastructure – Infrastructure planning is integrated with land use to support growth. This means coordinating transport infrastructure with new housing developments to ensure accessibility and reduce congestion.
- **Liveability** – The housing supply is diversified and increased to meet the growing and changing needs of the community.
  - Housing the city – Housing options are diverse, affordable, and close to jobs and services. The metropolis is well-connected by public transport and less reliant on private vehicles.
  - A city of great places – Neighbourhoods are walkable, creating vibrant and attractive places that enhance community well-being.
- **Productivity** – Jobs are boosted and spread across the region with a strong focus on economic corridors, health and education precincts and strategic centres.
  - A well-connected city – The metropolis is well-connected, built around a comprehensive transport network, ensuring that residents have convenient access to jobs, entertainment, and services.
- **Sustainability** – Urban tree canopy and a network of open space are increased. The environment and natural resources are protected.

2.2 Eastern City District Plan

The *Eastern City District Plan* sets out the priorities and actions for the Eastern City District which encompasses local government areas between Strathfield in the west and Waverley in the east with the Harbour CBD, Australia's global gateway and financial capital, as its metropolitan centre. The vision for the District is to create a vibrant, globally competitive, and sustainable urban area that enhances the quality of life for its residents while driving economic growth and innovation. The structure plan of the Eastern City District is illustrated in **Figure 2-2**.

Figure 2-2 Eastern City District structure plan



Source: Greater Sydney Commission (2018)

As the *Eastern City District Plan* is part of the overarching Greater Sydney Region Plan, the proposal also contributes to the vision for the District across four spatial elements in a similar way to the Greater Sydney Region Plan.

In addition, Planning Priority E5 – *Providing housing supply, choice and affordability, with access to jobs, services, and public transport* is of high relevancy. It emphasises opportunities for urban renewal at high density, supported by high-capacity public transport infrastructure and existing amenities.

2.3 Future Transport Strategy

The *Future Transport Strategy* sets the direction of the NSW Government to improve the transport system across the state. The Strategy outlines outcomes, strategic directions, and responses for improving the transport network to benefit the community and economy of New South Wales and to support the network's growing demand.

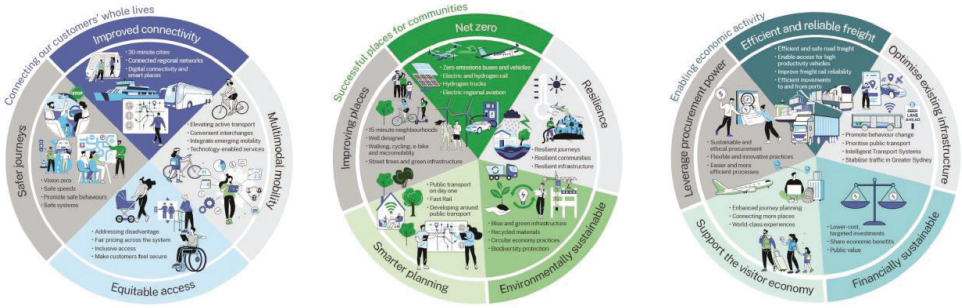
The strategy is based on three high-level customer outcomes, presented in **Figure 2-3**:

– Connecting our customers' whole lives

– Successful places for communities

– Enabling economic activity

Figure 2-3 Customer outcomes outlined in the Future Transport Strategy



Source: Transport for NSW (2022)

The planning proposal is consistent with the Strategy's vision to provide more choices and better access to the transport network and to create thriving places. Relevant key responses of the Strategy include:

– **Enhance 30-minute metropolitan cities** – Improve public transport access to centres, jobs, and essential services, and integrate transport and land use planning to support more sustainable travel and reduce urban sprawl.

– **Support car-free, active, and sustainable transport options** – Invest in walking, cycling, and micro-mobility infrastructure and programs which integrate with public transport and green infrastructure.

– **Support thriving and healthy 15-minute neighbourhoods** – Partner with councils to support 15-minute neighbourhoods and improve priority for walking trips in centres, towns and villages.

2.4 Parramatta Road Corridor Urban Transformation Strategy

2.4.1 The Strategy

The *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS) identifies areas that will be the focus of growth and change along the Parramatta Road corridor from Camperdown in the east to Granville in the west. The Strategy indicates that the Corridor is expected to accommodate 56,000 additional people in 27,000 new homes over the next 30 years. The population increase in these areas is 3.2 per cent of Sydney's total expected population growth of 1.6 million.

The Strategy identifies seven principles for the transformation of the corridor with those relevant to the planning proposal being outlined below:

– **Housing choice and affordability** – Future development contributes to diverse land use and housing types that create opportunities for people to live and work locally and accommodate a wide range of community needs, with proposals for mixed-use precincts along public transport corridors, urban services, and amenities.

– **Accessible and connected** – Parramatta Road reshapes and better connects places, better serves customers, and encourages sustainable travel. Short-distance travel is done by active transport. Future public transport options will support urban renewal opportunities and connect people to their places of choice.

– **Vibrant communities and places** – Quality places and built form outcomes are promoted. People have access to well-designed, attractive, and greener streets and urban spaces. Precincts are delivered as 15-minute neighbourhoods through land use changes that improve walkability, housing diversity, and access to open spaces and services.

– **Green spaces and links** – Recreational needs of the community are supported by protecting and improving existing while providing new open spaces, improving linkages to create a network of expansive recreational spaces, and ensuring that open spaces and public domain enhance the quality of the local environment.

The Burwood-Concord Precinct, where the site is located, is envisaged as an urban renewal precinct for future growth with prime access to transport and employment opportunities and is expected to experience rapid growth, as shown in **Figure 2-4**.

Figure 2-4 Structure plan of the Burwood-Concord Precinct

Source: UrbanGrowth NSW (2016) Parramatta Road Corridor Urban Transformation Planning and Design Guidelines 2016

The Precinct will focus its growth along Burwood and Parramatta Roads with the former being improved to enhance its role as a lively main street. The Precinct is projected to grow in population by 4,380 in 2050, with 2,020 new dwellings and 1,250 new jobs.

As outlined in the PRCUTS *Planning and Design Guidelines* 2016, new open spaces are encouraged on larger sites as well as green streets, linear parks, and pedestrian through-site links. A north-south through-site link between Gipps Street and Parramatta Road has been identified as a strategic link in the structure plan.

The planning amendments to deliver the City of Canada Bay's Stage 1 Implementation Area have been made to the *Canada Bay Local Environmental Plan 2013* in 2022 and Council adopted amendments to its Development Control Plan in March 2023.

For Stage 2, PRCUTS recommends that the subject site be zoned R3 Medium Density Residential, with a maximum floor space ratio of 2.4:1 and a maximum building height of 40m.

2.4.2 Parramatta Road Corridor Traffic and Transport Study and Action Plan (Bitzios, 2022)

The Traffic and Transport Study and Action Plan report was prepared by Bitzios and published in February 2022 (version 003) as a response to the Ministerial Direction s9.1 which required a precinct-wide traffic study to be completed prior to any rezoning commencing.

The report documents the traffic study to inform the necessary road improvements and upgrades for the Kings Bay, Burwood-Concord, and Homebush Precincts. It provides an integrated traffic and transport strategic response and action plan to support the land use densification proposed for the three precincts.

The study area encompasses land to be rezoned, including the Stage 1 Implementation Area but excluding Stage 2 where the site is located.

It is projected that, by 2036, there will be a 35 to 39 per cent increase in traffic in the study area from the 2019 level. Approximately 75 per cent will be through traffic even some will have been diverted to WestConnex. The modelled traffic congestion indicates the need for improvements to road network capacity and improved provisions of active transport and public transport infrastructure.

The key traffic issues in the Burwood-Concord Precinct are found in the modelling to be related to significant congestion on Parramatta Road. East-west rat-running on local roads would further exacerbate the congestion on Burwood Road. The Burwood Road / Burton Street roundabout is identified as a key pinch point within the Precinct.

The report further proposes initiatives to improve traffic conditions within the Precinct, including:

– Implementing clearways on Burwood Road
– Changing signal phasing at the Burwood Road / Park Avenue / Wilga Street and Gipps Street / Boughton Street intersections
– Converting the Burwood Road / Burton Street roundabout to a signalised intersection with a two-lane approach, two-lane exit, and pedestrian crossing at all approaches
– Implementing a traffic management scheme to limit rat-running via Loftus Street, including traffic calming devices, threshold treatments at entrances, and one-way operation
– Building new pedestrian links to improve permeability and new cycle links to connect existing infrastructure

From a traffic perspective, the report recommends that increased density should be distributed around Parramatta Road, Burwood Road, and the future Burwood North Metro Station.

2.4.3 Parramatta Road Corridor Canada Bay Stage 2 Modelling Outcomes (Bitzios, 2023)

The City of Canada Bay Council commissioned Bitzios to update the Canada Bay Stage 2 development plans associated with the previous Traffic and Transport Study and Action Plan (Bitzios, 2022) by revising the population and employment forecasts and identifying locations for Stage 2 development within the LGA.

The subject site is located in the Strategic Traffic Forecasting Model (STFM) zone 706, named as Burwood (North) in the report. The zone had previously been forecasted to have a population growth towards 2036 of 3,058 and has been updated to a 5,882 increase, which was analysed in the report. This equates to an increase in population of 2,824 and dwellings of 1,345 reflected in this study for Stage 2.

Trip generation rates for high-density residential development were adopted: 0.19 trips per hour in the AM peak hour and 0.15 trips per hour in the PM peak hour. Resultantly, Burwood (North) is expected to generate 256 and 202 additional vehicle trips per hour during the AM and PM peak hours, respectively.

With the forecasted population increase in Burwood (North) and Burwood (West), the areas are expected to experience a higher level of traffic congestion, mostly on the road network west of Burwood Road.

In addition to the recommendations made in the previous report (Bitzios, 2022), this study, among other recommendations, also proposes right-turn bans at the following locations:

– Broughton Street (south) to Gipps Street (east)
– Gipps Street (west) to Loftus Street (south)
– Burton Road (west) to Burwood Road (south)

2.4.4 Council's planning proposal for PRCUTS Stage 2

At the City of Canada Bay Ordinary Council Meeting on 18 June 2024, item 9.2 was held to seek the Council's endorsement for the submission of a planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) to obtain a Gateway Determination for land within Stage 2 of the Kings Bay and Burwood-Concord Precincts of PRCUTS.

Following the meeting, the Council recommended that the draft planning proposal be endorsed for submission to DPHI for a Gateway Determination and for public exhibition, together with the draft DCP and draft Affordable Housing Contribution Scheme.

The draft proposal aims to change the zoning and built form controls and to require and incentivise the delivery of community and sustainability infrastructure within Stage 2. The intended outcome is to achieve fine-grained housing precincts that are community and family-friendly, well-designed, sustainable, and resilient.

The draft proposal was attached with a suite of supporting studies, including urban design masterplans, a public domain plan, a heritage assessment, and an infrastructure strategy, among others. A draft amendment to the DCP was also prepared to guide and influence finer-grain planning outcomes.

According to the masterplan for Burwood-Concord Precinct Stage 2 (Stage 2 Masterplan) prepared by GroupGSA (2024), the subject site is part of Lot I4 where the proposed amended planning controls are all consistent with the PRCUTS *Planning and Design Guidelines 2016*, i.e., land zoning R3 Medium Density Residential, floor space ratio of 2.4:1, and a 40m building height. With a housing mix of 20 per cent one-bedroom units, 60 per cent two-bedroom units, and 20 per cent three-bedroom units, Lot I4 is estimated to be able to achieve 275 high-density residential units. This development scale was included and tested in the traffic study conducted by Bitzios (2023).

The Stage 2 Masterplan also proposes several through-site links in addition to the desired options outlined in the PRCUTS *Planning and Design Guidelines* 2016, as shown in **Figure 2-5**. Moreton Street is proposed to be extended eastwards to Loftus Street via the southern boundary of Lot I3 and through the middle of Lot I4. The extension ultimately forms part of the requirements under the proposed amended LEP (where Lot I4 is referred to as Area 47).

Figure 2-5 Stage 2 proposed through-site links

Source: GroupGSA (2024)

2.5 City of Canada Bay Local Strategic Planning Statement

The City of Canada Bay Local Strategic Planning Statement (LSPS) is the core strategic planning document for the Council that will guide the character of centres and neighbourhoods and land use and planning decisions in the LGA.

The site is in one of the identified urban renewal areas, which include the precincts within PRCUTS as well as the Rhodes Planning Precinct. Many of the urban renewal areas are also designated future local centres, including the Burwood-Concord Precinct, where there is an emphasis on active streets and human-scale built forms.

Following community consultation, the LSPS outlines 19 planning priorities across four themes, which are informed by the *Eastern City District Plan*. Planning priorities relevant to the proposal are as follows:

- Provide housing supply, choice, and affordability in key locations
- Enhance employment and economic opportunities in Local Centres
- Identify land use opportunities and implications arising from Sydney Metro West
- Protect and enhance bushland, biodiversity, and scenic and cultural landscapes
- Deliver high-quality open space and recreation facilities.

2.6 City of Canada Bay Development Control Plan

Section K21 of the City of Canada Bay Development Control Plan has been prepared to support the implementation of PRCUTS. The DCP will deliver the desired future character envisaged in PRCUTS, with refinements to achieve better urban design and community outcomes.

Section K21 provides various controls relevant to the development of land within the Stage 1 Implementation Area of PRCUTS. The controls are based on key urban design principles, including creating an active and permeable public realm, promoting active street frontages, minimising the impacts of parking, etc.

Regarding transport matters, the DCP attempts to encourage the uptake of walking, cycling, and public transport while reducing car ownership and reliance on private vehicles. It will achieve this by:

- Requiring new open spaces and pedestrian links in large blocks
- Improving street frontage quality to encourage active travel
- Implementing Crime Prevention Through Environmental Design (CPTED) principles
- Enforcing maximum car parking rates and unbundled parking
- Encouraging carshare and rideshare.

3.0 Existing conditions

3.1 Site context

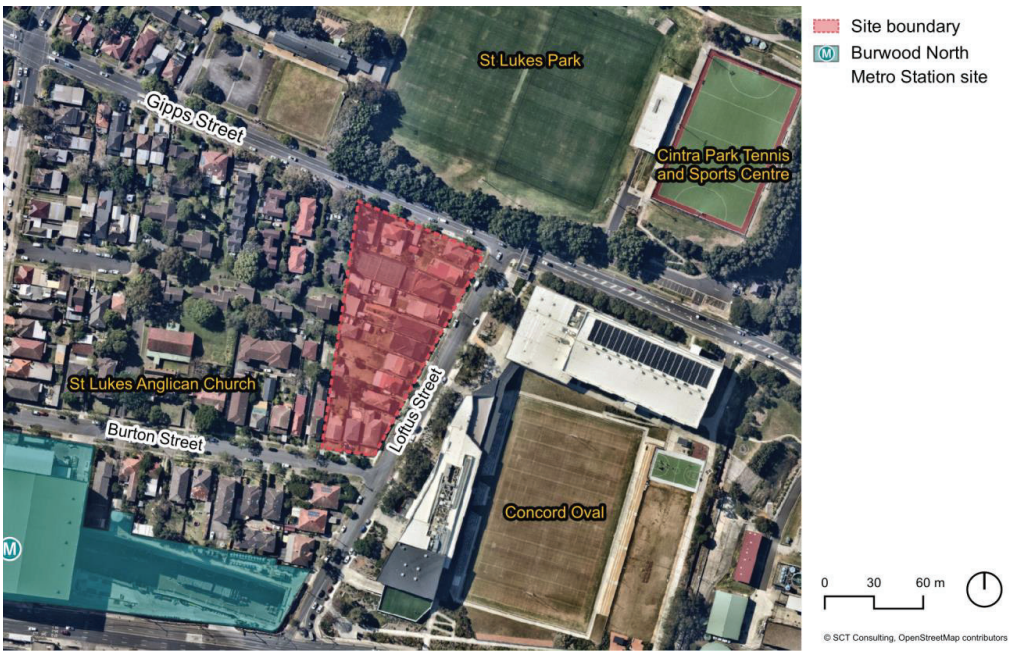
The subject site is the land consisting of 12 lots at 1-5 Burton Street, 3B-11 Loftus Street, and 10-12 Gipps Street, Concord. It is located almost in the middle between the Sydney CBD and Parramatta CBD, 12km and 14km to each CBD, respectively.

The site encompasses an area of 8,270 sqm and has three road frontages to Gipps Street in the north, Loftus Street in the east, and Burton Street in the south. The current use of all 12 lots is for separate houses of one to two storeys.

The area surrounding the site can be characterised as a predominantly low-rise residential neighbourhood made up of medium to large blocks. Close to the site are car-based retail uses along Parramatta Road to the south and several public open spaces and amenities, including St Lukes Park, Cintra Park Tennis and Sports Centre, Concord Oval, St Lukes Anglican Church, and Concord High School, among others. Burwood town centre is about 1.4km to the south of the site, while Concord town centre is 1.6km to the northwest.

The existing context around the site is shown in **Figure 3-1**.

Figure 3-1 Existing context around the site



Source: Nearmap (2024) / Annotated by SCT Consulting

Under the LEP, all lots within the site are currently zoned R2 Low Density Residential while land zonings surrounding the site are majorly R2 Low Density Residential, R3 Medium Density Residential, RE1 Public Recreation, MU1 Mixed Use, and E3 Productivity Support, as depicted in **Figure 3-2**. Local provisions currently applying to the site include a maximum floor space ratio (FSR) of 0.5:1 and a maximum building height of 8.5m.

Further, under Part 8 of the LEP, Area 10 on the Key Sites Map, which encompasses lots opposite the site across Burton Street, is allowed for an FSR of up to 3:1 and a building height of up to 78m, providing future development meets certain conditions.

Figure 3-2 Land zoning surrounding the site

Source: *Canada Bay Local Environmental Plan 2013*

3.2 Travel behaviour

Data from the Australian Bureau of Statistics Census in 2016 and 2021 were analysed to develop an understanding of the existing travel behaviour among the residents in the area around the site. Specifically, this report investigates the Method of Travel to Work data to identify how the residents travelled to their place of work, and the Place of Work data for the location of their workplace.

The analysis in this section was carried out for the Concord – Mortlake – Cabarita Statistical Area Level 2 (SA2), where the site is located, which includes the suburbs of Concord, Mortlake, Breakfast Point, and Cabarita.

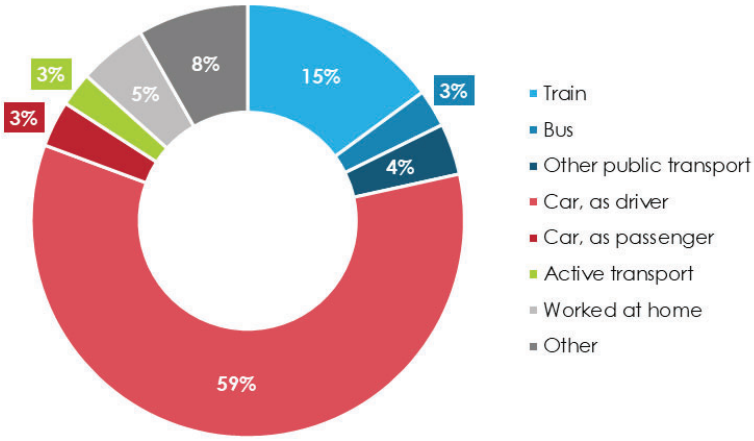
3.2.1 Travel mode share

The Method of Travel to Work data from the 2016 Census was utilised to determine the travel mode share of how the residents travelled to their workplace. This is because the 2021 Census took place during a lockdown period in Sydney as a result of the COVID-19 pandemic, which skewed the results of the survey.

The results show that, of all employed persons in the SA2 in 2016, 22 per cent used public transport while 63 per cent used private vehicles and three per cent travelled by active transport. Public transport users largely travelled by train for at least one leg of their trips (15 per cent), followed by bus (3 per cent). Most of the residents who used private vehicles were car drivers (59 per cent) with only a small number being car passengers (3 per cent). Residents who walked to work accounted for only two per cent of all employed persons in the SA2.

The travel mode share of the residents residing in the Concord – Mortlake – Cabarita SA2 is summarised in **Figure 3-3**.

Figure 3-3 Travel mode share of residents residing in the Concord – Mortlake – Cabarita SA2



Source: Australian Bureau of Statistics (2016)

3.2.2 Trip containment

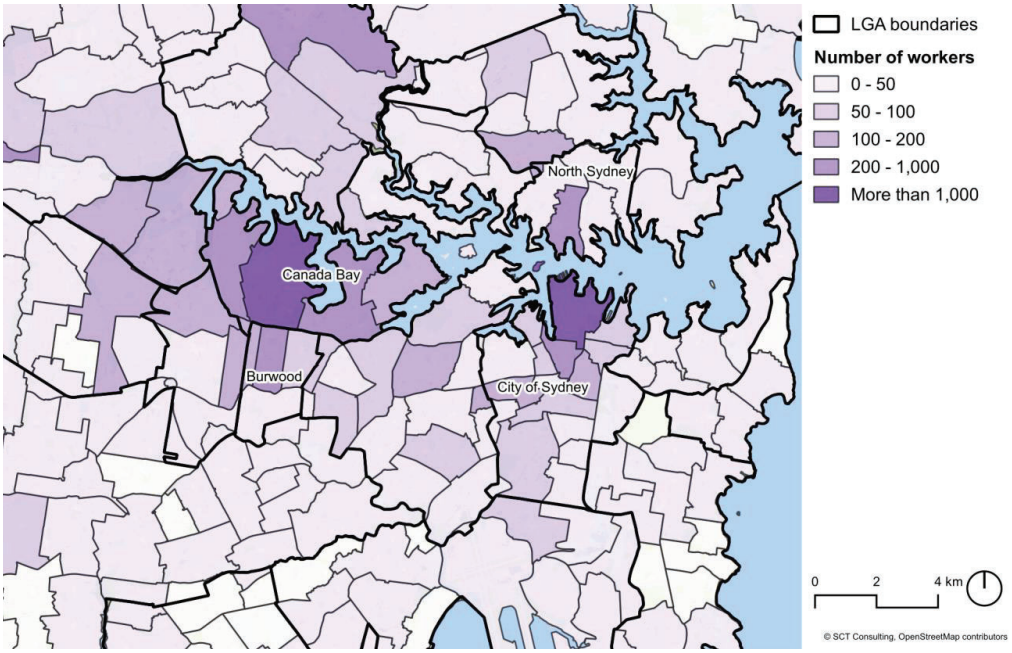
The Place of Work data from the 2021 Census was analysed to derive the trip containment of employed persons who resided in the Concord – Mortlake – Cabarita SA2. Trip containment refers to "the proportion of individuals living and working in the same labour market region" as described in the Council's *Local Movement Strategy 2019*.

The analysis points out that the SA2's trip containment rate—the proportion of residents who lived and worked in the SA2—is at 17 per cent, which is much lower than the LGA-wide trip containment of 24 per cent, according to the *Local Movement Strategy 2019*.

However, the analysis further considered a larger labour market to include the neighbouring SA2s, such as Concord West - North Strathfield and Burwood (NSW). With these SA2s included, the trip containment of the area increases to 26 per cent, in line with the LGA-wide rate.

Figure 3-4 illustrates the distribution of the Concord – Mortlake – Cabarita SA2 residents' place of work at the SA2 level.

Figure 3-4 Distribution of Concord – Mortlake – Cabarita SA2 residents' place of work



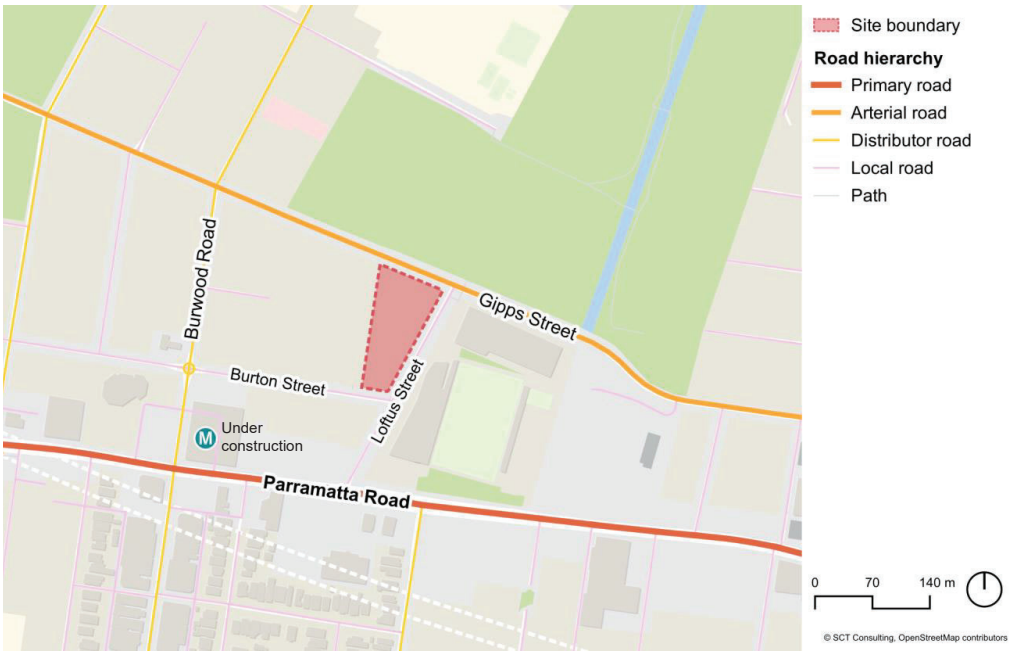
Source: Australian Bureau of Statistics (2021)

3.3 Road network

Key roads in the proximity of the site have been identified, as shown in **Figure 3-5** and described below:

- **Parramatta Road** is a primary road that forms a core east-west spine linking the Sydney CBD and the Parramatta CBD. The road passes through many densely populated suburbs and provides connections to several arterial and local roads throughout its length. At its intersection with Loftus Street to the south of the site, Parramatta Road has three lanes in each direction, separated by a physical median. The road is lined with mostly car-based retail uses, such as petrol stations, car dealerships, and car wash. Footpaths are provided on both sides of the road, but tree canopies are absent.
- **Gipps Street** is an arterial road bordering the north of the site. It begins at the intersection with Patterson Street in the west before running eastwards as Queens Road and ending in Five Dock. The road has one lane in each direction with on-street parking, footpaths, and tree canopies on both sides. It provides both movement functions and access to properties and public parks. Gipps Street has been identified in PRCUTS as a key cycle link in the area.
- **Burwood Road** provides a north-south distributor function from the Parramatta River foreshore to Campsie via Parramatta Road and Burwood town centre. Around the site, the road has two lanes in each direction with footpaths on both sides and scarce tree canopies. Existing uses along Burwood Road in the section north of Parramatta Road are predominantly residential dwellings of up to three storeys. The section south of Parramatta Road contains more diverse uses, including retail, services, commercial, and shop-top housing.
- **Loftus Street** is a local road to the east of the site. It has a total width of 12m, is unmarked, and allows for two-way travel and on-street parking on both sides. Loftus Street terminates at Paramatta Road as a stop-control intersection where only left in/left out is allowed. Along the site frontage are a footpath, a nature strip, and a small number of mature street trees. On the other side is the entrance to Concord Oval where the road's edge is built with a wider footpath and a denser tree canopy.
- **Burton Street** is a local road bordering the south of the site and running parallel to Parramatta Road. At the section between Loftus Street and Burwood Road, it has a width of 9m to 10m, allowing for bi-directional travel and on-street parking on both sides. The road has wide footpaths, nature strips, and tree canopies. It has threshold treatments at both entrances, creating narrower sections for vehicular traffic.

Figure 3-5 Key roads in the proximity of the site



Source: DCS Spatial Services (2024)

3.4 Active transport

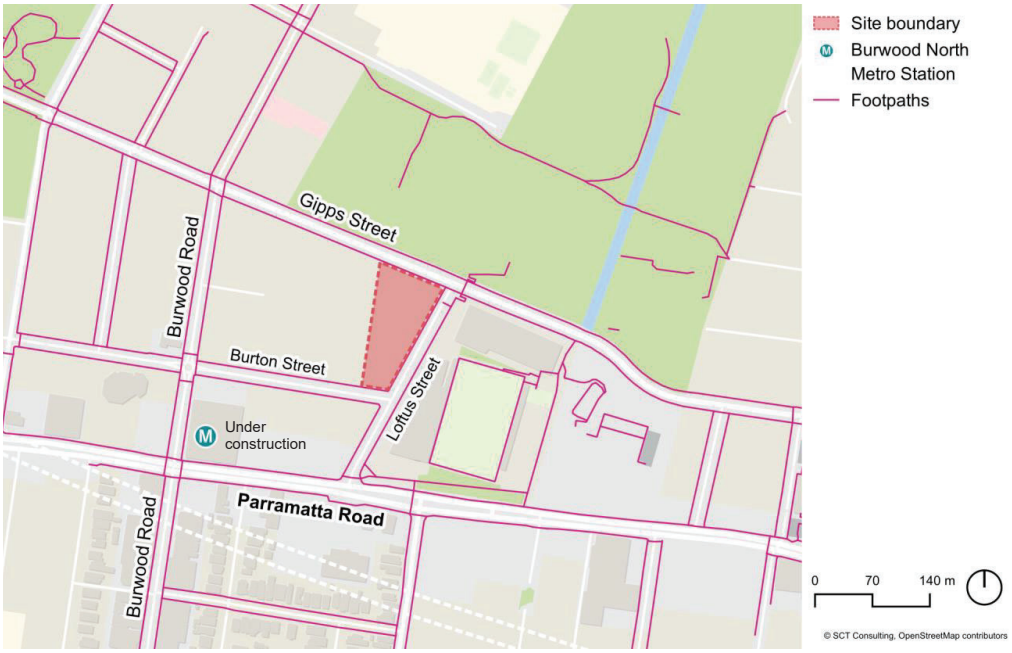
3.4.1 Pedestrian

Pedestrian infrastructure in the vicinity of the site provides pedestrian connectivity to several destinations within walking distance, including open spaces to the north, the future Burwood North Metro Station and Burwood town centre to the south, and Concord town centre to the northwest, as shown in **Figure 3-6**.

With the urban nature of the area, footpaths are provided along the majority of the roads surrounding the site. The footpaths are generally narrow and serve local foot traffic. Tree canopies are particularly dense on the eastern side of Loftus Street and both sides of Burton and Gipps Streets. However, tree canopies are scarce along larger roads, especially Burwood Road and Parramatta Road.

Formalised pedestrian crossings are provided at the intersections of Gipps Street / Burwood Road and Parramatta Road / Burwood Road. A pedestrian footbridge is located immediately to the northeast of the site, providing direct access to St Lukes Park and Cintra Park Tennis and Sports Centre on the other side of Gipps Street, but is not accessible for less mobile pedestrians or people with prams. Nevertheless, the review identifies that a mid-block pedestrian crossing is missing on Loftus Street, which will be beneficial for pedestrians accessing Concord Oval from Burwood Road in the west.

Figure 3-6 Pedestrian infrastructure around the site



Source: Open Street Map (2024)

3.4.2 Cycling

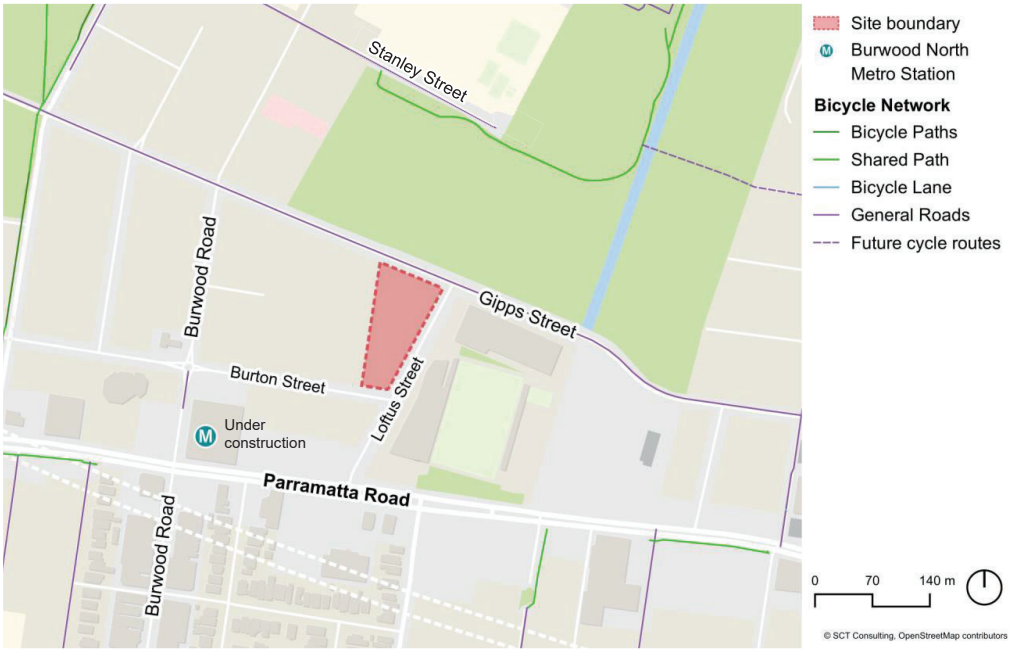
Cycling infrastructure around the site is currently limited with no separate cycling facilities in proximity, as shown in **Figure 3-7**.

While Gipps Street is a designated cycling route, the infrastructure is unsupportive. East of Loftus Street, the road allows for cycling on the shoulders where there are “no stopping” signs and markings for cyclists. Westwards from Loftus Street, cyclists are to share road space with parked vehicles on the shoulders.

A cycling route to Burwood town centre across Parramatta Road is provided along Broughton Street and Britannia Avenue via a footbridge to the west of the site.

Gipps Street has been identified in PRCUTS as a key cycling link in the area continuing towards Five Dock town centre. However, the *Local Movement Strategy 2019* argues that the road is not suitable for cycling and instead proposes a secondary link along Patterson, Stanley, and Henry Streets slightly further north.

Figure 3-7 Bicycle network around the site

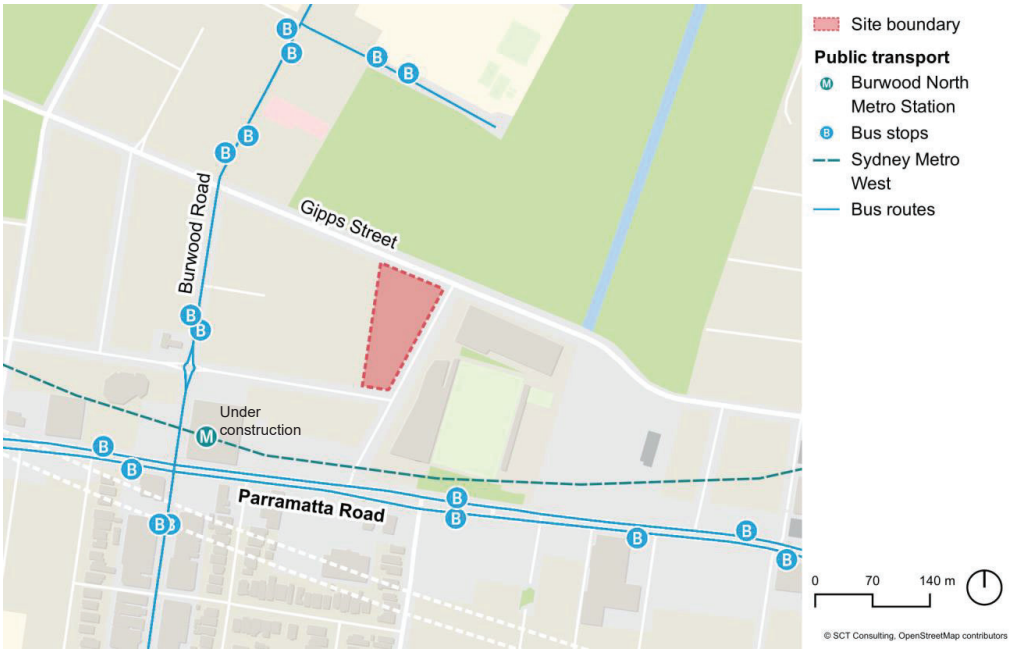


Source: Transport for NSW (2024)

3.5 Public transport

The subject site benefits from its location close to Parramatta Road, Burwood Road, and the future Burwood North Metro Station, and is served by extensive public transport services, as shown in **Figure 3-8**.

Figure 3-8 Existing and planned public transport services around the site



Source: Transport for NSW (2024)

3.5.1 Rail

The nearest existing train station from the site is Burwood Station, 1.3km to the south. The station is a stop along the T1 North Shore and Western Line, T2 Inner West and Lepping Line, and T9 Northern Line. The train services provide direct connections between Burwood and many key destinations, including the Sydney CBD, the Parramatta CBD, Rhodes, and Hornsby. **Table 3-1** summarises train services at Burwood Station during the weekday peak periods.

Table 3-1 Train services at Burwood Station during the weekday peak periods

Origin	Destination	Number of train services	
		AM peak (7am – 9am)	PM peak (5pm – 7pm)
T1 North Shore and Western Line			
Strathfield	Gordon or Hornsby via Central	2	8
Gordon	Strathfield via Central	9	1
Parramatta	Wynyard	9	8
Wynyard	Parramatta	8	8
T2 Inner West and Lepping Line			
Leppington or Parramatta	City Circle	23	16
City Circle	Leppington or Parramatta	18	22

Origin	Destination	Number of train services	
		AM peak (7am – 9am)	PM peak (5pm – 7pm)
T9 Northern Line			
Hornsby	Gordon via Central	8	14
Gordon	Hornsby via Central	14	9
Total			
Burwood	Central	42	46
Central	Burwood	49	40

Source: Transport for NSW (2024)

It is noted that the average frequency of the train service at Burwood is less than three minutes during peak hours per direction.

3.5.2 Bus

The site is less than a 5-minute walk from the nearest bus stops on Parramatta Road and Burwood Road. The bus routes stopping at these stops provide services to various destinations catering to both short and long-distance trips. These include bus routes to the Sydney CBD, Burwood, Hurstville, Macquarie Park, and Cabarita. **Table 3-2** lists bus services around the site during the weekday peak periods. It is noted that the average frequency of the bus service on Parramatta Road and Burwood are around 5-10 minutes during peak hours per direction.

Table 3-2 Bus services around the site during the weekday peak periods

Origin	Destination	Number of bus services	
		Morning peak (7am – 9am)	Evening peak (5pm – 7pm)
Parramatta Road			
415			
Campsie	Chiswick	5	4
Chiswick	Campsie	5	4
461X			
City	Burwood	8	12
Burwood	City	12	9
530			
Chatswood	Burwood	4	6
Burwood	Chatswood	5	5
Burwood Road			
410			
Hurstville	Macquarie Park	11	11
Macquarie Park	Hurstville	11	11
464			
Ashfield	Mortlake	9	12
Mortlake	Ashfield	12	11
466			
Burwood	Cabarita	3	5
Cabarita	Burwood	8	None

Source: Transport for NSW (2024)

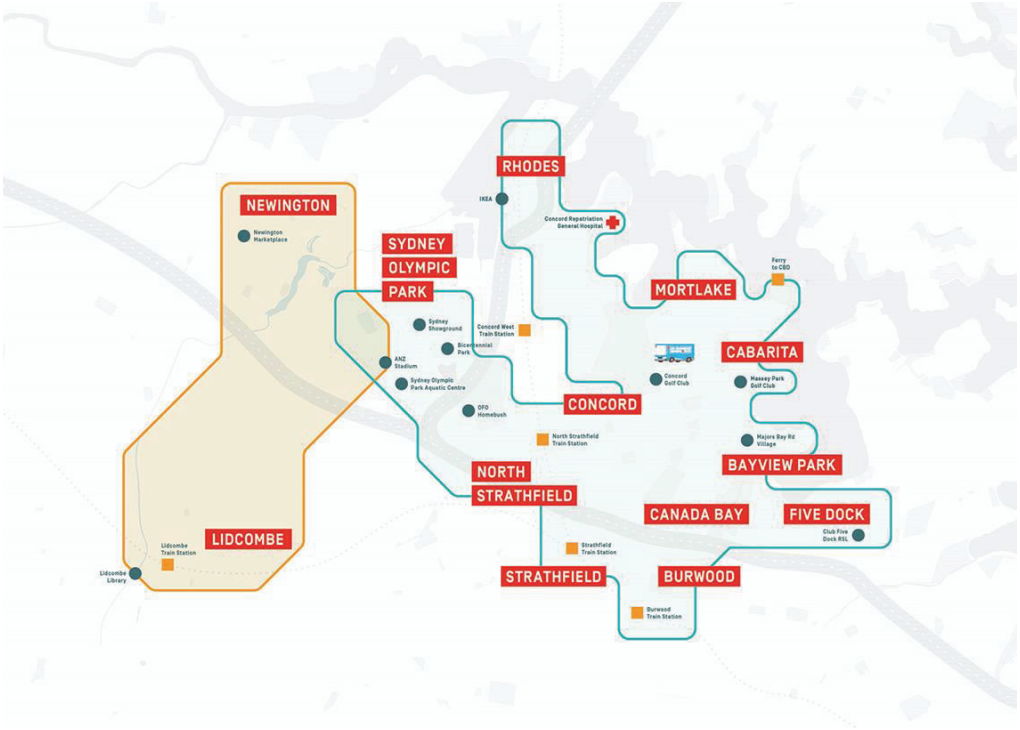
3.5.3 On Demand service

The site is located within the Inner West On Demand service area which operates across the suburbs of Rhodes and Concord to Burwood and Five Dock, as shown in **Figure 3-9**.

The Inner West On Demand is operated by BRIDJ. The On Demand service is a flexible public transport option that aims to cover the first-mile last-mile connections between major transport nodes and users' final destinations by allowing users to book a trip, either when needed or in advance, via a mobile application. Once a booking is confirmed, users will be notified of an estimated pick-up and drop-off time at their chosen location.

The Inner West On Demand service area around the site operates between 6am and 11.30pm on weekdays and 8am and 8.30pm on weekends. A total of 3,600 trips were booked in the service area in September 2024, in equivalent to seven trips per hour.[1]

Figure 3-9 Inner West On Demand service area



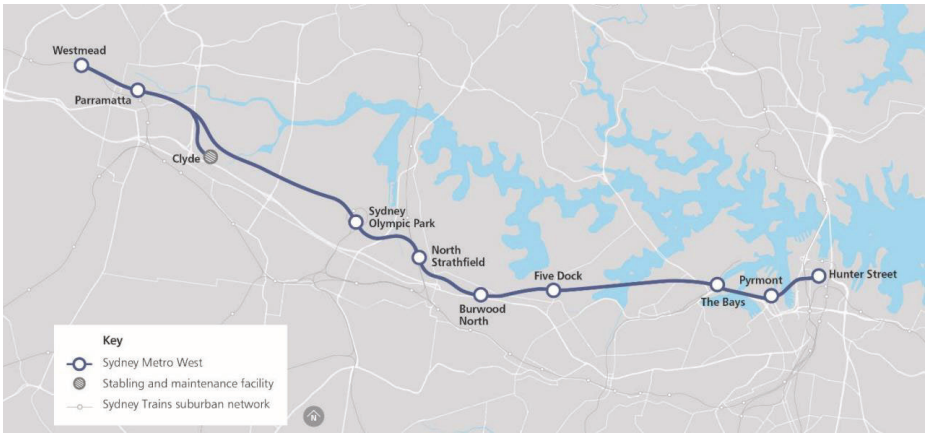
Source: Transport for NSW (2024)[2]

[1] Transport for NSW (2024) On-Demand Patronage
[2] Transport for NSW (2024) Inner West On Demand service

3.5.4 Sydney Metro West

The site is located around 300m from the northern entrance of the future Burwood North Metro Station along Sydney Metro West. Sydney Metro West is a new metro line that will provide a rapid, high-capacity east-to-west connection between the Sydney CBD and Westmead with stops at Parramatta and Sydney Olympic Park, shown in **Figure 3-10**.

Figure 3-10 Sydney Metro West alignment



Source: Sydney Metro (2022) Sydney Metro West Environmental Impact Statement | Rail infrastructure, stations, precincts and operations

The metro is currently under construction and scheduled to begin operations in 2032. Once complete, Sydney Metro West will become an attractive transport option for people living within the catchment areas and unlock opportunities to support high-density development around the stations, in line with the NSW Government's Transport Oriented Development program.

Figure 3-11 illustrates an indicative layout of Burwood North Metro Station as provided in the metro's environmental impact statement. The station area includes aboveground infrastructure, public domain, and over-station development.

Two entries are proposed for the station on Burwood Road on either side of Parramatta Road. New bus stops are proposed on Burwood Road north of Parramatta Road, as well as taxi and kiss-and-ride areas. Pedestrians will cross Parramatta Road via an underground link, while a cycling route is proposed through the middle of the station area.

Figure 3-11 Burwood North Metro Station layout

Source: Sydney Metro (2022)

3.6 Road crash statistics

Road crash statistics between 2018 and 2022 were obtained from the Transport Open Data Hub (Transport for NSW, 2023) to develop an understanding of the nature of road crashes that occurred in the vicinity of the site. The locations of the crashes recorded in the five-year period are shown in **Figure 3-12**.

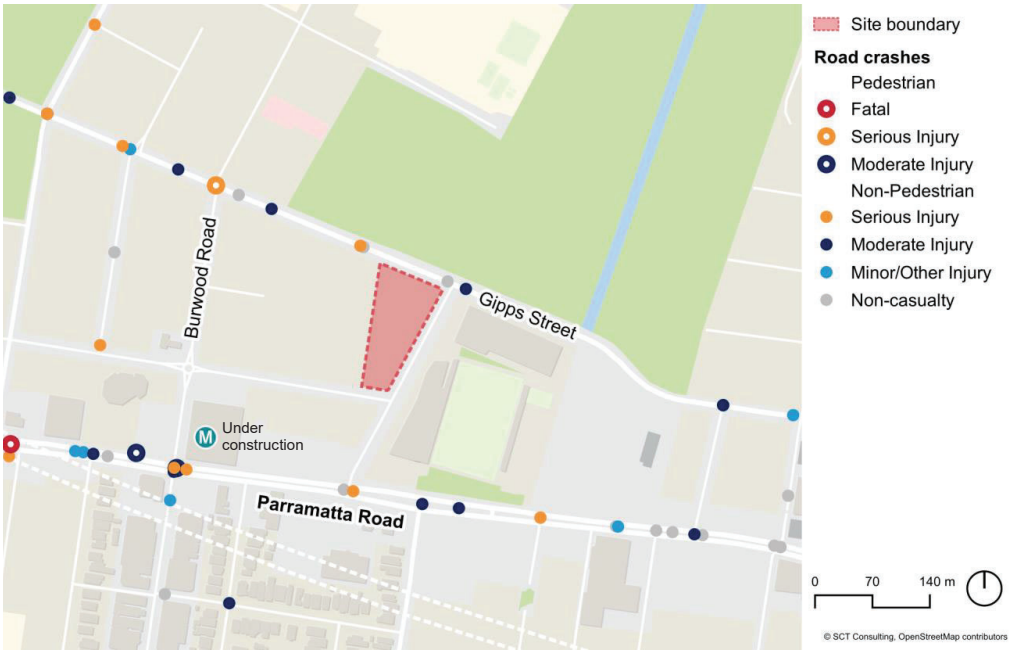
Over the recorded period, a total of 81 crashes were reported, including 36 crashes on Parramatta Road and 29 on Gipps Street. The accidents resulted in 15 incidents of serious injury, 23 moderate injuries, 42 minor injuries and non-casualty, and one fatality.

Rear-end collisions (RUM Code 30) were the most common type of crashes, involving 21 incidents. Rear-end collisions are generally associated with traffic congestion: 13 incidents occurred on Parramatta Road and six on Gipps Street and Queens Road.

Other prevalent causes of crashes were a right-turning vehicle colliding with a vehicle coming through from the opposite direction (RUM Code 21) and cross-traffic collisions (RUM Code 10), resulting in 11 and 6 incidents, respectively. Nine of these crashes took place along Gipps Street at its intersection with Burwood Road (five crashes), Broughton Street (three crashes), and Loftus Street (one crash).

Four of the crashes involved pedestrians, including one serious injury crash at the intersection of Gipps Street and Burwood Road and one crash that resulted in a fatality at the Parramatta Road / Broughton Street intersection.

Figure 3-12 Road crash statistics 2018-2022 in the vicinity of the site



Source: Transport for NSW (2023)

4.0 The proposal

4.1 Proposed planning amendments

The proposed amendments to planning controls on the site are summarised in **Table 4-1**.

Table 4-1 Proposed planning amendments

Control	Canada Bay LEP 2013 (Current)	Council's planning proposal for Stage 2	Proposed
Zoning	R2	R3	**R4**
Floor space ratio (:1)	0.5	2.4	**5.0**
Height of buildings (m)	8.5	40	**75**

The proposal will allow for the construction of residential flat buildings on the site where it is currently prohibited. The proposed FSR will result in a maximum floor space of 41,350 sqm, as opposed to 19,484 sqm achievable under the Council's draft planning proposal for Stage 2, while the proposed building height limit will allow for a building of approximately 23 storeys.

Under the proposed planning controls, the proposal has an indicative yield of 387 residential units and five ground-floor commercial units in a strategically located site close to economic and lifestyle centres and existing amenities with access to high-capacity public transport services.

The development is proposed to be constructed across three buildings and a three-level basement car park with a network of pedestrian through-site links and a public open space. The indicative development components are summarised in **Table 4-2** below.

Table 4-2 Indicative development components

Component	Scale	Unit
One-bedroom units	79	units
Two-bedroom units	225	units
Three-bedroom units	64	units
Duplexes *(three to four bedrooms)*	19	units
Total	**387**	**units**
Commercial	5	units
	371	sqm GFA

Source: Rothelowman (2024)

4.2 Development uplift

For the purpose of this report, the assessment of the potential transport impacts associated with the planning proposal is based on the understanding that the impacts would only be incurred from the development uplift as a result of the planning proposal when compared to the baseline of the Council's draft Stage 2 planning proposal.

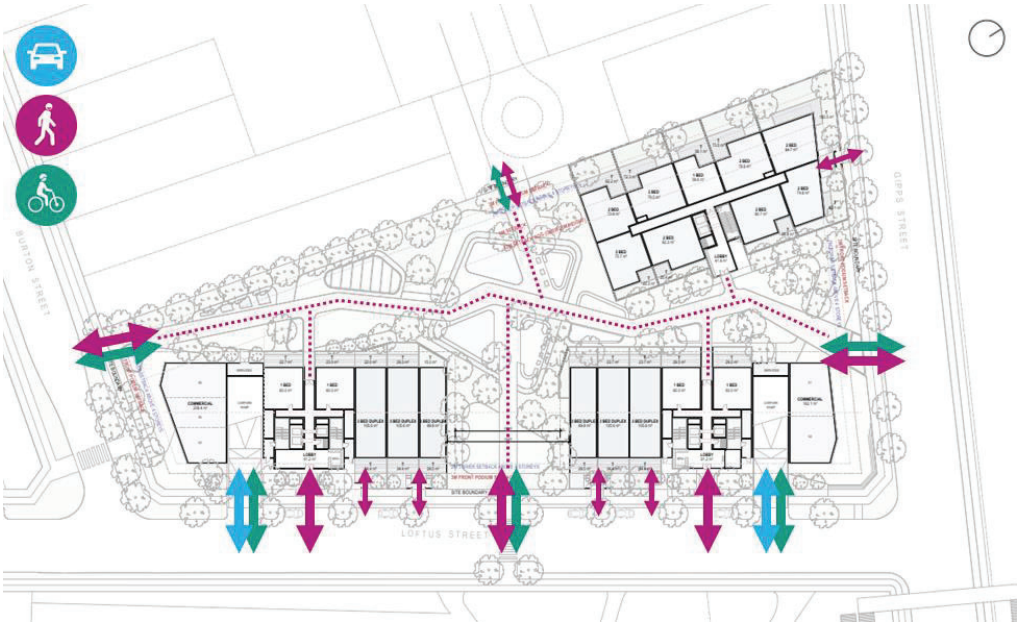
The baseline development scale has been determined based on the assumptions outlined in the PRCUTS Stage 2 Masterplan prepared by GroupGSA (2024) for the Council. Under the masterplan, the subject site is part of Lot I4, which has been found to have an indicative yield of 275 residential units and no commercial units.

As shown in **Table 4-2**, the proposal would ultimately result in an uplift of 112 additional residential units and five commercial units of 371 sqm combined gross floor area (GFA) from the baseline of the Council's draft planning amendments.

4.3 Access arrangements

A concept plan for site access arrangements is depicted in **Figure 4-1**. The plan serves the purpose of this planning proposal only, a more detailed design is subject to a future development application.

Figure 4-1 Concept access arrangements



Source: Rothelowman (2024) / Annotated by SCT Consulting

4.3.1 Vehicles

Access for vehicles is provided at two driveways on Loftus Street. The northern access is located about 17m from the tangent point at Gipps Street, while the southern access is approximately 15m from the tangent point at Burton Street. A setback of 3m is provided between the building walls and the site boundary, allowing for greater visibility of and for vehicles coming in and out of the driveways. The driveways will lead vehicles directly to the basement below.

4.3.2 Pedestrians

Pedestrian entries are distributed across the site frontages. Entrances to the internal footpaths are provided at all sides of the site boundary, including three street frontages of Gipps, Loftus, and Burton Streets. The entrance at the western boundary allows for future access when an extension of Moreton Street is eventually delivered. The internal footpaths all lead to the internal public open space at the centre of the site and allow for access to all three buildings.

Pedestrians also have direct access from the public footpaths to the two buildings fronting Loftus Street via entrances to the lift lobbies. Additionally, all commercial units and street-facing ground-floor residential units will also have individual direct access from the public footpaths.

All pedestrian entrances are entirely separated from vehicle access which ensures a safe environment for people accessing the site on foot.

4.3.3 Cyclists

Cyclists may share the two driveways with other motor vehicles or the entrances to internal footpaths with pedestrians. While the driveways will lead cyclists directly to the bicycle parking facilities in the basement, cyclists may choose to access the facilities via footpaths and then lifts within all buildings.

4.4 Car park

4.4.1 Methodology for parking requirements

Requirements for different types of parking applicable to the proposal are calculated based on the following documents:

- City of Canada Bay Development Control Plan
  - Section K21 Burwood-Concord Precinct
  - Section B3 Vehicle and bicycle parking and access
- *Canada Bay Local Environmental Plan 2013*
  - Part 8 Burwood-Concord, Homebush North, and Kings Bay Precincts
- PRCUTS Planning and Design Guidelines 2016
  - Section 3.8 Car Parking & Bicycle Parking

Crucially, for car parking requirements, this TIA proposes that Residential Parking Category C under Section B3.4 of the DCP applies to the site. The rationale for this is that Category C currently applies to the Stage 1 Implementation Area of PRCUTS and, while the site is not part of Stage 1 and not allowed for high-density residential development, it is part of the Burwood-Concord Precinct and, hence, Category C would potentially apply once planning amendments for Stage 2 are delivered.

Also, Section B3.4 of the DCP states that “if there is a discrepancy between Category C and [PRCUTS], then [PRCUTS] parking requirements will prevail”. It has been found that most parking requirements are consistent between the two documents as well as the LEP, except for residential visitor parking where the LEP and the PRCUTS Guide require 0.1 spaces per dwelling and prevail over the DCP.

Further, the PRCUTS Planning and Design Guidelines 2016 parking requirements for commercial land use are adopted for the commercial component as the proposal proposes rezoning to R4 High-Density Residential to mainly support a greater residential development density.

4.4.2 Parking requirements

Based on the indicative development scale, essentially, the proposal is required to provide:

- no more than 383 car parking spaces
- a minimum of 859 bicycle parking spaces, including 779 spaces for residents and commercial staff and 80 spaces for visitors
- end-of-trip facilities for the commercial component of a minimum of 7 personal lockers and two showers
- one motorcycle parking space for every 30 car parking spaces
- common loading docks for freight and service vehicles in a total of six spaces for the residential and one space for the commercial components, respectively.

Requirements and provisions for other types of parking facilities, namely accessible parking, car sharing, and electric vehicle charging facilities, will be determined at a later development application stage.

Table 4-3 provides a breakdown of the indicative key parking requirements applicable to the proposal.

Table 4-3 Indicative parking requirements applicable to the proposal

Development component	Scale	Unit	Rate	Number of required parking spaces
Car parking (maximum rate)				
Residential				
One-bedroom	79	units	0.5 spaces per unit	40
Two-bedroom	225	units	0.9 spaces per unit	203
Three-bedroom	64	units	1.2 spaces per unit	77
Duplexes	19	units	1.2 spaces per unit	23
Visitors	387	units	0.1 spaces per unit	39
Commercial	371	sqm GFA	1 space per 100sqm GFA	3
Total maximum car parking spaces				**383**
Bicycle parking				
Residential	387	units		
Residents			2 spaces per unit	774
Visitors			2 spaces per 10 units	78
Commercial	371	sqm GFA		
Staff			2 spaces per 150sqm GFA	5
Visitors			2 spaces per 400sqm GFA	2
Total minimum bicycle parking spaces				
For residents and staff				**779**
For visitors				**80**
End-of-trip facilities for commercial components only				
Personal lockers			1 per bicycle parking space	7
Showers, change cubicles, and lockers			2 per 20 bicycle parking spaces	2
Motorcycle parking				
Residential	Assume 380	car parking spaces	1 space per 30 car parking spaces	13
Commercial	Assume 3	car parking spaces	1 space per 30 car parking spaces	1
Total minimum motorcycle parking spaces				**14**
Freight and service vehicle parking				
Residential	387	units		
			1 space per 50 units for the first 200 units, plus	4
			1 space per 100 additional units	2
Commercial	371	sqm GFA	1 space per 4,000sqm GFA	1
Total minimum freight and service vehicle parking spaces				**7**

Note: There may be discrepancies from rounding and the total values are the final numbers.

4.4.3 Approach to car park

The detailed design for the basement car parks has not been completed at this planning proposal stage. However, the concept includes the following design approaches:

- The concept plan proposes basement car parks with three levels.
- The basement is accessible by a driveway ramp from the ground level.
- The loading dock and waste collection component are located at basement level one.
- Three sets of lifts are provided, each to service an individual building.

4.5 Pedestrian links and open space

The planning proposal aims to capitalise on an opportunity for greater residential development density afforded by the high-capacity Sydney Metro West, while also delivering benefits to the community through the provision of pedestrian through-site links and public open space, aligning with the strategic importance of the site.

Figure 4-2 shows the design proposal for pedestrian through-site links and public open space on the site. It is acknowledged that the design proposal deviates slightly from the Council's draft planning proposal for Stage 2, particularly the provision of reserve for a Moreton Street extension through the middle of the site. However, the proposed design has more beneficial outcomes for the community, especially pedestrians and cyclists, including the following:

- Pedestrian through-site links are provided in both north-south and east-west axes, allowing for greater connectivity and a safer environment for pedestrians and cyclists travelling in all directions to and from the site.
- The pedestrian links intersect at the centre of the site and are complemented by a large public open space which facilitates social interactions and activation of the public domain.
- The high-quality pedestrian links and open space are expected to encourage the use of public and active transport and reduce the reliance on private vehicles.
- With the east-west pedestrian link instead of a road, the public domain is not disrupted in two and encroached by motor vehicles as would be the case if Moreton Street was extended to Loftus Street. Rather, users are able to enjoy the open space in a safe, stress-free environment free of motor vehicles.
- The north-south pedestrian link provides a view corridor and connectivity to St Lukes Park and the expansive open spaces in the north.
- A mid-block pedestrian crossing is proposed, each on Loftus Street and Burton Street. The Loftus Street crossing forms a direct pedestrian connection between Burwood Road and public transport nodes in the west and Concord Oval in the east.
- The eastern building podiums are oriented to align with Loftus Street frontage, creating an active and engaging street environment and improving the place quality of Loftus Street.

LFD Concord Pty Ltd ATF LFD Concord Unit Trust

Figure 4-2 Design proposal for pedestrian links and open space

Source: Rothelowman (2024)

5.0 Transport impact assessment

5.1 Trip generation and distribution

5.1.1 Methodology

Trip generation

The estimation of trip generation associated with the proposal is informed by the recently published *Guide to Transport Impact Assessment* (GTIA) (Transport for NSW, 2024) and the accompanying surveys. The proposal indicatively comprises two land uses: residential and commercial.

The residential component may be considered a high-density residential development with high public transport accessibility and, hence, the trip generation rates as suggested in Table 5.11 in the GTIA were adopted.

Meanwhile, the trip generation rates for the commercial component utilised an average of the rates found at two surveyed sites in North Sydney and Chatswood (GTA Consultants, 2010) due to their similarity in location and public transport accessibility.

Ultimately, the trip generation rates for the assessment are as summarised in **Table 5-1** below.

Table 5-1 Summary of trip generation rates

Trip generation rate	Residential	Commercial
Vehicle trips	**Trips per dwelling**	**Trips per 100sqm GFA**
AM peak hour	0.19	0.60
PM peak hour	0.15	0.49
Daily	1.52	4.09
Person trips	**Trips per dwelling**	**Trips per 100sqm GFA**
AM peak hour	0.66	1.85
PM peak hour	0.56	1.55
Daily	4.49	13.02

Additionally, the trip generation rates provided above refer to two-way trips, i.e., incoming to and outgoing from the development. As a general practice regarding vehicle trips, the two-way peak-hour trips were split into incoming and outgoing trips, to reflect the directions of travel depending on land uses and the time-of-day, before conducting further analyses. The split ratios for both land uses adopted in the assessment are provided in **Table 5-2**.

Table 5-2 Vehicle trip generation split ratios

Direction	Residential	Commercial
AM peak hour		
Incoming	20%	80%
Outgoing	80%	20%
PM peak hour		
Incoming	80%	20%
Outgoing	20%	80%

Trip distribution and assignment

The Place of Work data from the 2021 Census analysed in **Section 3.2** provided a basis for estimating the distribution of vehicle trips generated. The assessment showed that the directional distribution of vehicle trips was consistent during both AM and PM peak hours. Essentially, each SA2 represented an origin/destination of future residents, and the ratio of 'the number of employed persons in the SA2' to 'the total number of employed persons in the SA2' was directly taken as the ratio of the vehicle trips to/from that SA2 to the total vehicle trips generated.

The further trip assignment analysis covered four intersections immediately adjacent to the site and resulted in six possible directions outwards/inwards of the study area. Each SA2 was assigned to one of the six possible travel directions depending on its location relative to the site and, ultimately, the distribution of vehicle trips travelling in each direction could be determined.

As summarised in **Table 5-3**, vehicles travelling to/from the Sydney CBD in the east along Parramatta Road made up the largest single travel direction, followed by vehicles to/from the west along Gipps Street, the north along Burwood Road, and the west via Parramatta Road.

Table 5-3 Vehicle trip distribution split ratios

Direction	Key destinations/origins	Split
East - Parramatta Road	Sydney CBD, North Sydney	43%
West - Gipps Street	Concord West, North Strathfield, Rhodes, Concord, Macquarie Park	39%
West - Parramatta Road	Homebush, Strathfield	13%
South - Burwood Road	Burwood	5%
East - Gipps Street	Five Dock	1%
Total		**100%**

Note: There may be discrepancies from rounding.

5.1.2 Trip generation

With an indicative development yield of 387 residential units and five commercial units, the planning proposal will result in a development uplift of 112 residential units and five commercial units of 371sqm combined GFA when compared to the baseline proposed by the Council in its draft planning proposal for Stage 2.

Resultantly, the planning proposal would generate 23 and 19 new two-way vehicle trips per hour during the AM and PM peak hours, respectively, in addition to the vehicle trips already expected to be generated from the baseline. Meanwhile, the anticipated additional two-way person trips to be generated are 81 person trips in the AM peak hour and 69 person trips in the PM peak hour. Throughout the day, the development uplift would result in 185 more vehicle trips and 551 more person trips generated in both incoming and outgoing directions than the baseline.

Table 5-4 summarises the total trips generated by the development uplift resulting from the planning proposal.

Table 5-4 Summary of additional trips generated

Trip generation	Residential	Commercial	Total
Vehicle trips			
AM peak hour (veh/hr)			
Incoming	4	2	**6**
Outgoing	17	0	**17**
PM peak hour (veh/hr)			
Incoming	13	1	**14**
Outgoing	3	2	**5**
Daily (veh/day)	170	15	**185**

Trip generation	Residential	Commercial	Total
Person trips			
AM peak hour (persons/hr)	74	7	**81**
PM peak hour (persons/hr)	63	6	**69**
Daily (persons/day)	503	48	**551**

5.1.3 Trip distribution and assignment

The distribution of additional vehicle trips generated by the planning proposal during the peak hours is provided in **Table 5-5**. Based on the calculation, most vehicles would travel to/from the east via Parramatta Road—10 vehicles in the AM peak hour and 8 vehicles in the PM peak hour—and no vehicles are expected to use Gipps Street eastwards from the site.

During the AM peak hour, Parramatta Road at the section east of the site is expected to accommodate 7 additional vehicles per hour in the eastbound direction. All vehicles travelling to the north and west are anticipated to access the Gipps Street / Burwood Road intersection, resulting in a total of 12 additional vehicles approaching the intersection.

During the PM peak hour, most traffic would be incoming traffic to the site, totalling 14 vehicle trips distributed across the road network. The Gipps Street / Burwood Road intersection is estimated to accommodate 10 additional vehicles.

Table 5-5 Vehicle trip distribution

Direction	Vehicle trips per hour			
	AM peak hour		PM peak hour	
	Incoming	Outgoing	Incoming	Outgoing
East - Parramatta Road	3	7	6	2
West - Gipps Street	2	7	5	2
West - Parramatta Road	1	2	2	1
South - Burwood Road	0	1	1	0
East - Gipps Street	0	0	0	0
Total	**6**	**17**	**14**	**5**

5.2 Modal split

The modal split of future residents and visitors of the proposed development was derived based on the calculated trip generation, relevant surveys presented in the GTIA, the travel behaviour analysis as presented in **Section 3.2**, and the Household Travel Survey at the Canada Bay SA3 for the financial year 2022/23 (Transport for NSW, 2024)[3].

Crucially, walking and cycling mode share is expected to be high among future residents and visitors throughout the day. The Household Travel Survey shows that non-work-related trips accounted for more than two-thirds of all trips made on an average weekday within the Canada Bay SA3. Considering the location of the site close to two activity centres in Concord and Burwood, it is convinced that a large proportion of daily non-work-related trips would be done by walking, cycling, and other micromobility devices, in line with the modal split found in the Household Travel Survey at the Canada Bay SA3. The limited car parking provided will offer opportunities to accommodate no-car households and reduce the reliance on private vehicles.

Assuming a typical vehicle occupancy rate of 1.2 persons per vehicle, the private vehicle mode share of future residents and visitors is estimated to be an average of 34 per cent during the peak hours and 40 per cent throughout the day. Public transport mode share during the peak hours is expected to be 62 per cent and across the day at 36 per cent. Walking and cycling would cover the rest of four per cent in the peak hours and 24 per cent daily.

[3] Transport for NSW (2024) Household Travel Survey

The modal split during the peak hours is consistent with the surveyed ranges as suggested in the GTIA for both high-density residential and commercial land uses but represents a lower private vehicle mode share than the Concord – Mortlake – Cabarita SA2's Method of Travel to Work.

The estimated modal split for the planning proposal is presented in **Table 5-6**.

Table 5-6 Estimated modal split

Mode	GTIA survey Residential	GTIA survey Commercial	Concord – Mortlake – Cabarita SA2	Proposal Peak hours	Proposal Daily
Private vehicle	37% (27% to 56%)	36% (25% to 46%)	63%	**34%**	**40%**
Public transport	N/A	58% (48% to 72%)	22%	**62%**	**36%**
Walking and cycling	62% (43% to 73%)	7% (4% to 10%)	3%	**4%**	**24%**

Source: SCT Consulting based on GTIA, 2024

5.3 Road network impact

As discussed in **Section 5.1**, the planning proposal is estimated to generate an additional 23 and 19 two-way vehicle trips per hour during the AM and PM peak hours, respectively, from the Council's Stage 2 draft planning proposal baseline. These vehicle trips will be distributed across various intersections within the surrounding road network, resulting in a maximum of 12 vehicles per hour approaching an intersection at the intersection of Gipps Street and Burwood Road.

The Parramatta Road Corridor Canada Bay Stage 2 Modelling Outcomes (Bitzios, 2023) finds that the Burwood-Concord Precinct is expected to experience a higher level of traffic congestion mostly on the road network west of Burwood Road. The report also proposes a right-turn ban from Burton Road (west) to Burwood Road (south) and from Gipps Street (west) to Loftus Street (south), which have been found in the traffic modelling to significantly alleviate the traffic congestion on the road network in the area.

Accordingly, it is confident that the additional vehicle trips generated by the planning proposal will not significantly have an adverse impact on the surrounding road network and intersections than initially expected from the delivery of Stage 2 of PRCUTS. The initiatives proposed in the Bitzios (2023) report will adequately address the road network capacity constraint and no further upgrades incurred by the planning proposal are required. The road hierarchy in the neighbouring network will remain unchanged while the function of Loftus Street has the potential to turn from a *local street* to a *place for people*.

5.4 Active transport impact

The design proposal allocates pedestrian through-site links along both north-south and east-west axes, complemented by a large public open space at the centre of the site. The pedestrian links and open space will allow for greater connectivity and a safer environment for pedestrians and cyclists and facilitate social interactions and activation of the public domain.

The site is located in a high-amenity area, close to two activity and lifestyle centres in Concord and Burwood, and within walking distance of expansive open spaces nearby.

Walking and cycling mode share is expected to be high but will be accommodated comfortably by both existing and planned infrastructure. The planning proposal is not expected to create any adverse impact on the surrounding footpaths and bicycle network. In contrast, the proposal will create a better place outcome and a safer environment for pedestrians and cyclists through the provision of pedestrian links and public open space and the improvement of Loftus Street by active street frontage and pedestrian crossing to Concord Oval.

5.5 Public transport impact

The nearest existing bus stops within walking distance of the site are located on both Parramatta Road and Burwood Road. The bus stops are served by extensive bus routes with more than 20 services per direction during both two-hour peak periods, equating to around one bus every six minutes.

However, the future Burwood North Station along Sydney Metro West is the potential key public transport hub for residents and workers in the area. The metro will provide a rapid, high-capacity transport option towards the Sydney CBD in the east and the Parramatta CBD in the west and will allow for a modal shift alternative towards the metro, especially for private vehicle users. The metro and the limited provision of car parking spaces will likely reduce reliance on private vehicles.

Public transport is anticipated to be the most common mode of travel among future residents and visitors during the peak hours while accounting for more than two-thirds of all trips made throughout the day. Considering the existing wide-ranging bus services and the future Sydney Metro West, all public transport trips generated by the planning proposal will likely be catered for sufficiently by both existing and planned services and no capacity constraints are expected.

5.6 Safety impact

The concept plan proposes two vehicular access points, both on Loftus Street. The two driveways are located sufficiently away from the nearest tangent points. Complemented with at least a 3m setback between all building walls and the site boundary, the plan allows for adequate visibility of and for vehicles coming in and out of the driveways to ensure the safety of all road users.

Entrances for pedestrians are entirely separated from vehicular access, while cyclists have options of accessing the site via the driveways, sharing with other motor vehicles, or via the internal footpaths. The multiple access points for pedestrians and cyclists limit the tendency of mixing vehicular traffic with the other more vulnerable road users.

The design proposal includes an east-west pedestrian through-site link, instead of an extension of Moreton Street as proposed in the Council's draft planning proposal. The design will create a single, continuous car-free public domain and eliminate the possibility of having vehicular traffic travelling through the middle of the site as would be the case if Moreton Street was extended to Loftus Street.

Considering all the design approaches mentioned above, the planning proposal will pose no safety issues for any road users. On the contrary, the proposal will encourage active travel, limit vehicular traffic, and foster a safer, more stress-free environment for pedestrians and cyclists.

6.0 Conclusion

This transport impact assessment has been prepared to support the planning proposal for land at 1-5 Burton Street, 3B-11 Loftus Street, and 10-12 Gipps Street, Concord, within the City of Canada Bay local government area. The proposal aims to capitalise on the site location close to existing amenities and the future Burwood North Station along the rapid, high-capacity Sydney Metro West. It includes rezoning and increasing development density to support the delivery of greater housing supply.

The assessment seeks to investigate the potential transport impacts associated with the proposal and has found that:

- The planning proposal will result in an uplift of 112 additional residential units and five commercial units of 371sqm total GFA from the baseline of the Council's draft planning proposal for Stage 2 of PRCUTS.
- Access for vehicles is provided at two driveways on Loftus Street, while entrances for pedestrians and cyclists are distributed across the site frontages.
- The planning proposal is required to provide no more than 383 car parking spaces and at least 859 bicycle parking spaces and associated end-of-trip facilities.
- Requirements for other types of parking facilities and provisions of all parking facilities will be determined at a later development application stage.
- The design proposal aims to deliver benefits to the community through the provision of pedestrian through-site links and public open space, aligning with the strategic importance of the site.
- The planning proposal is estimated to generate 23 and 19 two-way vehicle trips per hour during the AM and PM peak hours, respectively, in addition to the vehicle trips already expected to be generated from the baseline.
- Vehicles travelling to/from the Sydney CBD in the east along Parramatta Road will make up the largest single travel direction, followed by vehicles to/from the west along Gipps Street, the north along Burwood Road, and the west via Parramatta Road.
- The modal split of future residents and visitors is estimated to be:
  - During peak hours: 34% private vehicles, 62% public transport, and 4% active transport
  - Daily: 40% private vehicles, 36% public transport, and 24% active transport
- It is confident that the additional vehicle trips generated by the planning proposal will not have an adverse impact on the surrounding road network than initially expected from the delivery of Stage 2 of PRCUTS. The initiatives proposed in the Bitzios (2023) report will adequately address the road network capacity constraint and no further upgrades incurred by the planning proposal are required. The road hierarchy will remain unchanged while Loftus Street has the potential to turn from a *local street* to a *place for people*.
- The provision of pedestrian links and open space will allow for greater connectivity for pedestrians and cyclists. The planning proposal is not expected to create any adverse impact on the surrounding footpaths and bicycle network but rather create a better place outcome and a safer environment for the more vulnerable road users.
- The future Burwood North Metro Station along Sydney Metro West will be the key public transport hub for residents and workers in the area. Complemented by the extensive bus services within walking distance, all public transport trips generated by the planning proposal will be catered for sufficiently by both existing and planned services and no capacity constraints are expected.
- The location of the driveways allows for sufficient visibility of and for vehicles coming in and out of the driveways. The proposal for the east-west pedestrian through-site link, instead of an extension of Moreton Street, will create a single, continuous car-free public domain. It is satisfied that the planning proposal will pose no safety issues for any road users while encouraging active travel and limiting vehicular traffic around the site.

Based on the above findings, the transport impact assessment concludes that the planning proposal will not have adverse impacts on the surrounding transport network when compared to the baseline development scale. In contrast, the proposal will encourage public transport use, while the concept design approaches will enhance safety for all road users and the place quality in the area.

Thoughtful Transport Solutions

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SUSTAINABILITY STATEMENT

3B-11 LOFTUS STREET
1-5 BURTON STREET
+ 10-12 GIPPS STREET
CONCORD

DECEMBER 2024

QUALITY ASSURANCE	
Project:	Sustainability Statement for the rezoning of 3B-11 Loftus Street, and 1-5 Burton Street, Concord
Address:	3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord
Lot /DP:	Lot 1 DP67122, Lot 2 DP67122, Lot 1 DP14112, Lot 2 DP14112, Lot 3 DP14112, Lot 4 DP14112, Lot 5 DP14112, Lot 6 DP14112, Lot 7 DP14112, Lot 8 DP14112, Lot C DP335952, Lot B DP335952, Lot A DP335952, Lot 1 DP167854
Council:	City of Canada Bay Council
Author:	Think Planners Pty Ltd

Date	*Purpose of Issue*	*Rev*	*Reviewed*	*Authorised*
December 2024	Final	A	BC	AB

CONTENTS

INTRODUCTION

Think Planners Pty Ltd has prepared this Sustainability Statement to support a Planning Proposal at 3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord.

This statement provides an overview of sustainability initiatives being explored by LFD Concord Pty Ltd at the site, demonstrating a commitment to sustainable design initiatives in Federal, State and City of Canada Bay policies.

Details of the proponent and site are in the table below, with Figure 1 showing the site location.

Proponent:	LFD Concord Pty Ltd
Legal Description:	Lot 1 DP67122, Lot 2 DP67122, Lot 1 DP14112, Lot 2 DP14112, Lot 3 DP14112, Lot 4 DP14112, Lot 5 DP14112, Lot 6 DP14112, Lot 7 DP14112, Lot 8 DP14112, Lot C DP335952, Lot B DP335952, Lot A DP335952, Lot 1 DP167854
Property Address:	3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord

Figure 1: Aerial photograph with the subject site outlined in yellow. (MetroMap, 2024)

APPLICABLE ECOLOCAL SUSTAINABLE DEVELOPMENT POLICIES

This sustainability statement acknowledges that a future Development Application will consider a with a broad range of ESD principles and policies described in the table below.

Policy	Summary
– **Section J of the National Construction Code (as relevant)**	A Section J Report demonstrates how a development complies with the energy efficiency requirements of the National Construction Code. This section of the Nation Construction Code seeks to ensure that Class 2-9 buildings reduce energy consumption and the emission of greenhouse gas to a set minimum standard. In NSW, Class 2 building (or parts) are required to comply with BASIX, which provides the rating tool to measure sustainability in developments.
– **National Australian Built Environment Rating System**	NABERS is a tool that is used to determine the sustainability rating of the built environment. It is a six star rating system, with 1 below average and 6 market leading. A NABERS rating can be used to quantify how efficient an apartment building is in terms of water and energy usage. This can be used to drive efficiencies and deliver substantial savings to body corporates and apartment owners through more efficient water and energy usage.
– **State Environmental Planning Policy (Sustainable Buildings) 2022**	BASIX is the key sustainability assessment tool in NSW. It delivers minimum standards for water and energy use, along with thermal performance of buildings. BASIX now also applies to all non-residential development with an estimated cost of $5 million dollars for alterations and additions with a cost of $10 million and above.
– **Canada Bay LEP 2013, Cl.8.9 Additional flood space for Basix buildings**	This clause applies a 5% bonus FSR when the building exceeds: *a) exceeds the BASIX commitment for energy for the building by at least 15 points, and*

	b) *exceeds the BASIX commitment for water for the building by at least 20 points.* A future development over the subject site can deliver outcomes that exceed minimum BASIX standards for energy and water use.
– **Canada Bay DCP, Part K Special Precincts: K21.19 Sustainability and Resilience**	This clause supports Cl.8.9 of the CLEP 2023, along with containing more broader sustainability requirements. Part K includes two 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.
– **Parramatta Road Corridor Urban Transformation Strategy Sustainability Implementation Plan - 2016**	Published in 2016, this document provided a Sustainability Strategy for the precinct, which have broadly been translated into the current DCP. This strategy is now outdated given the updates to the Sustainable Buildings SEPP (BASIX) 2022, which took effect from 1 October 2023.

It is noted that Canada Bay has already prepared a *Sustainable Precincts Strategy: Homebush North, Burwood-Concord and Kings Bay Precincts Stage 2 – Addendum Report (May 2023)*. A future development application can implement relevant recommendations.

The Parramatta Road Corridor Urban Transformation Strategy Sustainability Implementation Plan includes specific sustainability targets as outlined in the table below.

Sustainability Target	Potential Design Methods to achieve target
– **26% reduction in greenhouse gas emissions (compared to the Base Case)**	– NABERS Energy rating – BASIX – Reducing heating and cooling loads through better thermal performance – Sustainable material usage, for example sustainable concrete – Energy efficient lighting and fixtures

	– Photovoltaic panels and battery – Use of electricity, not gas
– **3.8 MW of renewable energy installed**	– Photovoltaic panels and associated battery storage
– **35% reduction in peak electricity demand (compared to the Base Case), delivering approximately 1.7 kVA per dwelling.**	– Photovoltaic panels and associated battery storage – Energy efficient lighting and fixtures – Solar powered hot water systems – Improved thermal performance of buildings
– **27% reduction in water consumption (compared to the Base Case)**	– NABERS water targets – BASIX targets – Recycling of water – Water filtration – Water efficient fixtures
– **18% of water delivered by non-potable sources, including rainwater or recycled water**	– Rainwater tanks – Dual plumbing
– **29% reduction in car use**	– Through site links to key destinations like metro, open space and the strategic centre. – Generous through site links that facilitate bicycle use, connecting to the broader network – Car share spaces
– **13% car share take-up rate**	– Car share spaces
– **2 km of new, safe bicycle connections**	Through site links that connect to the broader cycling network, in addition to new links proposed by council.

AIM OF THIS REPORT

This report aims to provide an overview of the palette of sustainable design initiatives that LFD are considering and may form part of a future development.

The sustainability initiatives would assist in achieving the relevant targets within the precinct, including any updates to the original PRCUTS sustainability targets via current proposals to amend Canada Bay LEP and DCP 2013 via the Stage 2 PRCUTS Planning Proposal.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The following table outlines the sustainability initiatives currently being considered by the project team. This is structured around the following principles:

- Energy Efficiency
- Water Conservation
- Sustainable Materials and Construction
- Biodiversity
- Indoor environmental Quality
- Waste reduction
- Adaptability and Flexibility
- Transport
- Education

Sustainability Target	Potential Design Methods to achieve target
Energy Efficiency	The following sustainable energy design initiatives can be considered during the detailed design phase: – Introduction of smart metering and monitors to ensure that energy consumption is clearly available, facilitating reduced usage, in addition to meeting minimum baseline targets. – All electric building – Use of solar panels with battery storage for self-sufficient energy production, or to reduce peak energy demand – Heat pump systems for hot water that are highly efficient – Use of efficient white goods with lower energy usage – Integration of LED lighting within the building and public domain, including motion sensing – Efficient heating and cooling systems
Water Conservation	The following water conservation design initiatives can be considered during the detailed design phase: – Water efficient fixtures and appliances – Greywater recycling throughout the building

	– Harvesting of rainwater for building and landscape use – Water efficient irrigation and landscape design – Canopy and ground cover that keeps moisture in the ground, contributing to a more sustainable ecosystem and cooler environment.
– **Sustainable Materials and Construction**	Material choice and construction processes can assist in sustainable design, with the following being considered: – Use of renewable materials, for example bamboo – Use of recycled material to capture embodied energy – Reusing existing materials generated from the project where possible. – Waste management plans for all contractors to reduce consumption and waste disposal. – Site inductions
– **Biodiversity**	The following biodiversity initiatives can be considered during the detailed design phase: – Maximisation of deep soil areas for gardens and tree canopy, to achieve Canada Bay targets and reduce the urban heat island impact. – Implementation of Water Sensitive Urban Design throughout the project to facilitate natural systems. – Provide significant greening to support local biodiversity, including soil biota, plants, birds and other local wildlife. – Material selection, including use of colour schemes that do not result in localised urban heat islands – Green roofs.
– **Indoor Environmental Quality**	The following initiatives can be considered during the detailed design phase to enhance the indoor environmental quality: – High quality thermal design of buildings to ensure comfort in winter and summer, without the need for heating and cooling. For example: o a colour scheme that reduces the urban heat island impact through absorption of energy. o Using walls with more thermal mass and double glazing on windows o Shading devices on windows relevant to aspect. – Greater vegetation on site to provide more shade – Providing a greater number of apartments that are naturally ventilated – Use of green roofs

–	**Adaptability and Flexibility**	The following initiative can be considered during the detailed design phase: – Provide capacity within the development to adapt to new technology and infrastructure, future proofing the developments
–	**Waste reduction**	Waste reduction will be a key focus of the detailed design phase, with consideration being given to: – WSUD to reduce stormwater runoff and reduce pollution of waterways – Waste management plans during the construction and operational phases of the development
–	**Transport and emissions**	The following transport initiatives can be considered during the detailed design phase: – Maximising opportunities to walk and cycle through the site. – Encourage active transport through provision of bicycle storage in accessible areas, including for e-bikes – Reduce parking based on accessibility to public transport – Promote car share over private vehicles.
–	**Education**	It is anticipated that when the development is operating, an ongoing plan of management will include an education strategy to: – Encourage use of active and public transport modes – Encourage stair use, rather than lifts where possible The site could also include signage and notices within communal areas that promote or advise of best practice sustainability in every day living.

CONCLUSION

This report provides an overview of the commitment made by LFD to consider all available sustainability initiatives when preparing the detailed development application over this site. In doing so, a future development application will reduce resource use, have greater efficiency and environmental performance, and importantly, a smaller carbon footprint.

Sustainable design can clearly be implemented in the project, providing not only future residents, but the broader community an asset that is resilient and adaptable to climate change. This provides positive benefits and enhances overall liveability and wellbeing of the community.

Further investigations will occur during the detailed design phase.


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SERVICES
INFRASTRUCTURE
REPORT
47390_SIR_03 - 1-11 Loftus St, Concord
POWERED BY
neuron
Date 2024-12-02 - Revision 03.

POWERED BY neuron

Welcome

This report has been developed for Mainway for the development of 1-11 Loftus St, Concord into a new residential development.

The intent of this report is to outline the existing public utility provisions and describe the likely services infrastructure requirements to support this new development. In particular, it investigates the power, communications, sewer, water and gas connection implications based on the design inputs as advised by the client.

This report is based on the following sources of information:

- Dial Before You Dig information
- Publicly available information

Note at the time of this report, no discussions with the various supply authority groups have occurred. The intent is that this report outlines the high-level risks and opportunities for the project stakeholders with formal applications occurring later in the design process by others.

Steven Cassells NER. RPEQ. CEng. MSc. BEng. MCIBSE. MIEAust.
Engineering Lead

POWERED BY neuron

EXECUTIVE SUMMARY

POWER
The preliminary maximum demand is 3,020 amps. The site will require two new 1,000 kVA substations The nearest HV available for substation loop-in runs along Gipps Street, Loftus Street & Burton Street. Note some relocations and undergrounding of existing poles and overhead lines may be required. These costs are excluded from the budget estimate.

COMMUNICATION SYSTEMS
There are communication providers within proximity of this site including NBN & Telstra.

There are no existing mobile base stations located on the site. There is a risk of some NBN & Telstra carrier infrastructure running close to the site and we recommend investigating what works may be required. Refer to the comms section for details.

WATER
There is an existing 100mm and 125mm water main running down Gipps Street, Loftus Street, and Burton Street which may not be sufficient to serve this development. A new extension or amplification will be required, connecting to a larger main on Parramatta Road. A Sydney Water Coordinator should be engaged to begin the detailed assessment and design work. A pressure and flow enquiry should be completed to assess fire infrastructure impact.

GAS
Jemena has existing medium pressure gas mains running up around the existing site. There are existing Jemena gas service connections currently running into the site. This infrastructure will need to be decommissioned prior demolition and excavation. We do understand that gas will not be utilised in this development, meaning a gas connection and gas regulator set will not be required.

SEWER
Key Issue: There are multiple 150mm sewer mains running through the site serving the adjacent properties that will need to be diverted. A sewer peg out survey will be completed to accurately locate the main and a diversion strategy will be completed by the Sydney Water Coordinator and approved as part of the section 73 process. **Key Issue:** We note there is a risk of the local sewer network not having capacity to serve the site, both in terms of the size of the nearby mains, and the nearby pump station. Multiple connections, and amplifications of nearby mains will likely be required. **Key Issue:** We note there is a sewer vent shaft currently within the site boundary

BUDGET ESTIMATE
Refer to budget estimate assumptions and disclaimers within this report.

Connection type	Budget estimate ($AUD)	Comment
Power	$400,000 -$600,000	
Comms carrier lead-ins	$10,000	
Water	Option 1: $250,000-$300,000 Option 2: $250,000-$300,000	
Sewer	To be developed	As noted in the Sewer Section, there will be a large variance in costs for both the diversion, and serving the site pending on negotiations with Sydney Water.
Gas	0	All Electric Assumed.
Total		Dependant on chosen connection options

Note: Estimates exclude:

- *Council fees*
- *Traffic management costs*
- *Road remediation costs*
- *Stormwater. To be advised by the civil engineer*
- *Developer contribution costs*
- *Contractor preliminaries*
- *Cointinguincy*
- *Road pavement reconstruction.*
- *Authority fees and charges*
- *Escalation*
- *Contaminated soil*

SITE OVERVIEW

The existing site 1-11 Loftus St, Concord.

Refer to the report inputs section of this report for the specific details of the proposed development used as the basis of this infrastructure assessment.

ELECTRICAL INFRASTRUCTURE

EXISTING POWER INFRASTRUCTURE

Neurons' Level 3 Accredited Services Provider (ASP) sub-consultant Aaron Russell from *Projen*, carried out an initial investigation to understand the existing electrical infrastructure for this site. The intent of this investigation is to determine the preliminary risks, opportunities and implications to provide power to the proposed development. Note a formal application to Ausgrid will be required to confirm the power connection strategy and requirements for this development.

The Ausgrid network maps indicate that the nearest High Voltage available for substation connection is adjacent to the site with connection opportunities along Gipps Street, Loftus Street or Burton Street.

There are no existing substations on the site. The existing sites are currently being supplied from substation S.2858 on Loftus Street. New street lighting may be required subject to the council's requirements. We do note there are existing overhead LV cables running close to the vicinity of the site on Gibbs & Loftus Street that may need to be undergrounded. There will need to be 4m separation between these overhead assets and any scaffolding. There may alternatively be a desire to underground this infrastructure for aesthetic reasons or for council requirements.

The cost of any relocations is unknown until the further detailed scope is defined.

An ASP Level 03 design will be required to fully flesh out the design requirements for this development.

Power Infrastructure Map

- Below Ground High Voltage Power
- Overhead High Voltage Power
- Below Ground Low Voltage Power
- Overhead Low Voltage Power
- Below Ground 33kV Transmission Cable
- Substation
- Development Location
- Proposed Power Connection Strategy

ELECTRICAL INFRASTRUCTURE

PROPOSED ELECTRICAL SERVICES

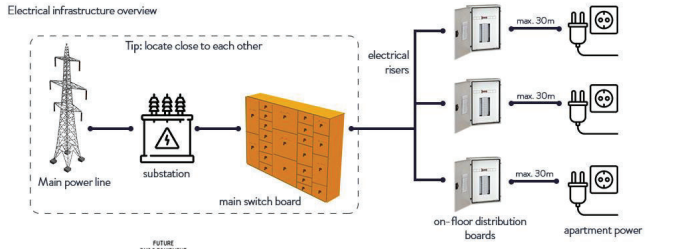
The preliminary maximum demand is 3,020amps or 2,092kVA in accordance with AS3000. AS3000 has been found to be typically conservative in nature when compared to actual site metered loads. Based on this, we have compared the data of various measured loads on electric sites and the data suggests the maximum demand could be diversified to 2,631amps (1,823kVA). The maximum demand will need to be monitored through detailed design to this diversified load.

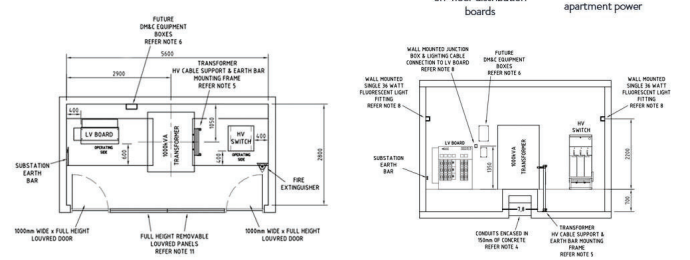
The site will likely require two 1,000kVA substations. This can be either an internal or external arrangement.

The design guide outlines all of the major requirements for this substation.

For further ASP L03 advice, you can contact Aaron Russell from Projen who can aid with the detailed ASP L03 design work if desired.

Contact:
Aaron Russell
PROJEN
aaronrussell@projen.com.au





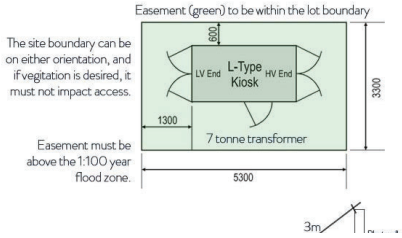
Chamber substation plan

Chamber substation section

Ventilation louvres on the front of a chamber substation

Inside a chamber substation

A padmount substation is delivered/replaced via heavy truck with 5m span vehicle mounted crane on all weather surface road.



COMMUNICATIONS INFRASTRUCTURE

The importance of connectivity to the digital world has never been more important to new developments than now. Your development will need a connection to one or more telecommunication providers within your area.

Connecting to NBN, Fibre to the Premises (FTTP) or similar is required to provide numerous phone and wifi capabilities to your building. The next step is to establish what are the available communication providers close to your site, what would be involved to connect up your proposed building physically, and if any communication infrastructure modifications are required to develop your building. This section outlines what available carrier services are in close proximity to your site. It also outlines any risks or costs associated with those connections.

Mobile base stations

There are no carrier mobile base stations located on this site.

Mobile Base Station Map

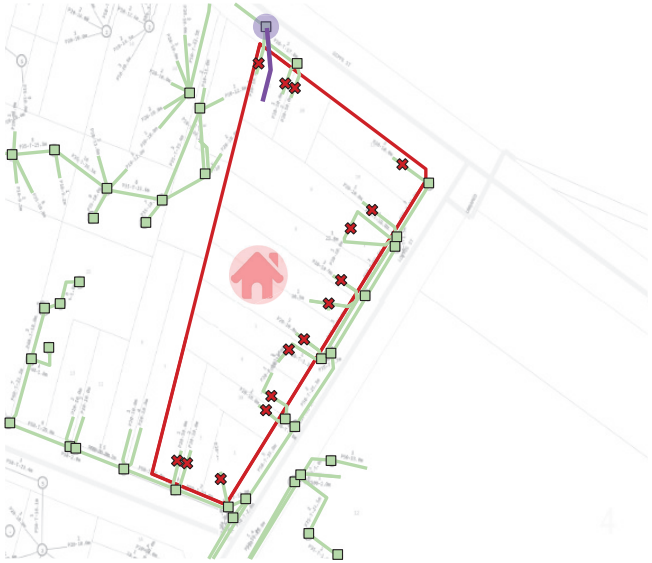
Existing Mobile Base Station

Development Location

COMMUNICATIONS INFRASTRUCTURE

NBN

The existing NBN carrier service infrastructure is illustrated below. As shown, there is a connection opportunity available for this site. There is existing NBN infrastructure already running through the site. There are also multiple NBN pits located along the site frontage, and there is a risk they may need to be relocated if they clash with any proposed level changes (e.g. carpark entry). Careful coordination with NBN will be required to facilitate these modifications.



Fibre Infrastructure Map

NBN Fibre | Development Location | Proposed Fibre Connection Strategy | NBN Pit

Telstra

The existing Telstra carrier service infrastructure is illustrated below. As shown, there is a connection opportunity available for this site. There is existing Telstra infrastructure already running through the site. There are also multiple Telstra pits located along the site frontage, and there is a risk they may need to be relocated if they clash with any proposed level changes (e.g. carpark entry). Careful coordination with Telstra will be required to facilitate these modifications.

Fibre Infrastructure Map

Telstra Fibre | Development Location | Proposed Fibre Connection Strategy | Telstra Pit

COMMUNICATIONS INFRASTRUCTURE

Optus

The existing Optus carrier service infrastructure is illustrated below. As shown, there are connection opportunities available for this site, but requires extending the Optus Fibre Network as shown.

Fibre Infrastructure Map

Optus Fibre

Development Location

Proposed Fibre Connection Strategy

Optus Pit

WATER INFRASTRUCTURE

The proposed connection point and existing water mains are illustrated in the adjacent image. The site has an existing 100mm water mains running along Gipps Street and Loftus Street and an existing 125mm water main running along Burton Street.

Based on the preliminary calculations, this site is likely to require a new 200mm mains water connection. The existing water supply on the site frontages may not be sufficient to support this development. We propose the following strategies, as illustrated in adjacent image. Both options will require the existing infrastructure be amplified back to water mains running along Parramatta Road.

- Options 1: Amplify the existing 100mm water main running along Loftus Street up to 200mm water main, connecting to the 600mm trunk main on Parramatta Road. We do note this option does come with an approval risk, as Sydney Water may not allow any modifications/connections to this large trunk main. Sydney Water will likely request this amplification be extended for the extent of your site frontage (up to Gipps Street)
- Option 2: If option 1 is not available, we propose to establish a new 200mm water main connecting off the existing 200mm main running along Parramatta Road up Loftus Street to serve the proposed development. Sydney Water will likely request this new main be extended for the extent of your site frontage (up to Gipps Street)

Please note the final water service strategy would subject to Sydney Water approval. Careful coordination with Sydney Water will be required. We note as this area is slated for heavy urbanisation, there may already be upgrades currently planned for general area. (these won't show up on the map until built). There may also be an opportunity to share infrastructure upgrade costs with neighbouring developments.

When you are ready to start your development, you must apply for a Section 73 Compliance Certificate. This certificate proves you meet Sydney waters requirements. We recommend engaging an accredited Sydney Water Coordinator early to help scope and manage these works. We recommend *Rose Atkins Rimmer (Infrastructure) Pty Ltd* or similar.

No other water-related infrastructure appears to run through this site.

We recommend that a pressure and flow enquiry is completed. This information will be required to finalise the sizing for the cold water pump room, fire pump room and fire tank requirements. The enquiry can take up to 21 days. There is a fee associated with the application. For further details visit https://www.sydneywater.com.au/.

GAS INFRASTRUCTURE

There is a medium pressure 210kPa gas main running adjacent to the proposed site on Loftus Street, Burton Street, and Gipps Street as illustrated in the adjacent image.

There are existing Jemena gas service connections currently running into the site. This infrastructure will need to be decommissioned prior demolition and excavation. Careful coordination with Jemena is required to facilitate any modifications.

We do understand however that gas will not be utilised in this development, meaning a gas connection and gas regulator set will not be required.

If gas is envisioned for the site, there is readily available supply adjacent to the site.

Gas Infrastructure Map

Low/Medium Pressure Gas Main

High Pressure Gas Main

Development Location

Proposed Gas Connection Strategy

SEWER INFRASTRUCTURE

EXISTING SEWER INFRASTRUCTURE

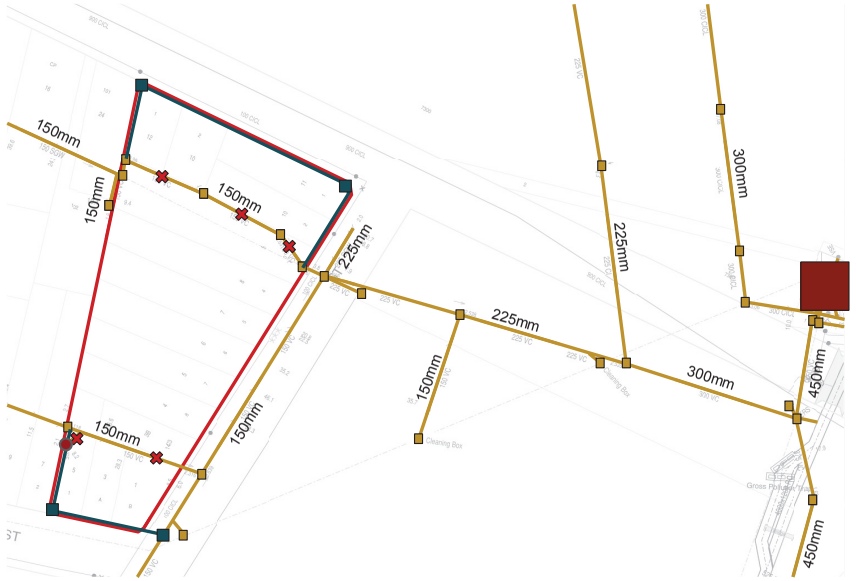
Key Issue: There are two 150mm sewer mains that run through the middle of the development, serving properties to the west. These connections will need to be retained. A detailed survey and invert level study (sewer peg out) will be undertaken during the next stage of the project to confirm its exact location. This sewer mains will need to be diverted prior to enable the excavation to commence. A diversion strategy will be agreed between the Water Servicing Coordinator and Sydney Water as part of the Section 73 application process however, A concept diversion strategy has been included showing the likely option available to the project which will ultimately depend on the invert levels of the main and the outcome of the Section 73 application process.

Subject to the falls and the topography, the shown diversion intends to divert the mains along the site boundary to minimise the impact on the basement. These diversions will require at least four new manholes. These new mains will exert a zone of influence, and will need to be considered structurally in the design of the basement and a basement setback may be required.

We note if there are further development plans west of the site (up to Burwood Road), these sewer diversions may not be required.

Key issue: We note it appears there is a Sydney Water Sewer Vent Shaft in the current development boundary. It may be possible to leave this as it is, or may need to be relocated elsewhere within the site boundary, or taken to the roof in a riser.

We recommend a Water Services Coordinator be engaged immediately.



SEWER INFRASTRUCTURE

PROPOSED SEWER INFRASTRUCTURE

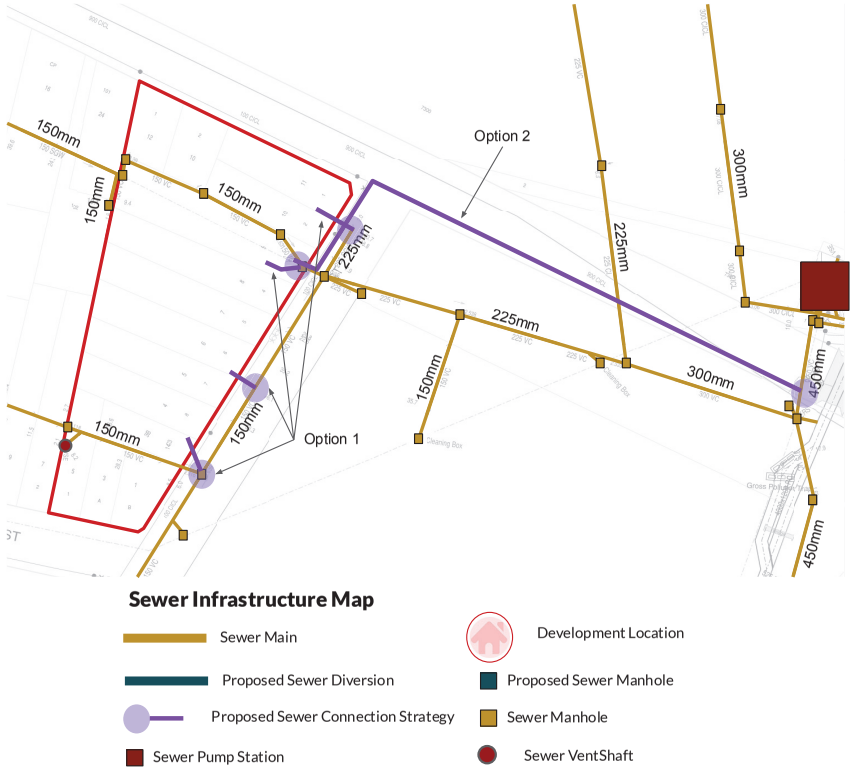
Based on the preliminary calculations, this site is likely to require a new 300mm mains sewer connection. However due to the size of the site, multiple smaller connections can be used in lieu of a single large connection. We note the connection strategy utilised will ultimately be subject to Sydney Water approval.

Key Issue: The general area only has small sewer mains adjacent to the site. There is a risk that Sydney Water will require a new main be brought to the site Additionally we also note there is a risk of the Concord Pumping Station being at capacity, with insufficient on site storage. Coordination with Sydney Water will be required.

- Option 1: We propose to make up the limited capacity in the nearby mains by utilising multiple connections to these smaller mains. Two connections to the 150mm portion of the main & two connections to the 225mm main.
- Option 2: A new 300mm main brought to the site, connecting to the 450mm main that crosses Gipps Street. This main could then be supplemented with the existing 150/225mm mains. The existing 225/300mm main the site currently utilises cannot be amplified, as it lies under an existing building.

We note as this area is slated for heavy urbanisation, there may already be upgrades currently planned for general area. (these won't show up on the map until built). There may also be an opportunity to share infrastructure upgrade costs with neighbouring developments.

We recommend engaging a Sydney Water Coordinator. Should the DA be lodged soon, you can submit a section 73 application to receive feedback from Sydney Water as to the preferred connection strategy. This application cannot be finalised without development consent or a complying development certificate. Therefore, if the DA submission is some time away, a preliminary Section 73 assessment can be completed to mitigate this project risk. An accredited Sydney Water Coordinator can help with this task if desired, such as Rose Atkins Rimmer (Infrastructure) Pty Ltd or similar.



DESIGN INPUTS

Question	Answer
Number of apartments	387
Total building area	43087.6
Number of levels (above ground)	23
Total number of levels in the building (incl. any underground levels)	26
What is the buildings total effective height? (m)	70.68
Confirm building effective height is under 25m.	No
Do you know your apartment mix?	Yes
Number of 1 Bed 1 Bath apartments	79
Number of 2 Bed 1 bath apartments	0
Number of 2 Bed 2 Bath apartments	225
Number of 3 Bed 2 bath apartments	83
Maximum number of apartments per level	13
Number of stairwells above ground?	2
Is there a swimming pool in your development?	No
Type of development?	Mid-range
Is an external kiosk substation acceptable (recommended if possible)	Yes
Are 1.9m high rooftop plant acceptable on this development?	Yes
Is centralised domestic hot water plant acceptable? (recommended)	Yes
Do you want natural gas in your development	No
Are air-conditioning condensers acceptable on balconies?	No
Are air conditioning condensers acceptable on the roof?	Yes
Air conditioning to both apartment bedrooms and living areas?	Both bedrooms and living areas
Preferred air-conditioning indoor unit type?	Fully ducted AC
How many electric car charging points are preferred	5
Does your building have an underground carpark?	Yes
Number of levels of underground car parking	3

Question	Answer
Total area of underground parking spaces	17683.4
Total number of underground car parking?	597
Number of basement stairwells	6
Do you have specific details of the car park?	No
Does your carpark have a loading dock that is more than 10m deep / from an external opening?	No
Are there retail tenancies in your development?	Yes

12th December 2024

Dear Sir/Madam,

Offer to enter into planning agreement in relation to Site-Specific Planning Proposal to amend Canada Bay Local Environmental Plan 2013

Property: 3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord

Introduction

LFD Concord Pty Ltd offers to enter into a Voluntary Planning Agreement with Council under section 7.4 of the Environmental Planning and Assessment Act 1979 in connection with the Site-Specific Planning Proposal at 3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord, for the provision of public benefits as set out in this letter.

Offer

LFD Concord seeks to offer Council the following public benefits associated with the changes to Canada Bay LEP 2013 outlined in the Planning Proposal. The offer in summary is:

1. 4% of the total GFA delivered as affordable housing in perpetuity to either
    1. The Council where it has indicated that it supports the Planning Proposal and is the Relevant Planning Authority
        OR
    2. A CHP where the Planning Proposal has received support from the Sydney Eastern City Planning Panel and the Dept is the RPA
2. Publicly accessible and embellished landscaped through site links, which provide north to south and east to west connections 24/7.
3. Publicly accessible and embellished park.

The indicative concept and embellishment of the park and through site links are shown in the attached urban design study, with the landscape concept prepared by Site Image. LFD Concord Pty Ltd will negotiate the arrangements and embellishment of the through site links and park with Council during the preparation of the VPA.

The Voluntary Planning Agreement will promote the public interest by ensuring that open space and active transport links are provided, which go beyond the need arising from the development, improving both the connectivity and recreation opportunities for existing and future residents. Importantly, the VPA also provides much needed affordable housing with an accessible location well serviced by infrastructure, ensuring that low and very low income households can live close to transport, services and jobs.

We look forward to meeting with you to discuss and finalise this VPA offer.

Kind regards

Ben Zheng Lin
Director LFD
M +61 414 523 511

Concord PP - VPA Letter

Final Audit Report 2024-12-12

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"Concord PP - VPA Letter" History

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LFD DEVELOPMENTS

11th December 2024

To Whom It May Concern

LFD Concord Pty Ltd have a controlling interest in the land located at 3B-11 Loftus Street, 1-5 Burton Street, and 10-12 Gipps Street, Concord (subject site). LFD Concord Pty Ltd hereby gives its consent to Think Planners Pty Ltd to lodge a Planning Proposal over the subject site.

If you have any questions, please contact the undersigned

Kind regards

Ben Zheng Lin

Director LFD
M +61 414 523 511

Concord PP - Planning Letter

Final Audit Report 2024-12-11

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Local Planning Panel Minutes

MINUTES of the CITY OF CANADA BAY LOCAL PLANNING PANEL

Date of Panel meeting	Thursday, 6th March 2025
Location	Halliday Room, City of Canada Bay Council
Panel members	Jason Perica, Peter Monks, Dean Hart, Lindsey Dey
Council staff	Paul Dewar, Helen Wilkins
Apologies	Nil
Declarations of interest	Nil

A meeting of the Local Planning Panel was held in the Halliday Room, Canada Bay Civic Centre, Drummoyne on Thursday 06 March 2025 in relation to a Planning Proposal at PP2024/0008: 3B-11 Loftus Street, 1-5 Burton Street, 10-12 Gipps Street, Concord. Planning Proposal meetings are not public meetings and therefore are not open to the public.

A site inspection was conducted by Panel members and Council staff from 10:30 - 11:30am

The applicant and their representatives addressed the Panel from 12:45 – 13:45pm

The Panel deliberations concluded at 14:50pm and were subsequently finalised electronically

ITEM 1: PP2024/0008: 3B-11 Loftus Street, 1-5 Burton Street, 10-12 Gipps Street, Concord

This proponent-initiated Planning Proposal seeks to amend the Canada Bay Local Environmental Plan 2013 (CBLEP) to facilitate a high-density residential development with additional permitted uses for restaurant/café.

The Panel's role is to provide advice to Council for their consideration. In providing advice, the Panel considered the strategic merit and site-specific merit of the Planning Proposal.

The Panel considered the Council staff report (including attachments) and heard from the applicant and their representatives in their address to the Panel, together with matters observed during the site inspection.

PANEL RECOMMENDATION

1. The Local Planning Panel supports the Planning Proposal ("PP") for the Site at 3B-11 Loftus Street, 1-5 Burton Street and 10-12 Gipps Street, Concord (PP2024/0008) proceeding to a Gateway determination. This should ideally be included in Council's precinct-wide Planning Proposal to implement Stage 2 of the Parramatta Road Corridor ("PRCUTS"), noting planning for the subject site is inter-related with surrounding planning controls, and vice-versa. Should the Planning Proposal progress independently of Council's Planning Proposal to implement Stage 2 of PRCUTS, the Planning Proposal should be updated prior to public exhibition as follows:
    a) Production of a Transport and Traffic study that uses current data and addresses the issues outlined in the Council staff assessment report of this report and in Council's Transport Assessment Peer Review, by Bitzios Consulting;
    b) Production of a flood risk assessment that demonstrates that flooding will not adversely impact any other properties and how emergency evacuation would occur;

Local Planning Panel Minutes

c) Demonstration of how 15% minimum deep soil and 25% tree canopy coverage will be delivered;

d) Inclusion of an Arboricultural Impact Assessment, a Tree Canopy Assessment, a Landscape and Street Tree Masterplan;

e) An ecological assessment of the site having regard to EEC;

f) A Social Impact Assessment, including any latest planning for school places in the area. This should address the cumulative precinct wide situation as well as the site; and

g) A review of recent legislative changes to ensure the PP is current.

2. The planning controls for the site should be informed and guided by reasonably increasing the density of the site given its proximity to the planned North-Burwood Metro Station, while also ensuring the following principles and desired outcomes are met (in order of priority):

   a) Avoiding any additional overshadowing of Concord Oval that would compromise the integrity and safety of the playing surface and/or ongoing maintenance of that oval;

   b) Retention of the planned east-west road through the site (as an extension of Moreton Street);

   c) Complementing the surrounding planned built form envisaged in both Stage 1 and Stage 2 of the surrounding area, noting planned buildings to 24 storeys to the immediate south and 8-12 storey planned buildings to the immediate west. In this regard, the built form should step down to the north, with some scope for an increase in height in the north-western corner of the site, noting 8-12 storeys planned to the west (at this stage);

   d) Facilitating active uses at ground floor and achievement of design excellence;

   e) Providing podium forms to the existing and planned public streets, in the order of up to 4 storeys, to help define street edges and public space, while mediating the form of towers above through appropriate setbacks; and

   f) Considering future residential amenity in building envelope controls, both within the site and those adjoining.

3. In terms of an affordable housing contribution rate, this should be set at 5% (like existing and in perpetuity), or a higher percentage to be determined by Council (noting the increased density), that is proportionate with the uplift sought yet that is feasible. In this regard, the applicant is encouraged to provide any data they have that may help inform both costs and returns, for the independent analysis underway by Council.

4. In terms of other mechanical or procedural matters, the Panel is of the view the planning controls/processes associated with the PP should include the following:

   a) A R4 High-Density Residential zoning, with an appropriate mechanism to permit and encourage commercial uses on the ground floor;

   b) Applying Part 8 of the Canada Bay Local Environmental Plan 2013;

   c) Base and Incentive maximum Height of Building and FSR standards, linked to both amalgamation and delivery of infrastructure;

   d) Requiring delivery of the 19.3m wide Moreton Street road corridor extension and amalgamation of the lots within the Site as a prerequisite of approval of any Incentive Height and Floor Space Ratio;

Local Planning Panel Minutes

e) Including a new local clause that prohibits additional midwinter afternoon overshadowing of Concord Oval, informed by further analysis linked to the integrity, safety of the playing surface and ongoing maintenance of that oval;

f) Amend the Design Excellence Map to apply to the subject site;

g) Include an affordable housing contribution rate following further analysis (with an appropriate implementation mechanism); and

h) A draft amendment to the Canada Bay Development Control Plan be prepared by Council to provide detailed development controls for the site.

PANEL REASONING

The Recommendation above explains the Panel's position, after considering the Planning Proposal, associated documents, the Council planning staff assessment report, including associated peer reviews, and hearing from both Council staff and the applicant.

However, there are two matters warranting some elaboration, relating to overshadowing of Concord Oval and a planned public road through the site. These are the two main differences between the suggested planning controls for the site by the applicant in their Planning Proposal, and Council's analysis. The Panel supports Council's position relating to the planned road through the site, upon which wider traffic analysis has been undertaken/assumed, and to assist in wider planning and demarcating public space. This is neither critical or fatal to the Planning Proposal.

The issue of overshadowing of Concord Oval is more difficult. In planning for future change, all private investment should augment and complement existing and planned public infrastructure and investment. In this case, the public investment in Metro-West is significant. It post-dates prior planning within PRCUTS, while the proposed metro-station at North Burwood will be mid-way between the CBD's of Sydney and Parramatta. It warrants a review of density and controls around this station, to support increased housing and employment, in turn supporting sustainable travel behaviour. This should be while also considering the surrounding context and other planning considerations.

At the same time, Concord Oval represents a significant public investment and is an important part of a wider network of active recreational space, supporting high-level and elite sporting endeavours. Avoiding overshadowing of key open space areas is an objective of existing planning controls for the area, and a common approach in strategic town planning in many Council areas. Sometimes such open space is for passive recreational use, other times active. It is a reasonable principle that planning controls should not unduly compromise the key purpose for which key areas of open space are provided, linked to their use. In the case of Concord Oval, it is used by elite sportspeople, including in Rugby League and Rugby Union. This occurs through winter and in mid-afternoon periods. While the objective of reasonably increasing density close to a new metro station is supported by the Panel, this should not compromise the integrity, safety of the playing surface nor the ongoing maintenance of Concord Oval.

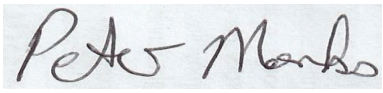
What was not clear to the Panel is whether and to what degree overshadowing of the Oval at 2pm (or 3pm for that matter noting its use) would compromise its use, safety or maintenance. Common sense would suggest that additional overshadowing in midwinter is likely to lead to some degradation of the playing surface, delays in drying after rain and potential compromising of the surface that would likely affect its use, potential player slips and ongoing maintenance. The degree of such affect is not apparent from the information before the Panel, therefore it is suggested that further information be required to determine the impact of additional overshadowing in terms of its ongoing use, potential player slips and

ongoing maintenance, in turn to help inform appropriate planning controls to avoid such impacts, where they are found to exist.

VOTING
The decision was unanimous.

Local Planning Panel Minutes

ADOPTION OF MINUTES:
We, the undersigned members of the Canada Bay Local Planning Panel, certify that these Minutes are an accurate record of the meeting of **Thursday 06 March 2024**:

PANEL MEMBERS	
Jason Perica 	Lindsey Dey 
Peter Monks 	Dean Hart 

31 March 2025

Peter Sheehan
Operations Manager Open Space
City of Canada Bay
15-17 Regatta Road
Five Dock, NSW 2046

RE: OVERSHADOWING IMPACTS ON CONCORD OVAL

Dear Peter,

Please find an independent review on the impacts of overshadowing on the field of play turfgrass on Concord Oval based on the three different Building Form scenarios provided to us by City of Canada Bay.

Should you have any questions or wish to seek clarification please contact the undersigned.

Regards

Murray Fraser
B.Sc.(Agric.) Soil Science, MSSA

M 0433 111 100
O 1300 556 116
E mfraser@greenspace4d.com **W** www.greenspace4d.com

1 Introduction

Greenspace 4D has been engaged by the City of Canada Bay (CCBC) to provide an independent agronomic assessment of the likely impacts of additional overshadowing on the natural turf playing surface at Concord Oval due to a built form being constructed at 3B-11 Loftus St, 1-5 Burton St, and 10-12 Gipps Street, Concord NSW 2137.

This assessment responds to specific questions posed by CCBC regarding the potential impacts of overshadowing on Concord Oval's turf performance, long-term resilience, and playability under three (3) proposed development scenarios:

- ✓ **Scenario A: PRCUTS Stage 2 Built Form** – Previously accepted with minimal overshadowing.
- ✓ **Scenario B: Planning Proposal Built Form** – Proposed by the proponent, resulting in the most significant overshadowing.
- ✓ **Scenario C: SGL Recommended Built Form** – Achieves a comparable dwelling count while minimising overshadowing of Concord Oval.

1.1 Key Objectives of the Assessment

1.1.1 Evaluate Impacts on Turf Viability and Resilience

- ✓ Determine whether the overshadowing created by the proposed built forms will adversely affect the viability, resilience, playability, and carrying capacity of Concord Oval's turf surface.
- ✓ Quantify the Impact: Assess and quantify the extent to which each scenario affects turf quality, recovery from wear, and surface stability.

1.1.2 Quantify Differences in Turf Degradation

- ✓ Assess whether any scenario will result in the field degrading faster than the others.
- ✓ Quantify the Difference: Compare turf degradation rates between scenarios and evaluate potential mitigation strategies to minimise negative impacts.
- ✓ Evaluate Effectiveness of Mitigation: Determine whether these strategies can fully or only partially mitigate the adverse effects.

1.1.3 Recommendation and Justification

Provide a definitive recommendation on whether CCBC should accept any of the proposed scenarios, based on a comprehensive analysis of potential impacts on ongoing use, player safety, and maintenance requirements.

1.2 Baseline Consistency for Fair Comparison

For all scenarios, it is assumed that the maintenance regime for Concord Oval will remain consistent. This ensures that any differences in turf performance and degradation between scenarios are attributable solely to the effects of additional overshadowing.

2 Overshadowing Scenarios & Turf Management Overview

2.1 Overshadowing Summary

Following is a summary relating to the three (3) described built forms, including PRCUTS Stage 2, Planning Proposal, and SGL Recommended Built Form.

Figure 1: The comparative overshadowing effect of the PRCUTS Stage 2 Built Form, the Planning Proposal Built Form, and the SGL Recommended Built Form at 2pm and 3pm in mid-winter

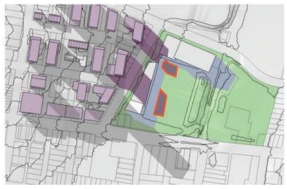
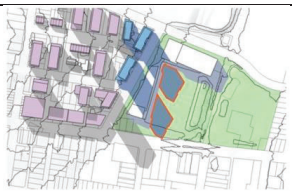
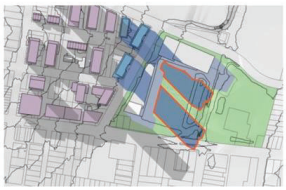
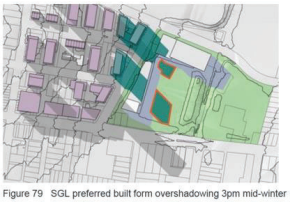
 Figure 60 PRCUTS built form overshadowing 2pm mid-winter  Figure 61 PRCUTS built form overshadowing 3pm mid-winter	 Figure 69 PP built form overshadowing 2pm mid-winter  Figure 70 PP built form overshadowing 3pm mid-winter	 Figure 78 SGL preferred built form overshadowing 2pm mid-winter  Figure 79 SGL preferred built form overshadowing 3pm mid-winter
Scenario A: PRCUTS Stage 2 Built Form	**Scenario B: Planning Proposal Built Form**	**Scenario C: SGL Recommended Built Form**

Table 1: A Summary of the additional shadow coverage on Concord Oval at different times of day for each built form compared with the percentage of shadow currently seen. Highlighted grey cells indicate an increase in shade compared to the existing oval built form

Time	Existing Oval Built Form	Scenario A: PRCUTS Stage 2 Built Form	Scenario B: Planning Proposal Built Form	Scenario C: SGL Recommended Built Form
9:00 am	33%	33%	33%	33%
10:00 am	18%	18%	18%	18%
11:00 am	10%	10%	10%	10%
12:00 pm	7%	7%	7%	7%
1:00 pm	4%	4%	6%	4%
2:00 pm	3%	3%	52%	3%
3:00 pm	13%	32%	82%	46%
4:00 pm	55%	79%	84%	82%

2.2 Context: Turf Management and Seasonal Growth Pattern

- **Santa Ana Couch** (*Cynodon dactylon* x *C. transvaalensis*):
  - Grows actively during warm months (October to April).
  - Enters dormancy during cooler months (May to September) when soil temperatures drop below 12°C.

- **Winter Oversowing with Perennial Ryegrass** (*Lolium perenne*):
  - Ryegrass is oversown in February/March and persists through September, ensuring surface aesthetics, stability and playability during the non-growing season for Santa Ana couch.
  - Perennial ryegrass maintains acceptable quality with a Daily Light Integral (DLI) as low as 15 mol/m²/day but experiences decline if exposed to prolonged shade (>50%).

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3 Impact of Overshadowing on Turf Performance and Safety: Santa Ana Couch oversown with Perennial Ryegrass

3.1 Impact on Turf Viability, Resilience, Playability, and Carrying Capacity: Winter (Non-Growing Season March–September)

- **Light Requirements:** Perennial ryegrass maintains acceptable growth with DLI as low as 15 mol/m²/day but suffers density loss under prolonged shading.
- **Photosynthesis Reduction:** With shading of >50% for 2+ hours/day, canopy thinning occurs due to reduced carbohydrate production, resulting in:
  - 25–40% canopy thinning over 6 weeks in shaded areas.
  - 40–50% slower recovery from wear, increasing surface vulnerability.

3.1.1 Scenario A: PRCUTS Stage 2 Built Form: Probable Impact

- **Minimal Shading** (19–24% at 3–4 PM):
  - Limited shading during afternoon hours has negligible impact on overall turf quality.
  - Perennial Ryegrass Impact: Minimal reduction in canopy density (~5–10%) with no significant impact on wear tolerance or recovery.
  - Santa Ana Couch Impact: Minimal effect due to sufficient sunlight exposure during peak photosynthetic periods.

3.1.2 Scenario B: Planning Proposal Built Form: Probable Impact

- **Significant Shading** (49–69% from 2–3 PM):
  - Reduced light availability after 2 PM will lead to:
    - 30–50% canopy thinning in shaded areas.
    - 40–60% slower recovery from wear, increasing vulnerability to surface degradation.

- Increased Disease Risk: Prolonged leaf wetness and humidity may increase the risk of fungal infections by 20–30%.
- **Impact on Santa Ana Couch:** Reduced photosynthetic activity during the growing season will result in weakened turf with reduced carbohydrate reserves, affecting transition back to active growth in spring.

3.1.3 Scenario C: SGL Recommended Built Form: Probable Impact

- **Moderate Shading** (33% at 3 PM, 27% at 4 PM):
  - Reduced light exposure in the late afternoon results in:
    - 15–25% canopy thinning in shaded areas.
    - 20–30% slower recovery from wear, maintaining better surface quality than the Planning Proposal.
    - Lower Disease Risk: Reduced shading time limits prolonged leaf wetness, mitigating the risk of fungal outbreaks.
  - **Impact on Santa Ana Couch:** Moderate impact with minimal disruption of spring transition.

3.2 Impact on Playability and Wear Tolerance

- **Perennial Ryegrass Wear Tolerance in Shade:** Declines by 20–40% with DLI reductions below 15 mol/m²/day.
- **Santa Ana Couch Wear Tolerance in Shade:** Declines by 30–50% in shaded conditions, with slower recovery post-wear.

3.2.1 Scenario A: PRCUTS Stage 2 Built Form: Playability and Wear Impact

- **Minimal Traffic Wear Impact:** 5–10% reduction in turf resilience, with no significant effect on wear recovery.
- **Recovery Time:** Negligible impact on surface stability, with recovery times remaining within expected parameters.

3.2.2 Scenario B: Planning Proposal Built Form: Playability and Wear Impact

- **Higher Traffic Wear Impact:** 40–50% increase in traffic-related surface degradation due to reduced density and slower recovery.
- **Recovery Delay:** Recovery from wear slows by 40–60% due to reduced carbohydrate reserves.

- **Increased Compaction Risk:** Reduced root biomass increases susceptibility to surface compaction.

3.2.3 Scenario C: SGL Recommended Built Form: Playability and Wear Impact

- **Moderate Traffic Wear Impact:** 20–30% increase in surface degradation with slower recovery from high-traffic areas.
- Recovery Delay: Recovery slows by 20–30%, but the overall surface remains more resilient.
- **Lower Compaction Risk:** Moderate shading reduces the risk of compaction and surface instability.

3.3 Impact on Drying Time and Surface Safety

- **Delayed Drying Time:** Shade delays surface drying after rainfall, leading to:
  - **Increased Surface Moisture:** Higher risk of disease due to prolonged leaf wetness.
  - **Compromised Surface Stability:** Increased slipperiness, posing a safety risk to players.
- **Santa Ana Couch:** Dormant during winter, with minimal drying capacity.
- **Perennial Ryegrass:** Reduced drying in shaded areas increases susceptibility to fungal turfgrass diseases such as *Pythium* and *Rhizoctonia*.

3.3.1 Scenario A: PRCUTS Stage 2 Built Form: Drying and Safety Impact

- **Minimal Impact:** Limited shading results in negligible delays in drying or increased disease risk.

3.3.2 Scenario B: Planning Proposal Built Form: Drying and Safety Impact

- **Delayed Drying:** Prolonged shading increases surface wetness by 20–30%, contributing to higher disease susceptibility and player safety risks.
- **Increased Injury Risk:** Prolonged surface moisture may increase the likelihood of slips and falls, especially in high-traffic areas.

3.3.3 Scenario C: SGL Recommended Built Form: Drying and Safety Impact

- **Moderate Drying Delay:** Surface wetness increases by 10–15%, with lower risk of disease development and surface instability.
- **Lower Injury Risk:** Reduced shading minimises safety concerns relative to the Planning Proposal.

4 Comparison and Quantification of Impacts

Table 2: Quantifiable Impact Summary

Parameter	Scenario A: PRCUTS Stage 2 Built Form	Scenario B: Planning Proposal Built Form	Scenario C: SGL Recommended Built Form
Canopy Density Decline	Negligible (5–10%)	High 40–50%	Moderate 15–25%
Traffic Wear Increase	None	High 40–50%	Moderate 20–30%
Recovery Delay	None	High 40–60%	Moderate 20–30%
Disease Risk Increase	None	Moderate 20–30%	Low 10–15%
Drying Time Delay	Low	Moderate to High	Moderate
Player Safety Risk	Low	Moderate to High	Moderate

5 Final Recommendation

5.1 Recommendation to City of Canada Bay

Recommendation: The Scenario A: PRCUTS Stage 2 Built Form should be accepted as it presents the least impact on Concord Oval's turf quality, playability, and long-term resilience, significantly outperforming both the Scenario B: Planning Proposal Built Form and the Scenario C: SGL Recommended Built Form options.

5.2 Rationale for Recommendation

- **Minimal Turf Deterioration:**
  - PRCUTS Stage 2 creates minimal additional shade, with only 19% shading at 3 PM and 24% at 4 PM.
  - The minimal overshadowing ensures that the natural turf surface maintains high levels of photosynthesis, canopy density, and root biomass throughout the year.
  - Canopy density reduction is expected to be <5–10%, compared to 15–25% for the SGL Recommended Built Form and 40–50% for the Planning Proposal.

- **Superior Playability and Wear Tolerance:**
  - Minimal shading ensures that the field retains optimal traffic wear tolerance and faster recovery following high-traffic events.
  - Traffic-related surface degradation is negligible, ensuring the turf surface remains safe and resilient with no significant delay in recovery.

- **Improved Player Safety and Surface Stability:**
  - Minimal afternoon shading reduces delays in surface drying after rainfall, minimising the risk of slippery or unstable playing surfaces.
  - PRCUTS Stage 2 maintains consistent surface traction, reducing the likelihood of injuries due to slips or surface instability.

- **Lower Maintenance Requirements:**
  - With negligible shading and consistent surface conditions, PRCUTS Stage 2 minimises the need for additional aeration, thatch management, and grow light supplementation.
  - Maintenance inputs remain consistent with current practices, preventing additional operational costs and minimising resource use.

5.3 Justification

- **Minimal Shade Impact Maintains Optimal Turf Health:**
  - PRCUTS Stage 2 casts minimal additional shadow, ensuring that Concord Oval receives sufficient sunlight to support both Santa Ana couch during the growing season and Perennial ryegrass during the cooler months.
  - This prevents reductions in photosynthetic efficiency, canopy thinning, and slower recovery from wear, safeguarding turf quality and resilience.

- **Superior Playability and Safety Standards:**
  - With no significant increase in afternoon shade, PRCUTS Stage 2 maintains high-quality playing conditions by ensuring that the turf surface remains firm, resilient, and safe under both wet and dry conditions.
  - No prolonged surface wetness reduces the risk of disease and prevents hazardous playing conditions.

- **Negligible Risk of Surface Deterioration and Lower Maintenance Demands:**
  - By minimising overshadowing, PRCUTS Stage 2 maintains consistent turf density and surface stability with lower risk of disease outbreaks or compaction.
  - Maintenance requirements remain stable and predictable, avoiding the need for additional aeration, nutrient supplementation, or artificial lighting to compensate for light deficiencies.

6 Conclusion

The PRCUTS Stage 2 Built Form scenario is the optimal choice for Concord Oval as it provides minimal impact on turf quality, playability, and safety. It ensures that the field remains resilient, safe, and cost-effective to maintain while supporting high-traffic use for rugby union and rugby league throughout the non-growing season.

By maintaining current turf management practices and minimising additional maintenance inputs, the PRCUTS Stage 2 Built Form presents the most sustainable and desirable scenario for the City of Canada Bay.

7 References

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- Trenholm, L.E., & Unruh, J.B. (2005). Shade tolerance and recovery of Bermudagrass cultivars. *HortScience, 40(5), 1453-1458.*
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8 Attachments

A1 Overshadowing Study by Studio GL

Planning Proposal

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

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

24.01.25
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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Appendices

Title	Prepared by
A. Indicative Design Concept	*Projected Design Management Pty Ltd*
B. High Level ADG Assessment	*Projected Design Management Pty Ltd*
C. Independent Urban Design Analysis	*Audax Urban*
D. BCA Statement	*Phillip Chun Building Compliance*
E. Valuation Statement for 10-12 Spencer Street	*Titan Advisory Group*
F. Evidence of Negotiation	*Develotek*
G. Amendments to the Canada Bay DCP	*Beam Planning*

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 F**. As such, the 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 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 is accompanied by the following key technical reports: • Independent Urban Design Assessment • Building Code of Australia (BCA) Statement • Valuation Report
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 Project 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 exclude 10-12 Spencer Street from Area 17 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**).

This means that the Develotek site 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, whilst the adjoining land at 10-12 Spencer Street will be subject to a new site-specific provision under Part 6 of the CBLEP 2013, which is proposed to reflect the built form and masing outcome of the CBDCP.

The Planning Proposal is supported by a proposed amendment to the CBDCP to insert a site-specific control under Section K20.6 'Block Configuration'. The objective of the DCP amendment is to provide additional certainty that future redevelopment of Area 17 will achieve the desired built form and public domain outcomes identified within Section K20 Kings Bay (PRCUTS) of the CBDCP, without consolidation of the site and 10-12 Spencer Street.

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 2,947 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 (3,151m^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 F** 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 development 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 Development 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	3,151m^2	962m^2
Owner	Antonio Purazzo Nancy Purazzo	Roy Sachetti Charles Sachetti

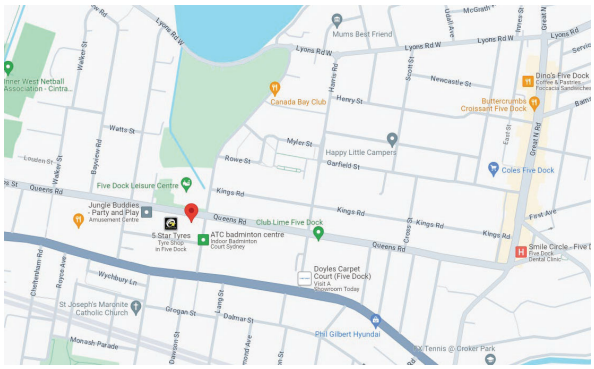
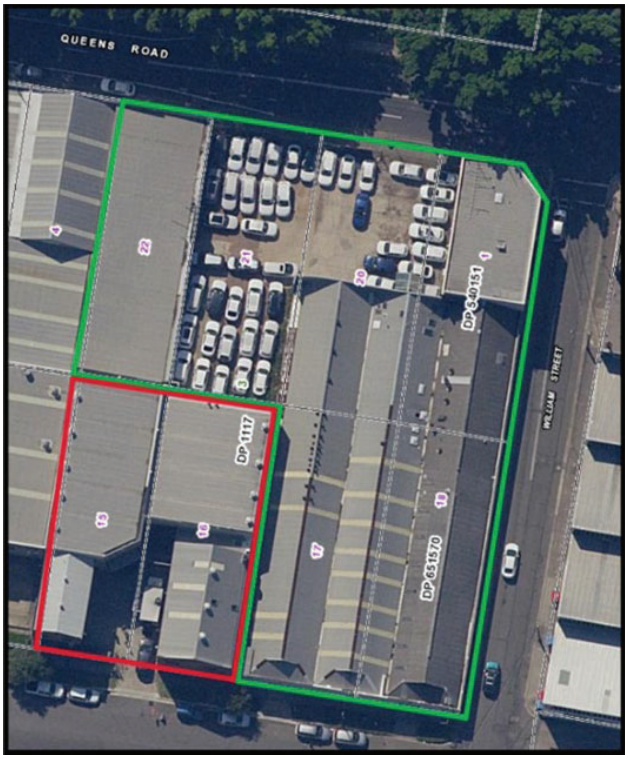
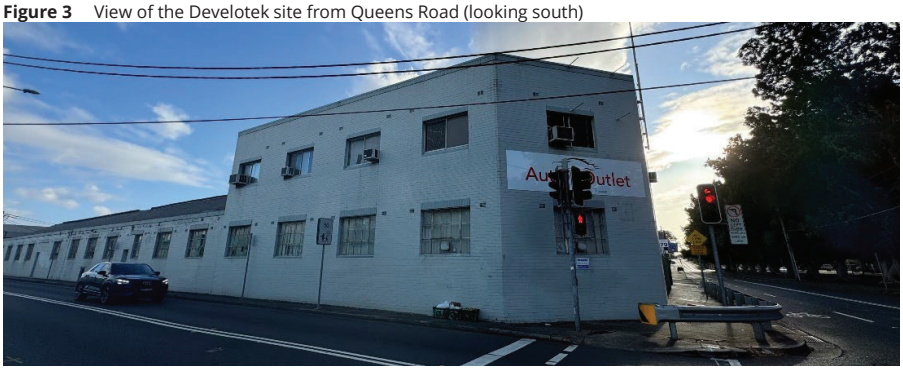
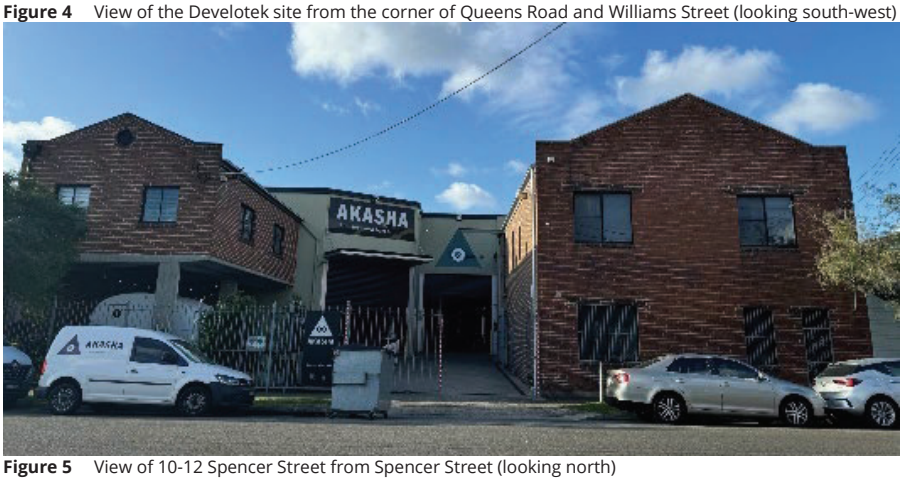


Figure 1 Location Plan



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 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. Kings Bay is also located to the north of the site. 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).*

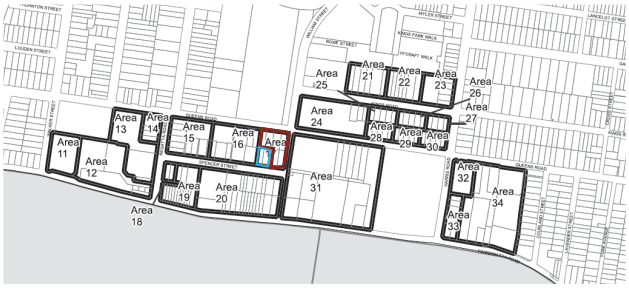
The precinct will feature a commercial mixed-use centre along Spencer Street (to which the site fronts). The centre will provide fine-grained ground floor retail and commercial uses, to support and service the local community. New high-rise residential tower development will step down towards the existing 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 park 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 2,947 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

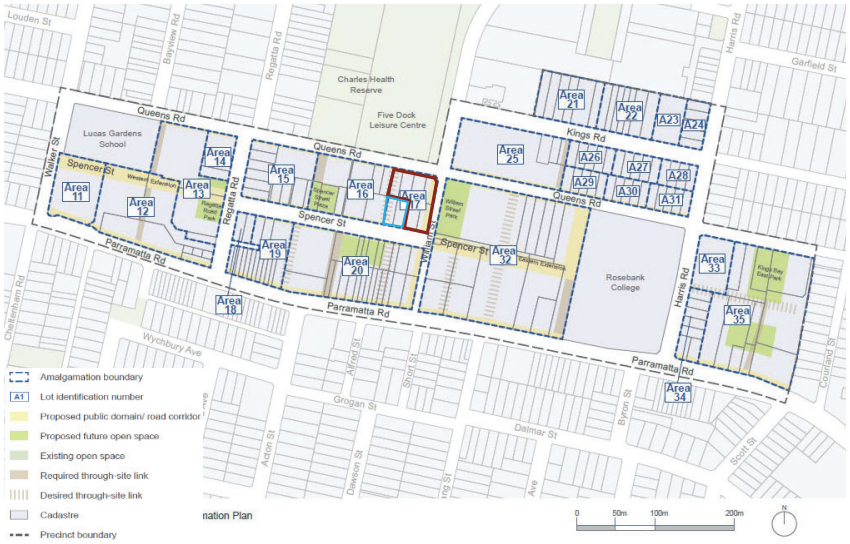
Clause	Provision
2.1 Land use zones	The site is zoned part MU1 Mixed Use, part RE1 Public Recreation (frontage to William Street). Shop-top housing is permissible with consent in the MU1 zone.
4.3 Height of buildings	The site has a base maximum height of buildings (HOB) of 12m.
4.4 Floor space ratio	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.

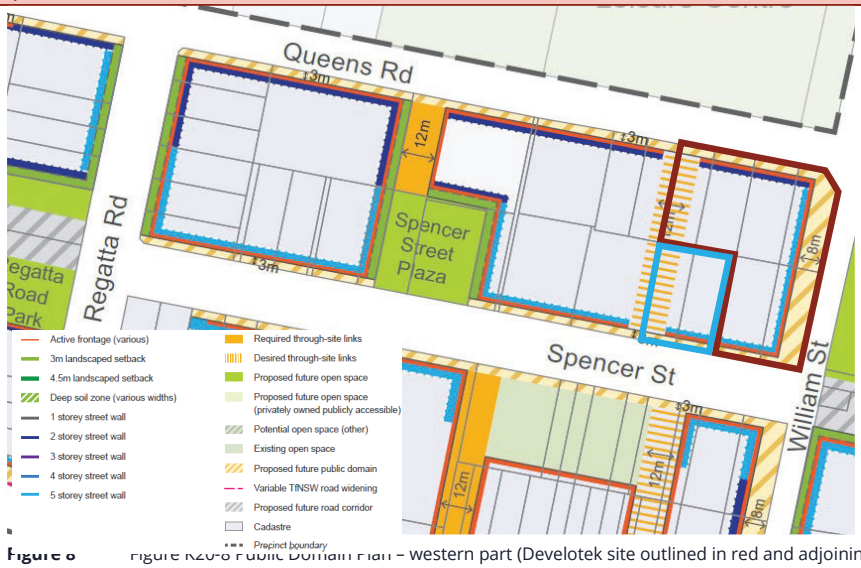
3.2 Canada Bay Development Control Plan

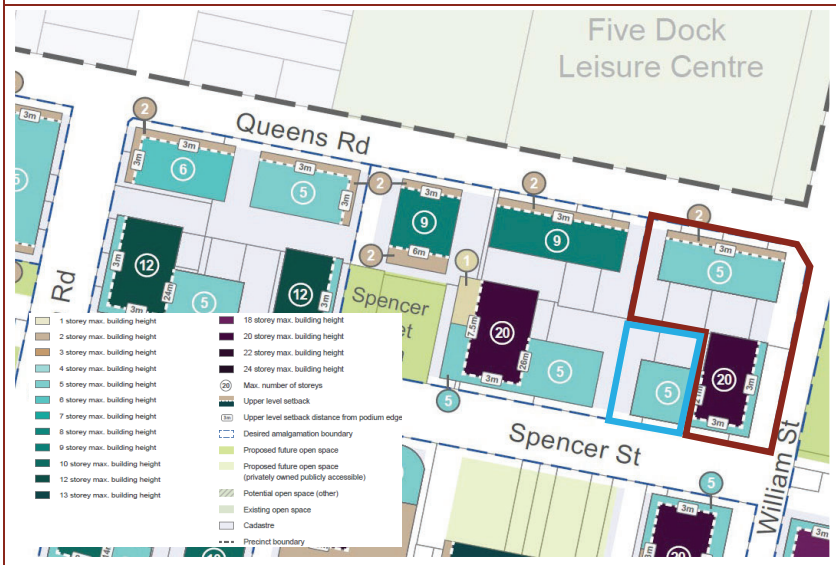
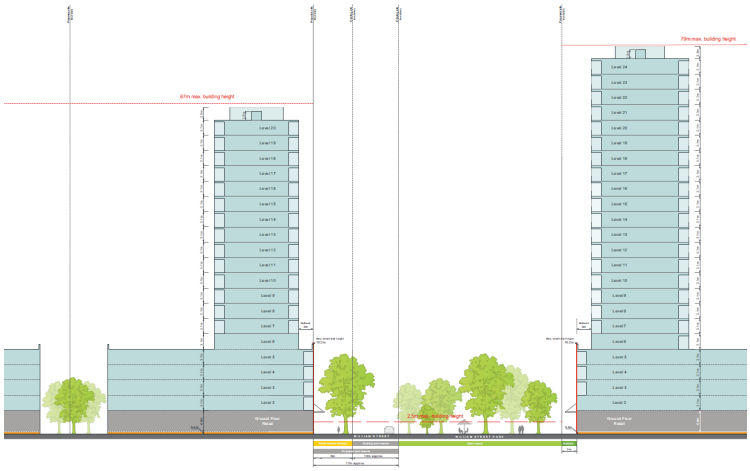
The CBDCP provides additional detailed design guidance which builds on the provisions of the CBLEP 2013. The key provisions relating to the site, and of relevance to this Planning Proposal are outlined in **Table 3** below.

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 void 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.

Section	Controls
K20 Kings Bay (PRCUTS)	
	• Spencer Street frontage – 5 storeys.
	 **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 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 are provided in **Table 3** 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	3,151m^2	962m^2	4,113m^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	3.15:1 (Note: max. FSR for the site alone is 3.15:1)	2.17:1 (Note: max FSR for 10-12 Spencer Street alone is 3.15:1)	3.15 (Note: the max. FSR for the consolidated site is 3.15:1, 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	Max. 67m
Storeys	Min. 2-storeys (fronting Queens Road) – max. 20 storeys (tower component)	Max. 5-storeys	Min. 2-storeys (fronting Queens Road) – max. 20 storeys (tower component)
Ground Level Setbacks: • North • South • East • West	• North: 3m • South: 3m • East: 8m • West: 6m – 27m	• North: 0m (nil boundary setback) • South: 3m • East: 0m (nil boundary setback) • West: 6m	• North: min. 3m • South: 3m • East: 8m • West: min. 6m
Min. Above Podium Setbacks: • North • South • East • West	• North: 3m – 31.9m • South: 3m • East: 1m • West: 6m – 27m	• North: 11.5m (from Level 2 • South: 0m • East: 0m • West: 0m	-

Component	Indicative Development Concept		
Residential units	82 Note: The number of dwellings will increase to 116 once SSDA is lodged with 30% infill affordable housing bonus.	16	98 Note: The number of dwellings will increase to 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 and William Street.

The potential second stage (Stage 2) 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 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).

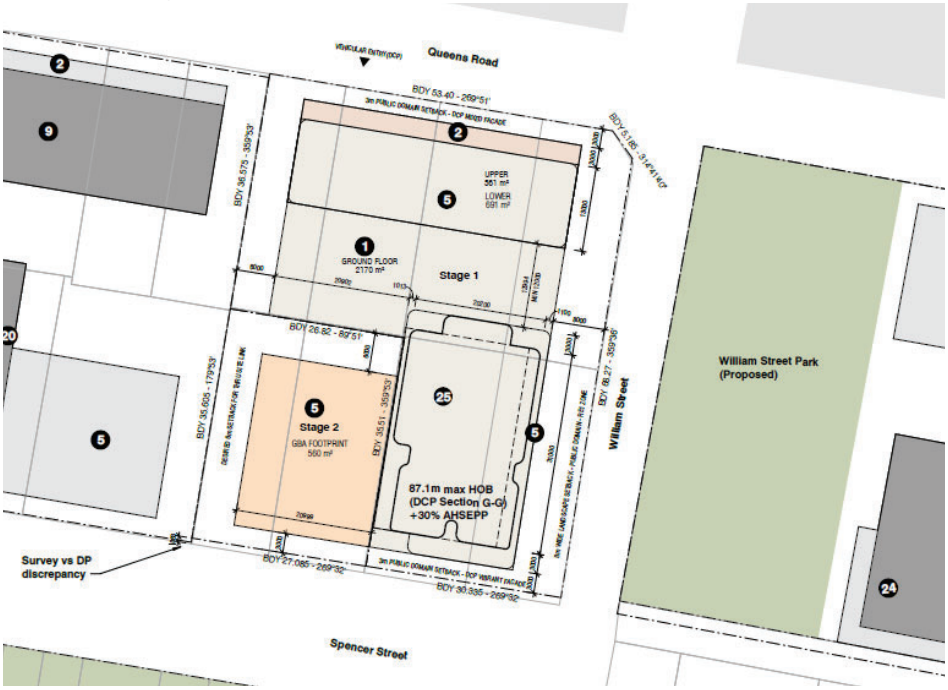


Figure 12 Indicative Development Concept Site Plan

Source: Projected Design Management Pty Ltd

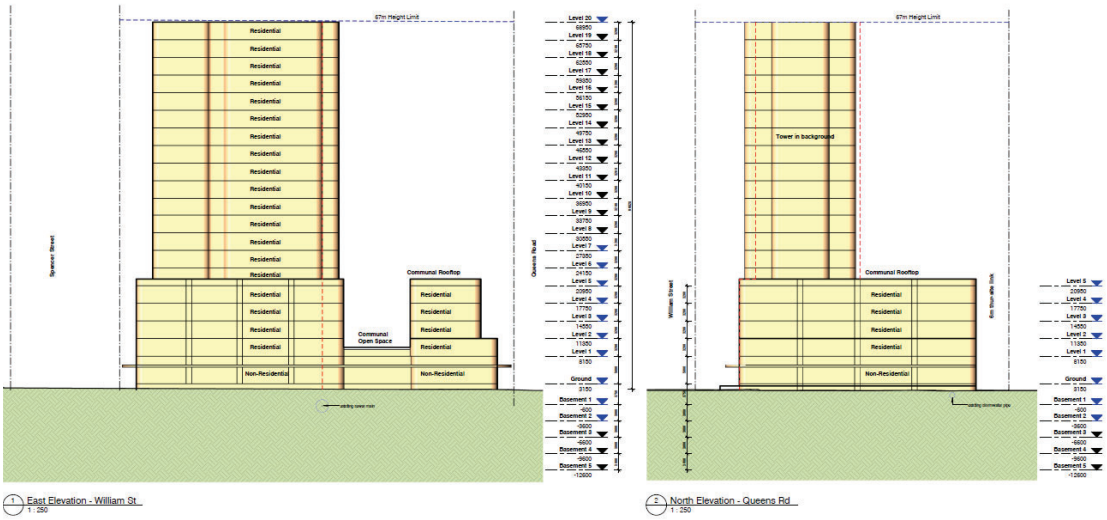
4.3 Built Form and Public Domain

The indicative development concept has been designed 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 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 has been located at the corner of Spencer Street and William Street, as a key focal point within the centre, and to reduce overshadowing of adjoining open space.
- **Interactive 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 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, 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.



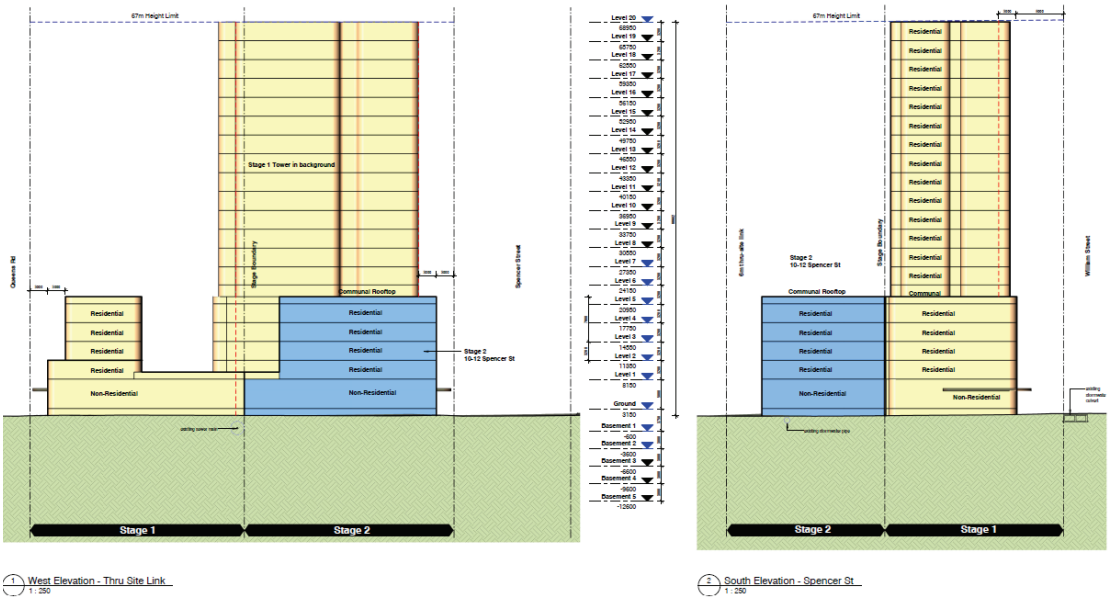


Figure 13 Indicative Building Elevations

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.

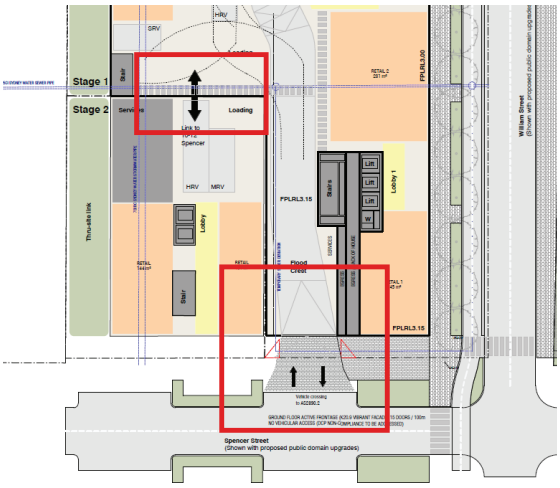


Figure 14 Indicative Development Concept Ground Floor Plan (access outlined in red)

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 exclude 10-12 Spencer Street from Area 17 of the Kings Bay Precinct and prescribe new planning controls for both sites, whilst ensuring that they are aligned with and achieve the desired built form and public domain outcomes for the site as identified within Section K20 Kings Bay (PRCUTS) of the Canada Bay DCP.

This means that the Develotek site 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, whilst the adjoining land at 10-12 Spencer Street will be subject to a new site specific provision under Part 6 of the CBLEP 2013, which is proposed to reflect the built form and massing outcome of the Canada Bay DCP.

The Planning Proposal is supported by a proposed amendment to the City of Canada Bay Development Control Plan (DCP) to insert a site-specific control under Section K20.6 'Block Configuration'. The objective of the DCP amendment is to provide additional certainty that future redevelopment of Area 17 will achieve the desired built form and public domain outcomes identified within Section K20 Kings Bay (PRCUTS) of the DCP, without consolidation of the site and 10-12 Spencer Street.

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 3:15 (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 in 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 exclude the adjoining land at 10-12 Spencer Street from Area 17 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
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, however, a new site-specific provision will apply allowing a height of building of 19m and floor space ratio of 2.17:1 subject to relevant requirements being met.
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	No change.	N/A. Part 8 of the CBLEP 2013 will no longer apply to 10-12 Spencer Street and instead a new site-specific provision under Part 6 will apply.
Clause 8.4 – Minimum site area requirements	4,069m^2	3,151m^2	

Develotek Site

Due to the inability to acquire the adjoining land, this Planning Proposal seeks to exclude 10-12 Spencer Street from Area 17 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 F** 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 3,151m^2 (effectively excluding 10-12 Spencer Street). This 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.

To ensure that the desired vision and outcome for Area 17 under the Canada Bay DCP can still be achieved, Clause 8.3 of the CBLEP 2013 is proposed to be amended to include site-specific requirements for the subject site that must be met in order for the development to gain access to the incentive height and FSR, which are not proposed to be amended.

The intended provision is outlined below with amendments identified in ***italic bold.***

> ***Part 8 Burwood-Concord, Homebush North and Kings Bay Precincts***
>
> ***8.3 Additional floor space ratio and building heights for Areas 1–35***
> *(1) This clause applies to development involving the erection of a building in Areas 1–35 if the consent authority is satisfied the requirements specified in clauses 8.4–8.8 will be met in relation to the development.*
> *(2) The maximum floor space ratio for a building is the floor space ratio shown on the Incentive Floor Space Ratio Map for the land.*
> *(3) The maximum height of a building is the height shown on the Incentive Height of Buildings Map for the land.*
> ***(4) When granting additional floor space ration or building height under (2) and (3) within Area 17, the consent authority must be satisfied the development:***
> ***(i) does not prevent the future redevelopment of 10-12 Spencer Street, Five Dock in accordance with this plan; and***
> ***(ii) provides the potential for a single vehicle access to allow a consolidated driveway and basement with the future development at 10-12 Spencer Street.***

The introduction of the abovementioned provision will ensure that the future development of the subject site has given regard to the adjoining land and will mitigate the impacts of site isolation.

Adjoining land at 10-12 Spencer Street

Since the adjoining land at 10-12 Spencer Street cannot be acquired, it is proposed to be excluded from Area 17 of the Kings Bay Precinct. This means that the incentive development standards under Part 8 will no longer apply, and instead, the principal development standards under Part 4 of the CBLEP 2013 will apply.

Notwithstanding, should the adjoining land be redeveloped in the future, the existing height and FSR development standards would need to be amended to enable the redevelopment to occur in line with the desired built form and outcome prescribed under the Canada Bay DCP and illustrated in the Indicative Design Concept provided at **Appendix A**. Specifically, the permissible building height will need to be increased from 12m to 19m and the FSR from 1:1 to 2.17:1.

However, to ensure that the relevant requirements under Part 8 and the vision and intent of the Kings Bay Precinct is still being maintained, this Planning Proposal will not amend the principal development standards but instead, will apply the increased height and FSR to the site by introducing a new site-specific provision under Part 6 'Additional Local Provisions' of the CBLEP 2013.

The intended wording of the new site-specific provision is provided below:

6.17 Development at 10-12 Spencer Street, Five Dock
(1) This clause applies to the following land at 10-12 Spencer Street, Five Dock—
(a) Lot 15 DP 1117
(b) Lot 16 DP 1117
(2) Despite Clause 4.3 and Clause 4.4, development consent may be granted to development involving the erection of a building on the subject land with a height not greater than 19m and a floor space ratio not greater than 2.17:1, if the consent authority is satisfied that—
(a) the development is for the purposes of shop top housing.
(b) a 3m wide setback to Spencer Street is provided.
(c) a 6m wide setback to the western boundary is provided to facilitate a through site link that connects Spencer Street and Queens Road.
(d) vehicular access is consolidated with the adjoining development at Area 17 of the Kings Bay Precinct.

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, which is detailed within **Appendix G**.

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

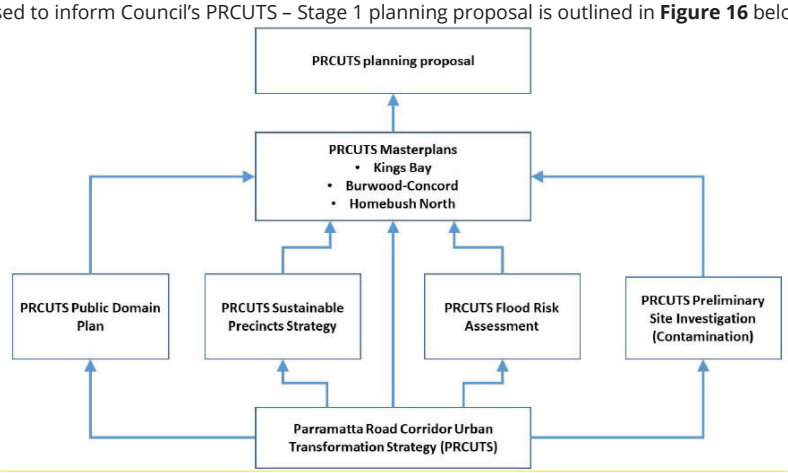
Assessment Criteria	Response
Strategic merit	
Does the proposal: • Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district 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 F**, which clearly demonstrates that Develotek has attempted to purchase the adjoining land on multiple occasions and that the adjoining landowner is simply not interested in selling or redeveloping their land. In response to these circumstances, this Planning Proposal seeks to exclude the adjoining land from Area 17 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 that prevents site isolation and facilitates an amalgamated built form approach, without necessarily acquiring any land.
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 98 new dwellings (which will increase to 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 development 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 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, a new site-specific provision under Part 6 of the CBLEP 2013 will be introduced for the adjoining land at 10-12 Spencer Street that will grant it additional height and FSR in accordance with the envisaged built form for the site under the CBDCP.

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.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan is 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. The Planning Proposal will give effect to the relevant objectives of the Region Plan as 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 daft 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 daft 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	Response
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.

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 most of the 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 116 dwellings once SSDA for infill affordable housing is lodged) (refer to indicative development concept at **Appendix A**), contributing to the estimated 2,779 dwellings in Kings Bay Precinct as outlined within the Kings Bay Precinct Master Plan (it is noted that this is a reduction of the 3,351 dwellings anticipated for the precinct under the LHS),
- 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

State Environmental Planning Policy	Response	Consistent
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
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 seeks to amend the site-specific provisions applying to Area 17 under clause 8.4 of the CBLEP 2013. The amendment is not intended to be restrictive, rather, the opposite, to provide more flexibility in the redevelopment of Area 17. The Planning Proposal does not seek to rezone land or introduce new uses. The Planning Proposal does not contain or refer to drawings that show DA-level details of any potential future development.	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.	No – justified

Direction	Response	Consistent
	• 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 Council´s planning proposal, • 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). The assessment was prepared in accordance with the technical requirements of the Floodplain Development Manual 2005 and consistent with Council's existing flood planning controls. Redevelopment of the site will not result in development in any floodway areas or development for the purpose of residential accommodation in high hazard areas. 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. This Planning Proposal, and subsequent redevelopment of the site, will not result in unacceptable flooding risk.	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*.	Yes

Direction	Response	Consistent
	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.	
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. 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.	Yes
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 patter, 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 3,151m^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 part 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 F**. Notwithstanding, to prevent the land from remaining undeveloped (which would contradict Councils intention of preventing fragmented or isolated sites), 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** 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 E**). 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, in response to Council's concerns, the analysis has also concluded:

- The proposed development will still achieve a high level of residential amenity and comply with the objectives of the ADG as detailed in **Appendix B**.
- The proposed development is capable of complying with the BCA, subject to the design team addressing specific criteria, as further outlined below and in **Appendix D**.
- While a blank wall is required to be proposed between the two sites, this will only be temporary until 10-12 Spencer Street is redeveloped. To mitigate undesirable visual impacts, it is proposed that the site-specific DCP be amended to require interim wall treatments 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 along the western boundary than originally required. This adjustment shifts the tower to the east, resulting in a 1m above podium setback to William Street. Whilst this built form approach has been adopted to respond to Councils concerns regarding compliance with the BCA and the presence of a blank wall on the tower, it introduces a minor variation to the recommended 3m above podium setback prescribed under the CBDCP.

Irrespective of this marginal non-compliance, 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:

- **Orientation and Placement:** The alternative 1m setback maximises solar access, ensuring at least five hours of sunlight for majority of units, by enabling the reorientation of the tower form towards the north.
- **Building Separation and Adjoining Development Opportunity:** The design allows the tower to be orientation towards the north, ultimately minimising privacy and overlooking impacts to the west and maximising development potential of the adjoining land at 10-12 Spencer Street.
- **Reducing Bulk and Scale:** Despite the reduced eastern setback, the tower 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 – similar to the effect of a deeper setback when viewed from the street.
- **Maximising Solar Access and Outlook:** The indicative design concept prioritises 100% north-facing or dual aspect apartments, providing an abundance of daylight ad views over surrounding areas like the Five Dock Leisure Centre and Barnwell Park Golf Club.
- **Maintaining Continuous Street Wall Height and Active Frontages:** The reduced setback preserves a continuous stet wall height and allows for the strategic placement of the building core, facilitating a consolidated vehicle access with the adjoining site, which will ultimately protect the public domain and enhance opportunities for an active street frontage by minimising vehicular crossover.

As such, despite the minor variation with the 3m above podium eastern setback, the proposed building envelope is appropriate in that it still achieves the objectives of the DCP, whilst 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.

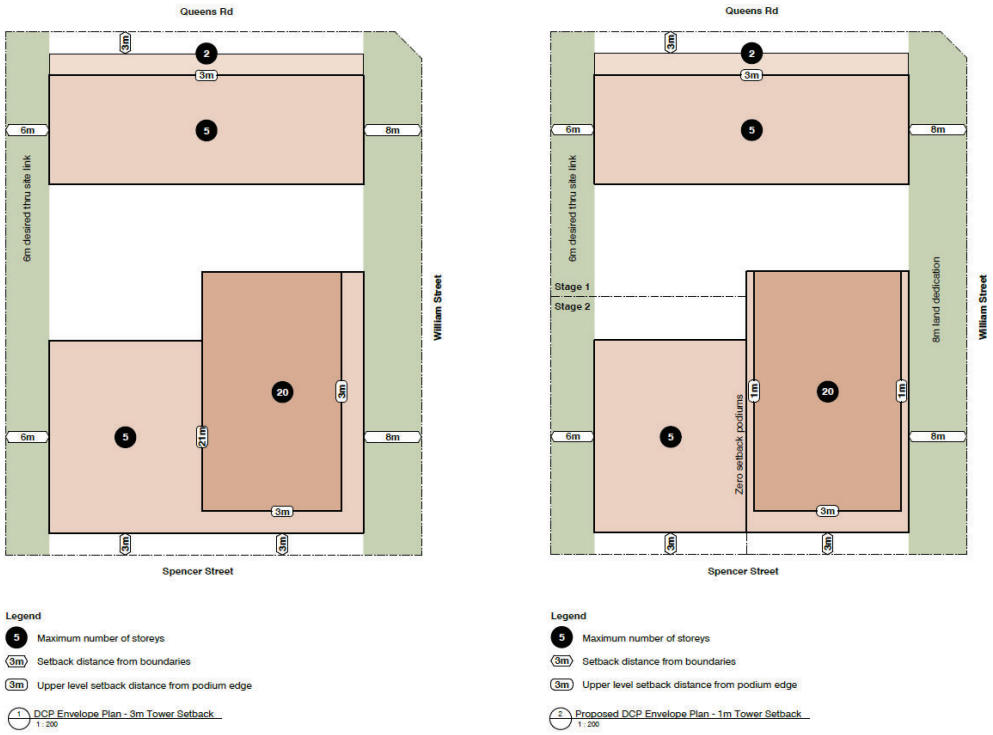


Figure 17 DCP Compliant vs Proposed Building Envelope

Source: Projected Design Management

In addition to the above, an independent assessment on the built form and urban design of the proposed alternative building envelope has been undertaken by Audax Urban (**Appendix C**). This assessment ultimately concludes that the difference in visual impact and overshadowing between the DCP compliant and proposed setback to the eastern boundary is negligible. Specifically, Audax Urban has provided the following justification:

- In terms of bulk and scale, the continuous datum of the podium assists in breaking down the overall massing as perceived from the public domain is negligible for a 20-storey tower, noting that the overall human scale is preserved by the podium's continuous datum line. The tower's form is appropriately modulated to maintain key alignments, and the reduction in setbacks does not negatively affect the streetscape or overall massing perception.
- The built form of the two options is generally similar, noting that both are slender. However, the proposed built form with the 1m setback allows for more north-orientated apartments, therefore, achieving better environmental performance and residential amenity.
- The compliant and proposed scheme cast similar shadows to the future public open space on the Deicorp site to the east as illustrated within the overshadowing diagrams provided within **Appendix A**. The testing confirms that the overshadowing cast by a difference of 2m on the eastern setback to William Street is almost imperceptible for a tower of 20 storeys. The park on the Deicorp site achieves similar areas of solar access between 11-2pm during mid-winter, which are the preferred lunchtime hours during winter. The alternative proposed setback is, therefore, a reasonable outcome.
- The reduction of the eastern setback allows for the increase in the western setback which ultimately maximises the future development potential for the adjoining site.

As such, it is emphasised that the proposed building envelope, although slightly non-compliant with the DCP setback to the eastern boundary achieves a positive planning and design outcome, whilst ensuring that the built form and vision envisaged for the site can still be achieved. **Figure 18** below provides a comparison of the compliant and proposed built form, clearly demonstrating that the alternative setback approach results in negligible visual impact when viewed from the street.

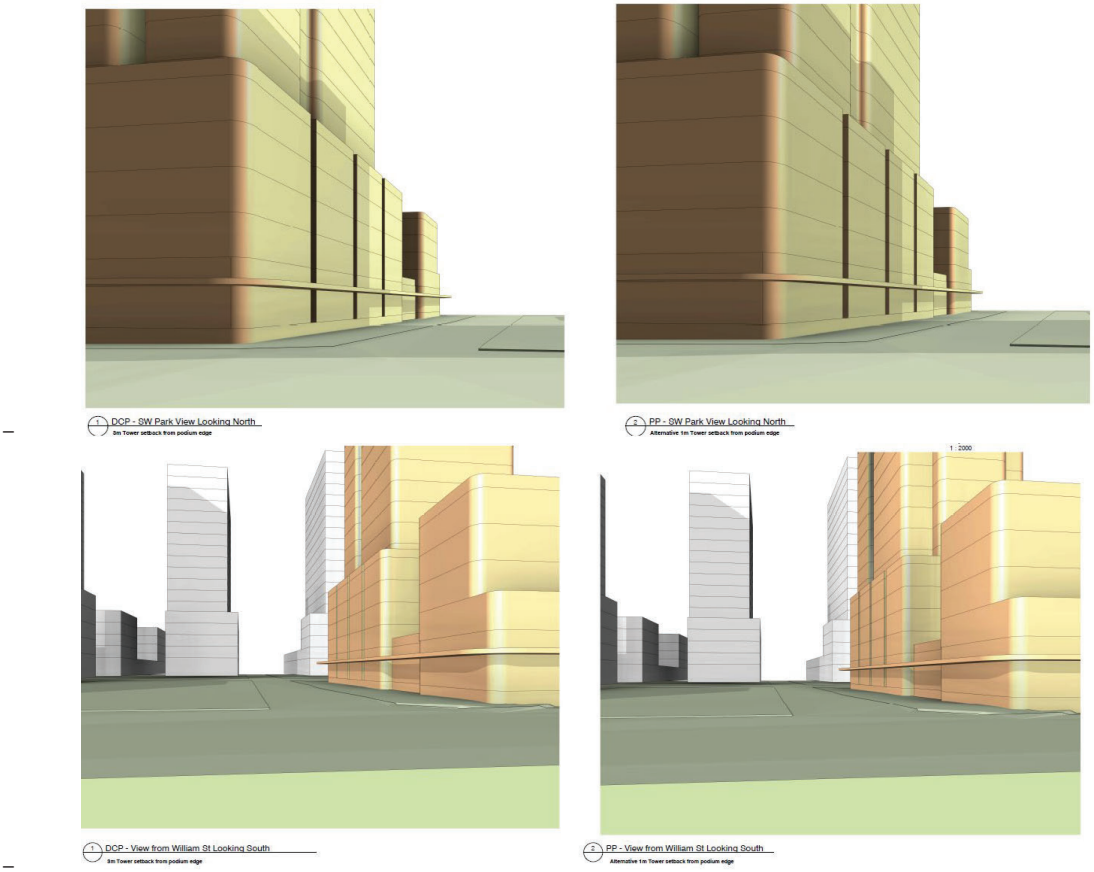


Figure 18 Comparative views of the compliant and proposed building envelope

Source: Projected Design Management

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 wester 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

1m 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 CBDCP (refer to **Appendix G**) 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. If the planning proposal is not supported and no development occurs on the Develotek site then no through site link (or other public domain benefits) will be delivered in the foreseeable 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 **Figure 20** below, which clearly highlights the loading serving 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 CBLEP 2013 (refer to **Section 5.2**), which guarantees the consolidation of vehicular access across both sites.

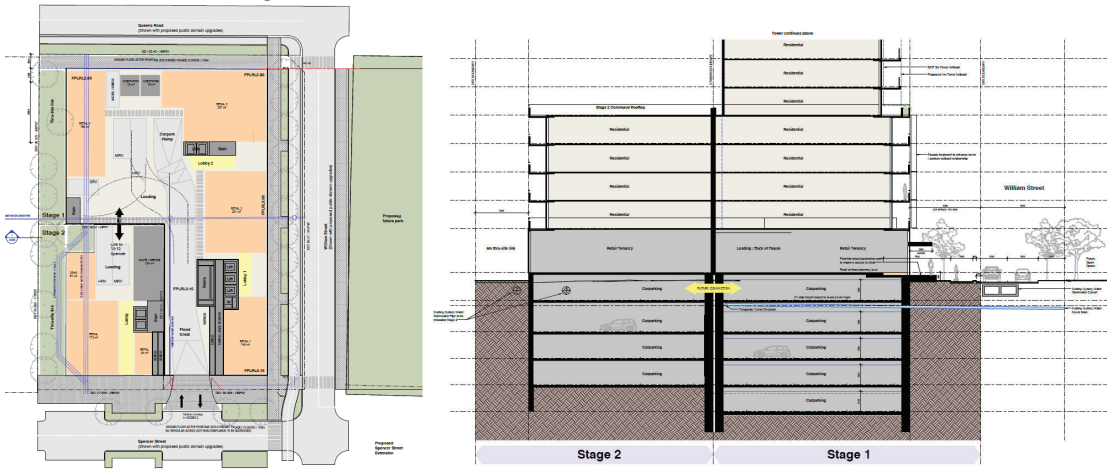


Figure 19 Proposed Basement Connection
Source: Projected Design Management

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.
- A minimum of two hours solar access to 90% of the indicative dwellings on the Develotek site and 75% on the adjoining land.
- Natural cross ventilation to 60% of the indicative dwellings on the Develotek site and 75% on the adjoining land.
- 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.

A high level ADG Assessment has been undertaken and is provided within **Appendix B**.

Building Code of Australia (BCA)

To address Councils concerns relating to compliance with the BCA, Philip Chun Building Compliance has been engaged to review the proposed indicative design concept. The statement concludes that the proposed development is capable of complying with the BCA, subject to the design team considering and designing the buildings to individually comply with the following:

- *The external walls of the buildings on Stage 1 and Stage 2 will be constructed against the property boundary and will require a Fire Resistance Level (FRL). The external walls will be required to be constructed to comply with Specification 5 of the BCA with regards to having the relevant FRL. The Design team can nominate relevant FRL's within fire compartmentation drawings to demonstrate compliance with this requirement.*
- *The openings within the external wall, that are required to be provided with a FRL, will be required to be protected in accordance with Clause C4D5 of the BCA. The design team can nominate a proposed method of compliance including wall-wetting sprinklers, fire doors, fire shutters, fire windows as appropriate to the opening.*
- *The proposal entails the construction of residential apartments on the property boundary. The SOU's will need to be provided with light and ventilation in accordance with BCA Part F. In particular the designers will need to note the design requirements of F6D2 & F6D3 and F6D7. The design team will need to ensure that where light and ventilation is to be obtained via openings, these openings are situated on the Northern and Southern façade of the respective buildings. This is due to the Eastern and Western facades of the respective buildings facing each other and cannot be relied upon for light and ventilation.*

The BCA Statement is provided at **Appendix D** of this Planning Proposal.

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 very 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 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.

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. We therefore do not think it will be necessary to seek the views of any other relevant State and Commonwealth agencies following receipt of the Gateway Determination.

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 exclude the adjoining land at 10-12 Spencer Street from the Kings Bay Precinct, ensuring that Part 8 no longer applies to this site. To reflect this change, the following maps need to be amended to adjust the boundary of Area 17 to include only the Develotek site:

- CBLEP 2013 Key Sites Map
- CBLEP 2013 Incentive Height of Building Map
- CBLEP 2013 Incentive Floor Space Ratio Map

These amendments will ensure that the boundary for Area 17 is accurately updated, reflecting the exclusion of the land at 10-12 Spencer Street from the Kings Bay Precinct.

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

Stage	Timeframe
Stage 1 – Pre Lodgement	Complete
Lodgement	January 2025
Stage 2 – Planning Proposal	January – May 2025
Stage 3 – Gateway Determination	June 2025
Stage 4 – Post-Gateway	July 2025
Stage 5 - Public exhibition & Assessment	August – November 2025

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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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Diana Griffiths BArch MURP(Hons) RPIA(Fellow) I Director Urban Design

- 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.

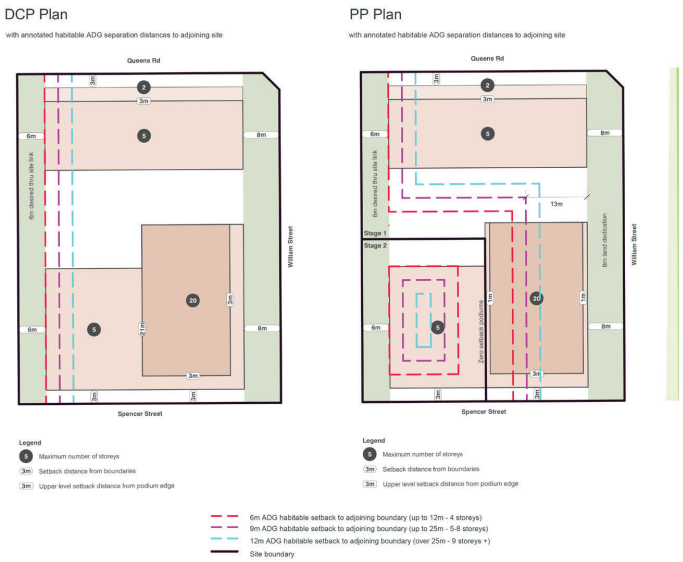

Figure 1, DCP and Planning Proposal plans (by Projected Design Management) with ADG setbacks for habitable uses overlaid by SGL

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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.

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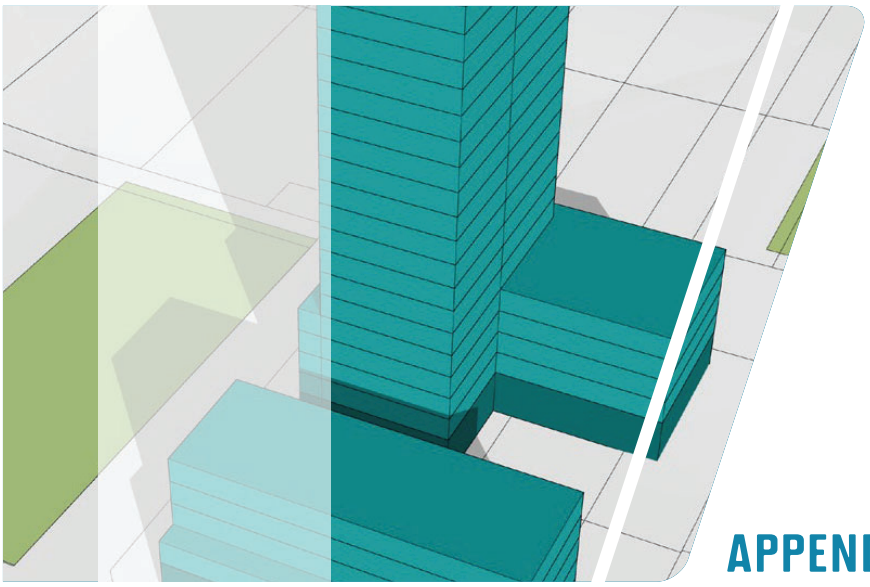
Diana Griffiths BArch MURP(Hons) RPIA(Fellow) I Director Urban Design



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**

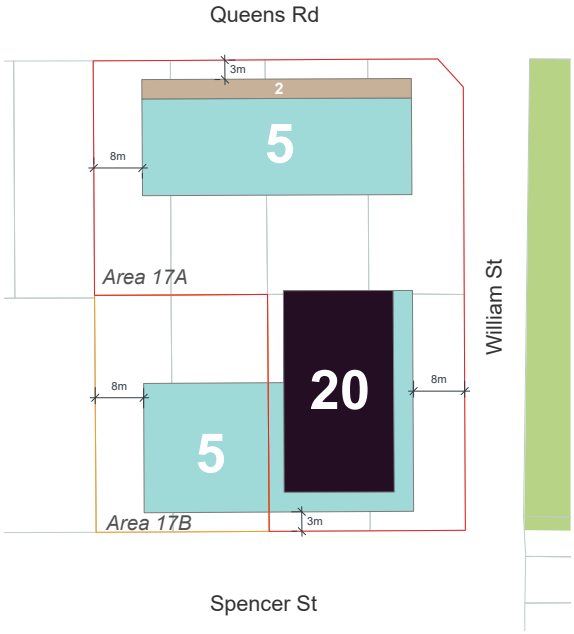


Figure 3 DCP Plan

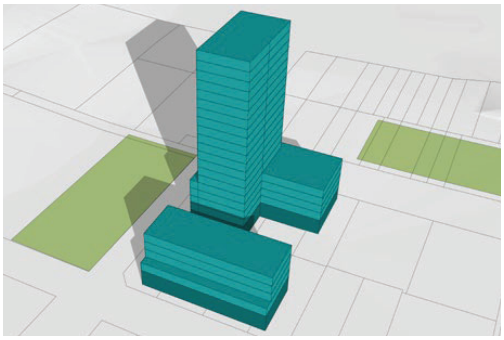


Figure 4 South-western View: DCP

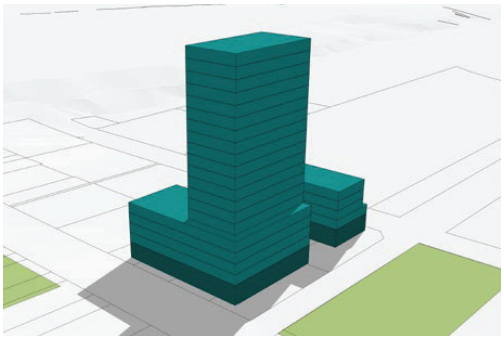


Figure 2 North-eastern: DCP

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**

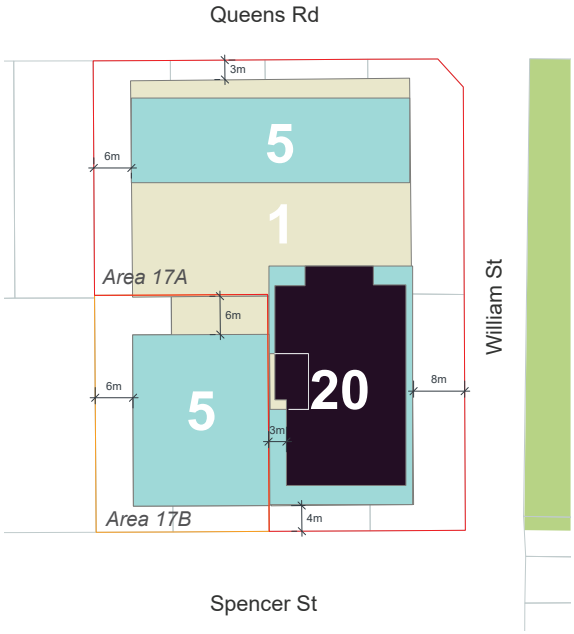


Figure 7 Planning Proposal Plan

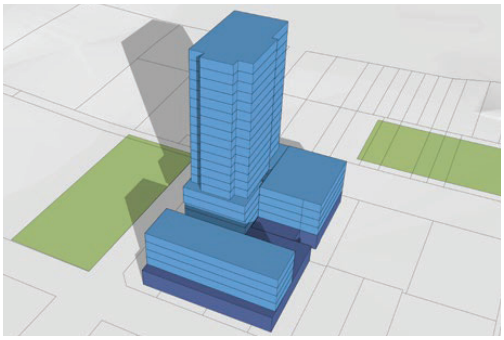


Figure 5 South-western View: Planning Proposal

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**

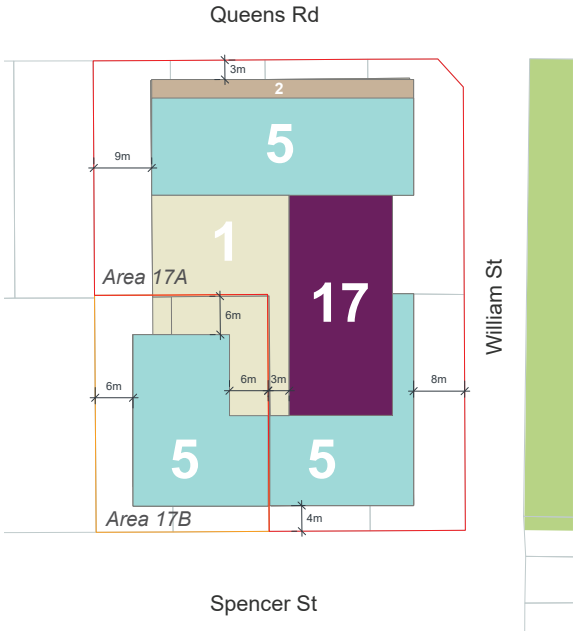


Figure 10 SGL Potential Alternate Scheme Plan

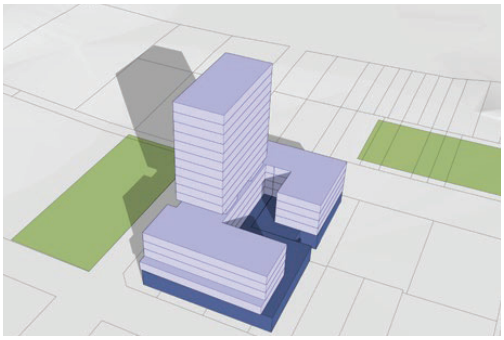
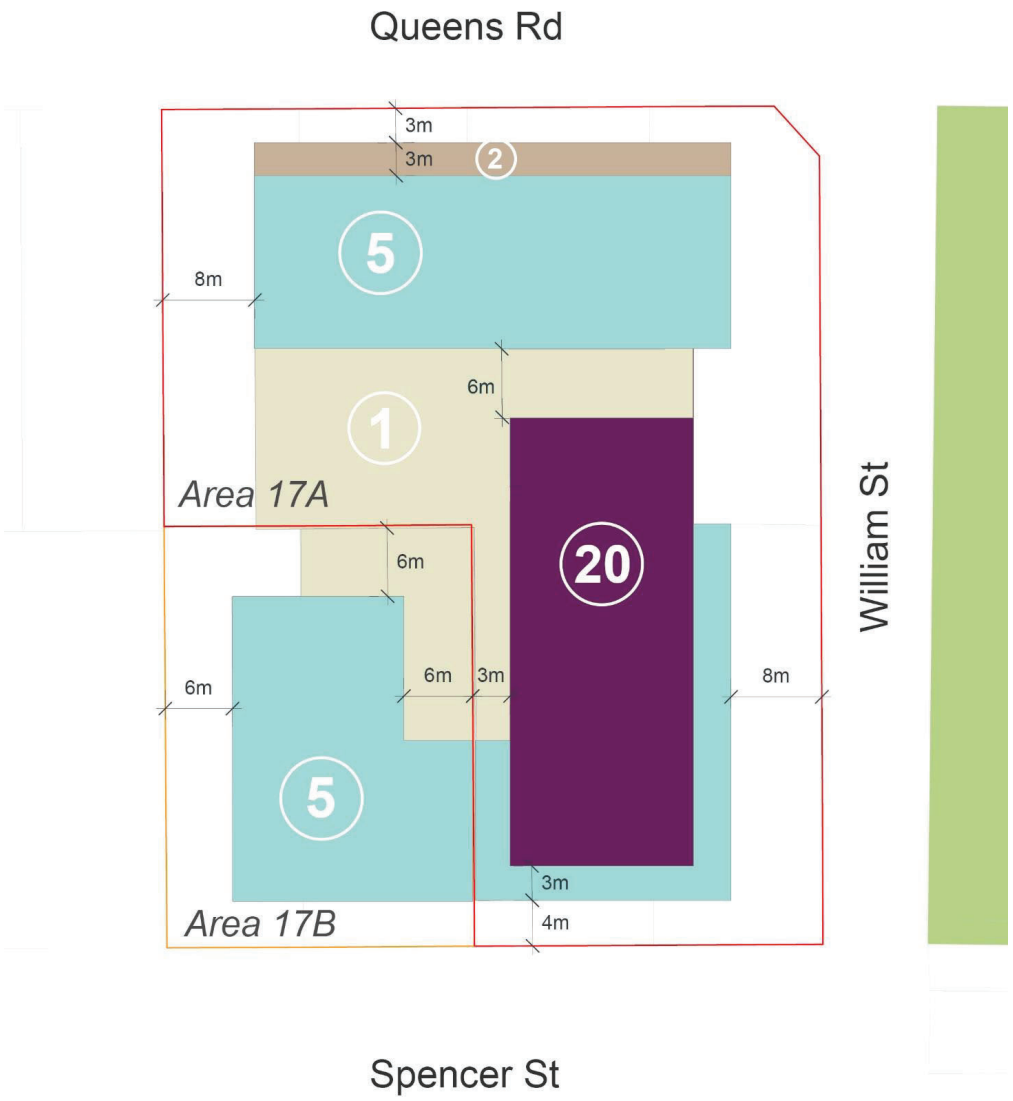


Figure 8 South-western View: SGL Potential Alternate

Figure 9 North-eastern View: SGL Potential Alternate

Attachment - Proposed alternative scheme



Proposed alternative scheme (based on independent Urban Design Review, Studio GL)

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.

Level 12, 179 Elizabeth St
Sydney NSW 2000
Gadigal Country

ABN 70 636 476 296

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

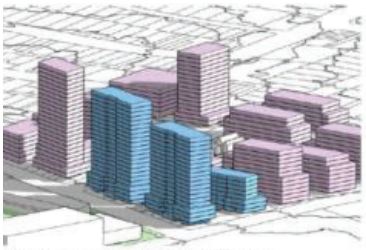


Figure 45 South-western View: Planning Proposal

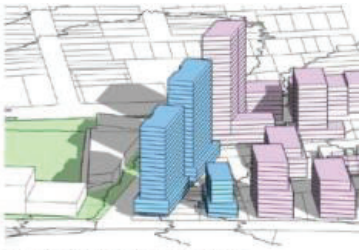


Figure 46 Southern View: Planning Proposal

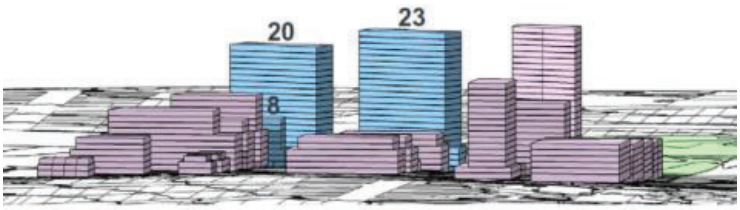


Figure 47 Eastern View: Planning Proposal with proposed building heights in storeys

Source: extracted from Studio GL

FIGURE 2: Recommended Buildings and Storeys

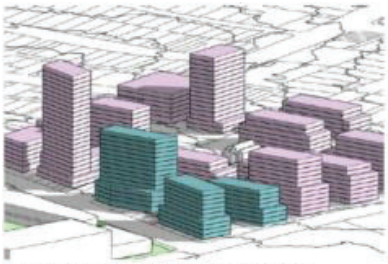


Figure 49 South-western View: SGL Recommendation

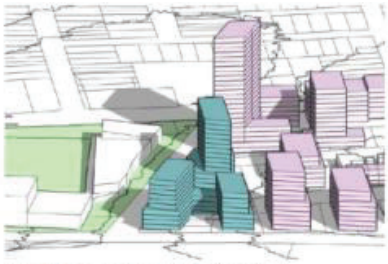


Figure 50 Southern View: SGL Recommendation

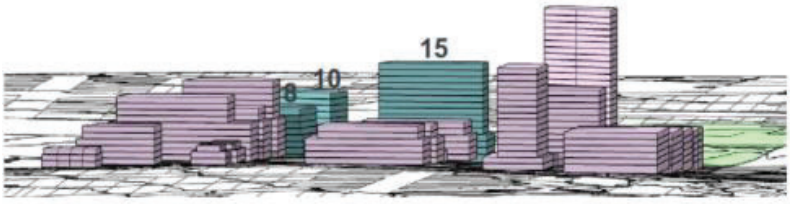


Figure 51 Eastern View: SGL Recommendation with proposed building heights in storeys

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.

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

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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

develotek 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

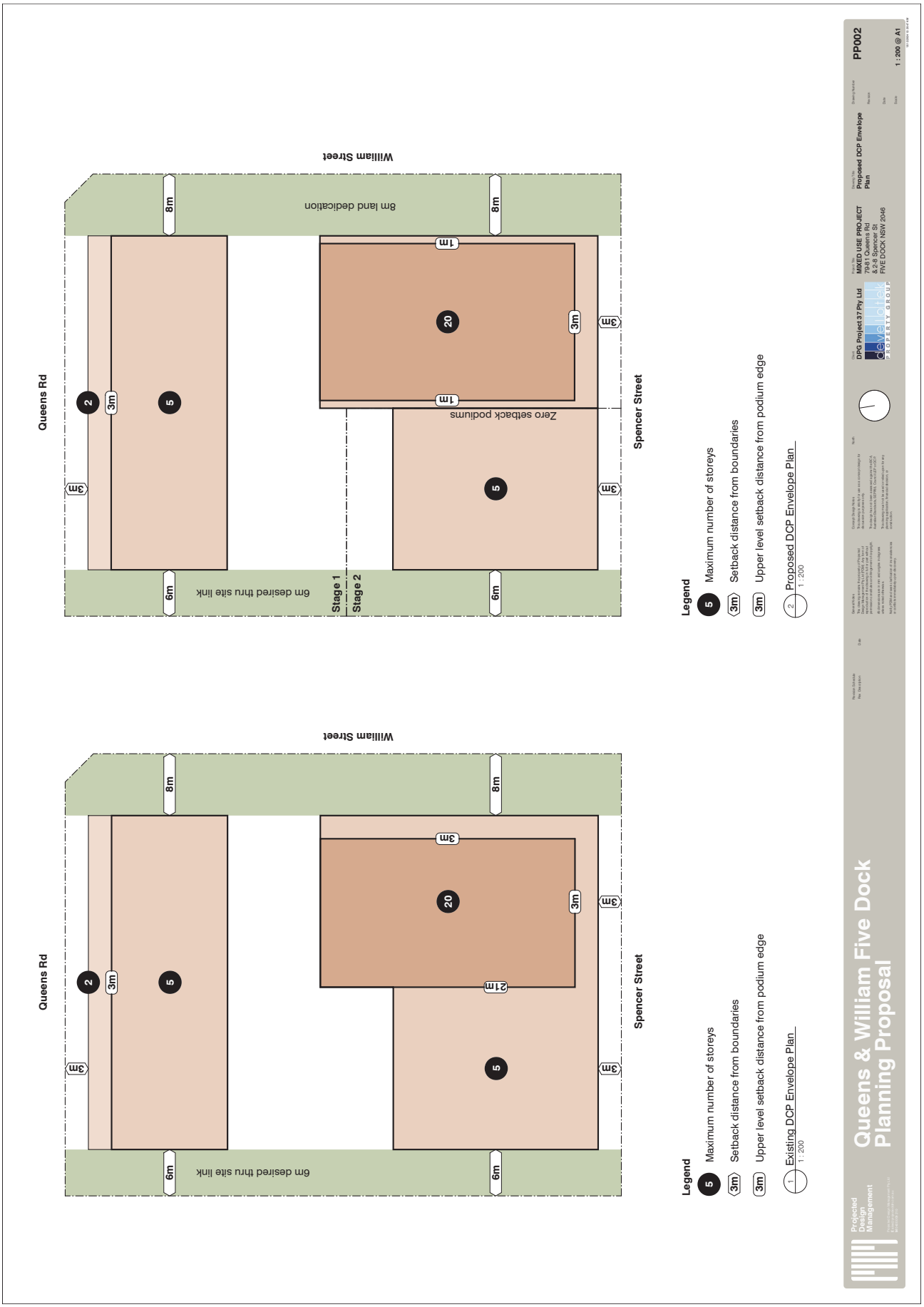
Revision: 2

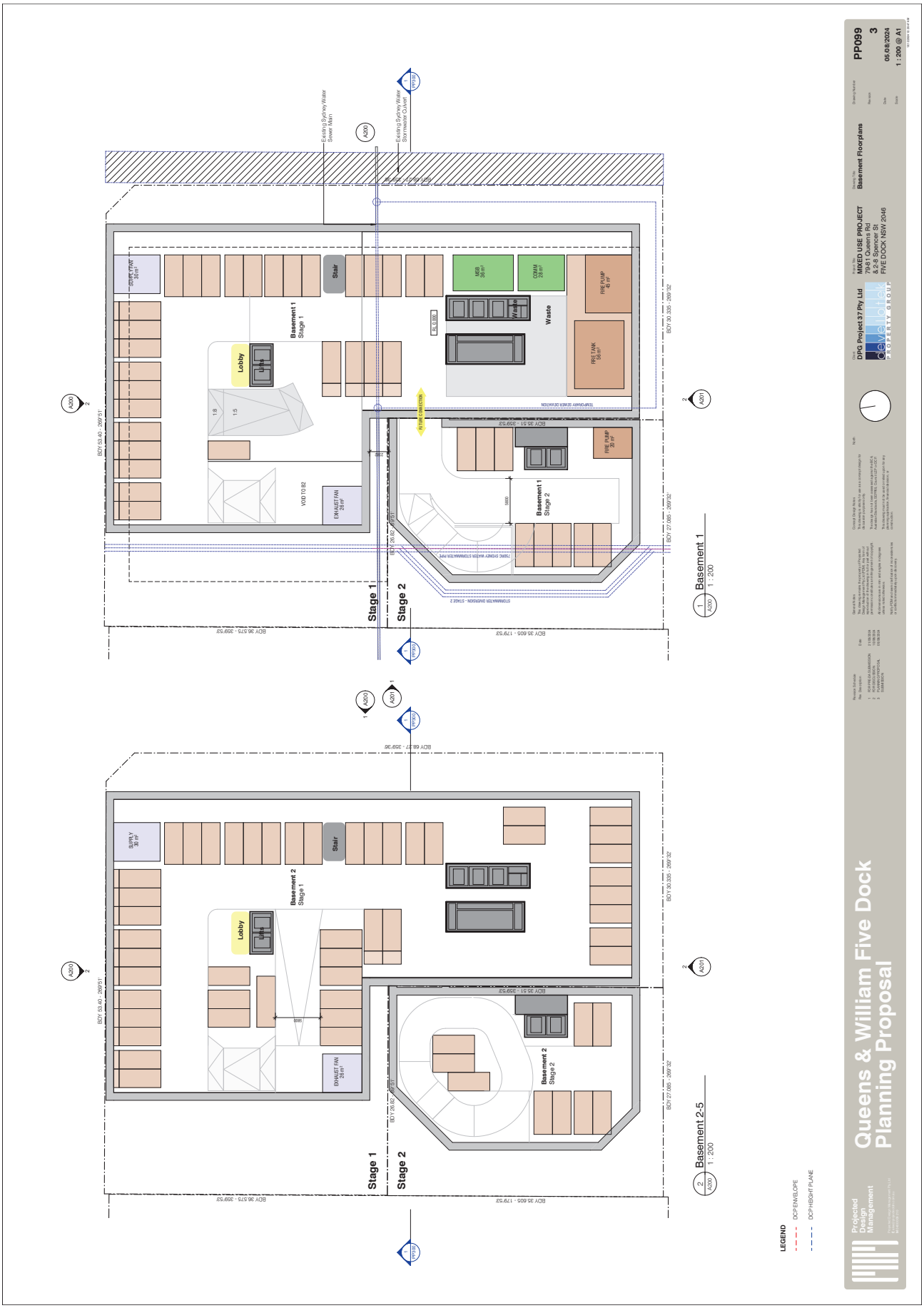
Date: 05.08/2024

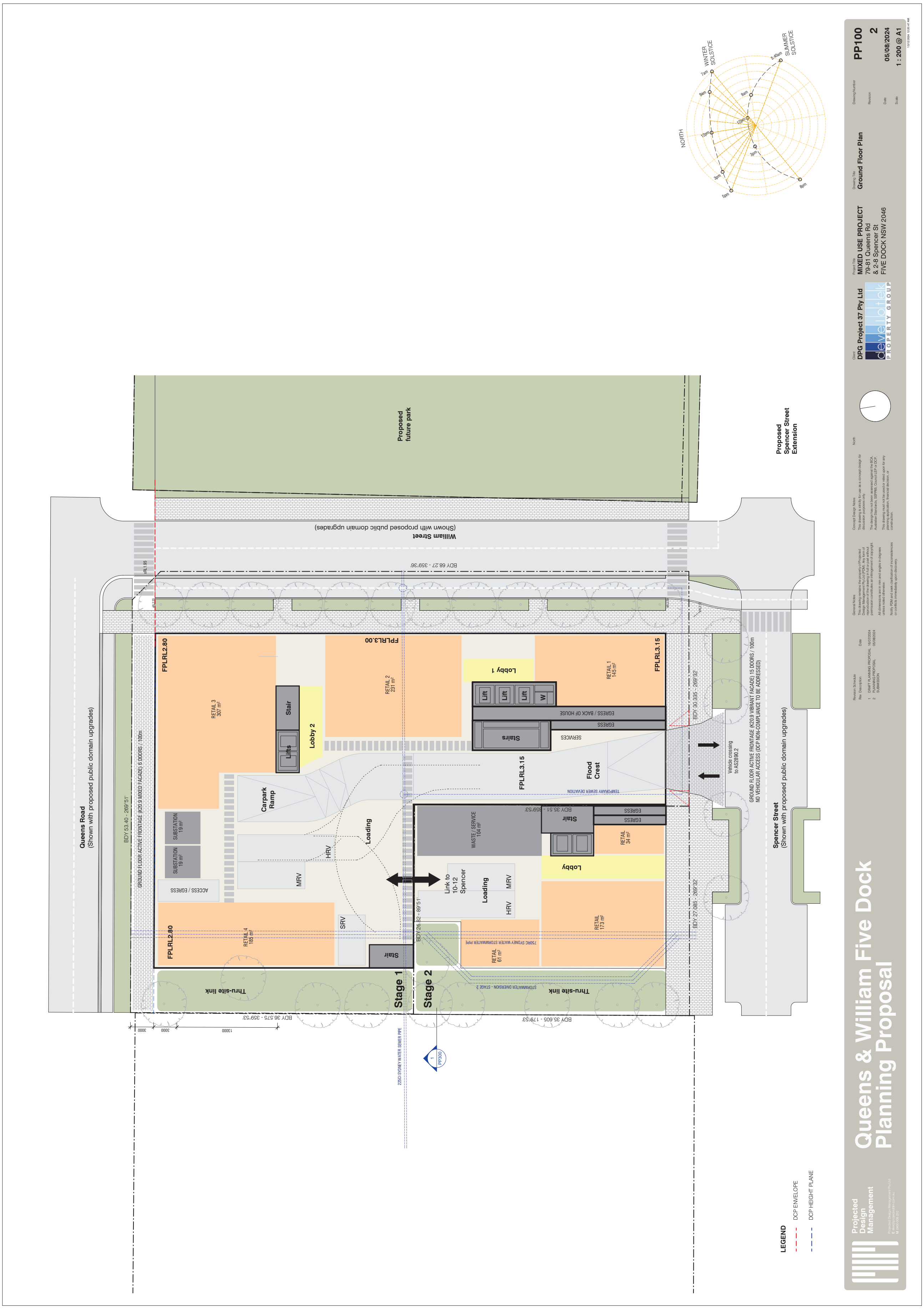
Scale: @ A1

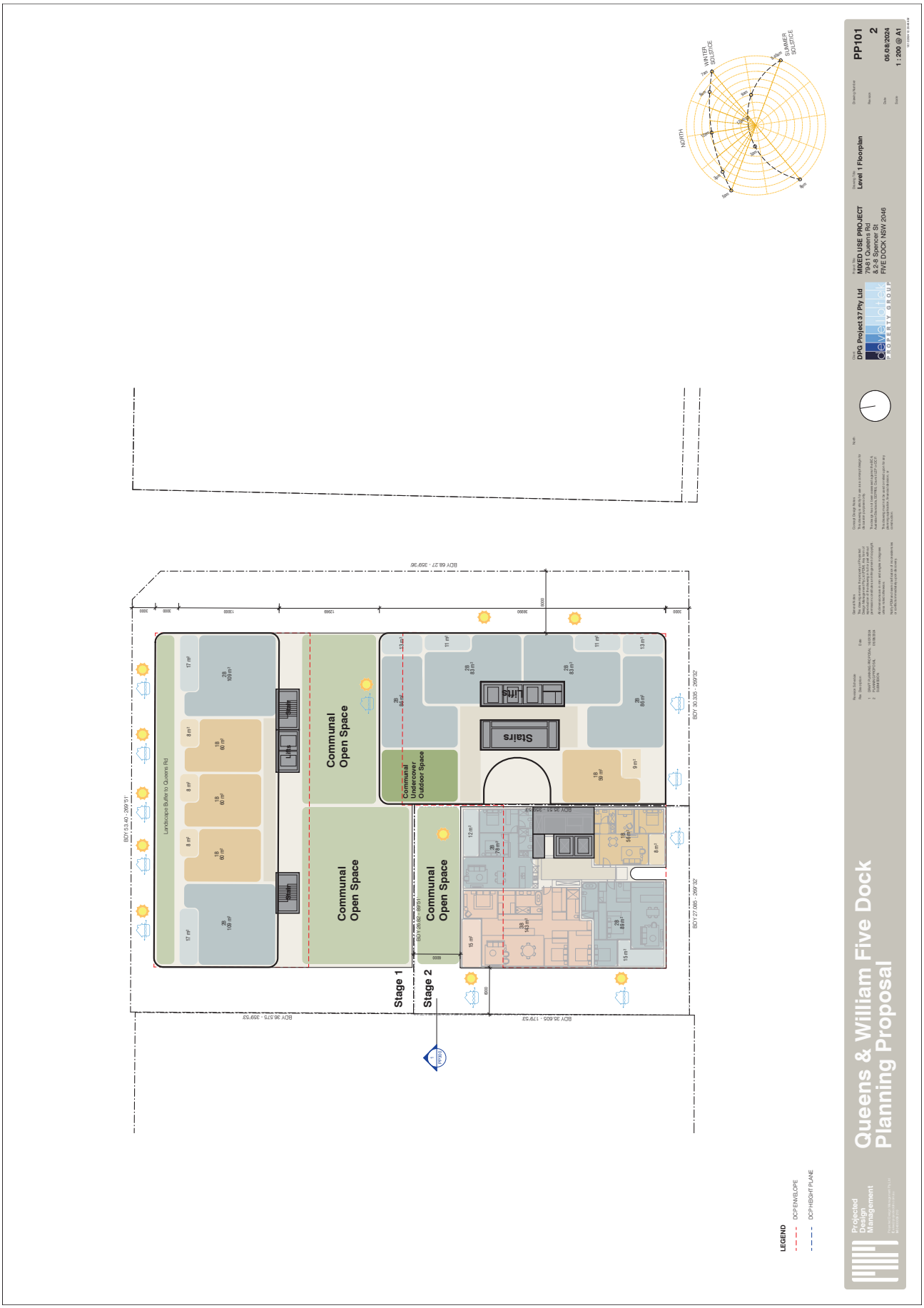
19/12/2024 12:39:48 AM


Queens & William Five Dock
Planning Proposal
Proposed Site Plan - Planning Proposal - Staged
1 : 400
DCP Site Plan - Part K20 Kings Bay
1 : 400
William Street Park (Proposed)
William Street
Queens Road
Spencer Street
Open Space (Proposed)
Stage 1
Stage 2
87.1m max HOB (DCP Section G-G) +30% AHSEPP
67m max HOB (DCP Section G-G)
Survey vs DP discrepancy
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Proposed Site Plan
PP001
2
10/06/2024
As indicated @ A1
Projected Design Management


William Street
8m land dedication
8m
8m
Queens Rd
Spencer Street
Zero setback podiums
1m
1m
20
3m
3m
3m
2
3m
5
5
5
3m
3m
6m
6m
6m desired thru site link
Stage 1
Stage 2
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
8m
Queens Rd
Spencer Street
3m
20
21m
3m
3m
2
3m
5
5
5
3m
3m
6m
6m
6m desired thru site link
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
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Proposed DCP Envelope Plan
PP002
1 : 200 @ A1


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
PP099
3
05.08.2024
1 : 200 @ A1
Basement 1
1 : 200
Basement 2-5
1 : 200
Stage 1
Stage 2
Lobby
Units
Stair
Waste
Basement 1
Stage 1
Basement 2
Stage 1
Basement 1
Stage 2
Basement 2
Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE


Queens & William Five Dock
Planning Proposal
Ground Floor Plan
PP100
2
05/08/2024
1 : 200 @ A1
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Projected Design Management
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
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
Thru-site link
Stage 1
Stage 2
Lobby 1
Lobby 2
Lobby
Carpark Ramp
Loading
Link to 10-12 Spencer
Flood Crest
Stairs
Stair
Lifts
SUBSTATION
ACCESS / EGRESS
EGRESS / BACK OF HOUSE
SERVICES
WASTE / SERVICE
RETAIL 1
RETAIL 2
RETAIL 3
RETAIL 4
FPLRL2.80
FPLRL3.00
FPLRL3.15
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE


Communal Open Space
Communal Open Space
Communal Open Space
Communal Undercover Outdoor Space
Lifts
Stairs
Landscape Buffer to Queens Rd
Stage 1
Stage 2
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Level 1 Floorplan
PP101
2
05.08.2024
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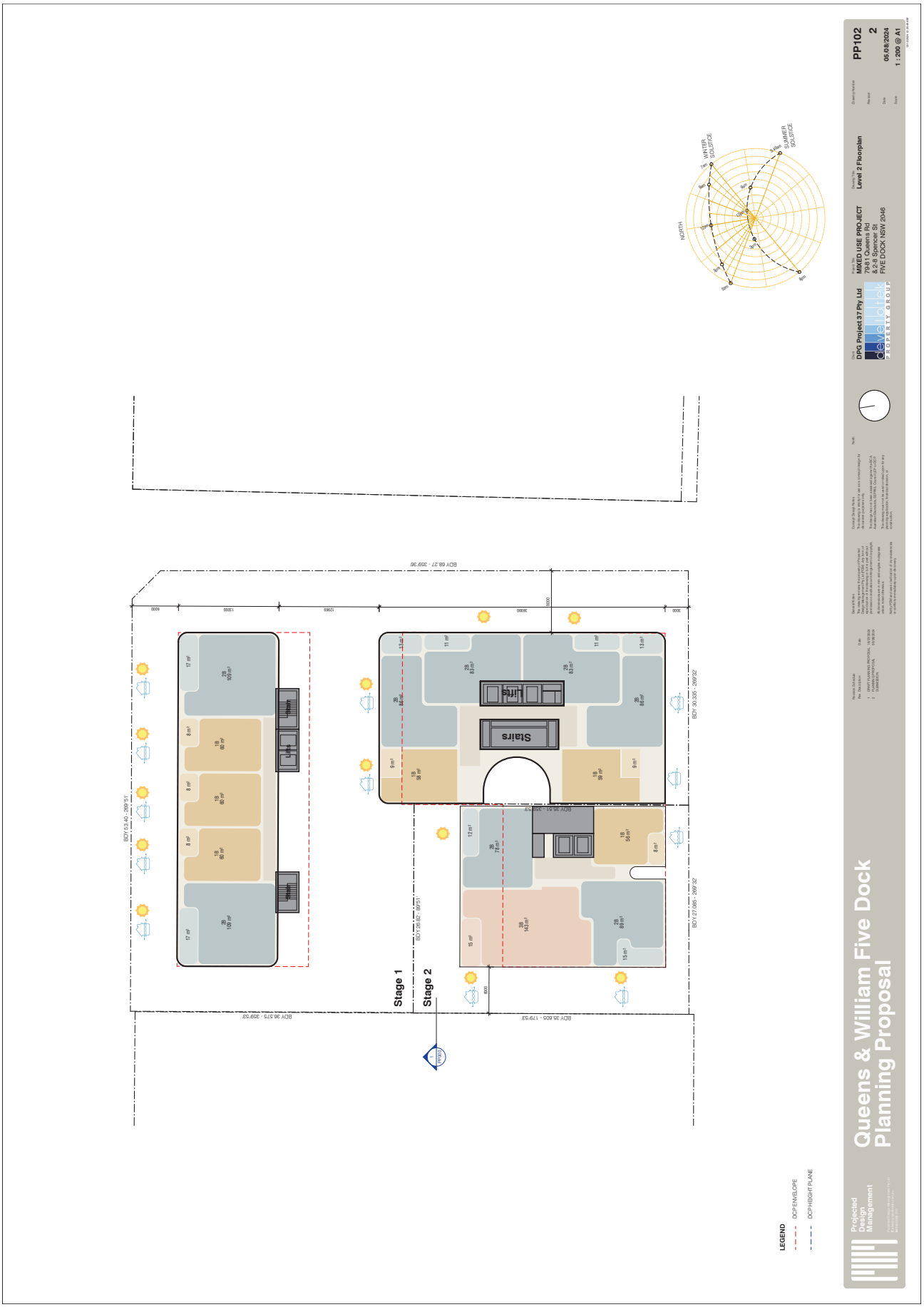
Queens & William Five Dock
Planning Proposal
Projected Design Management
Level 2 Floorplan
PP102
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05.08.2024
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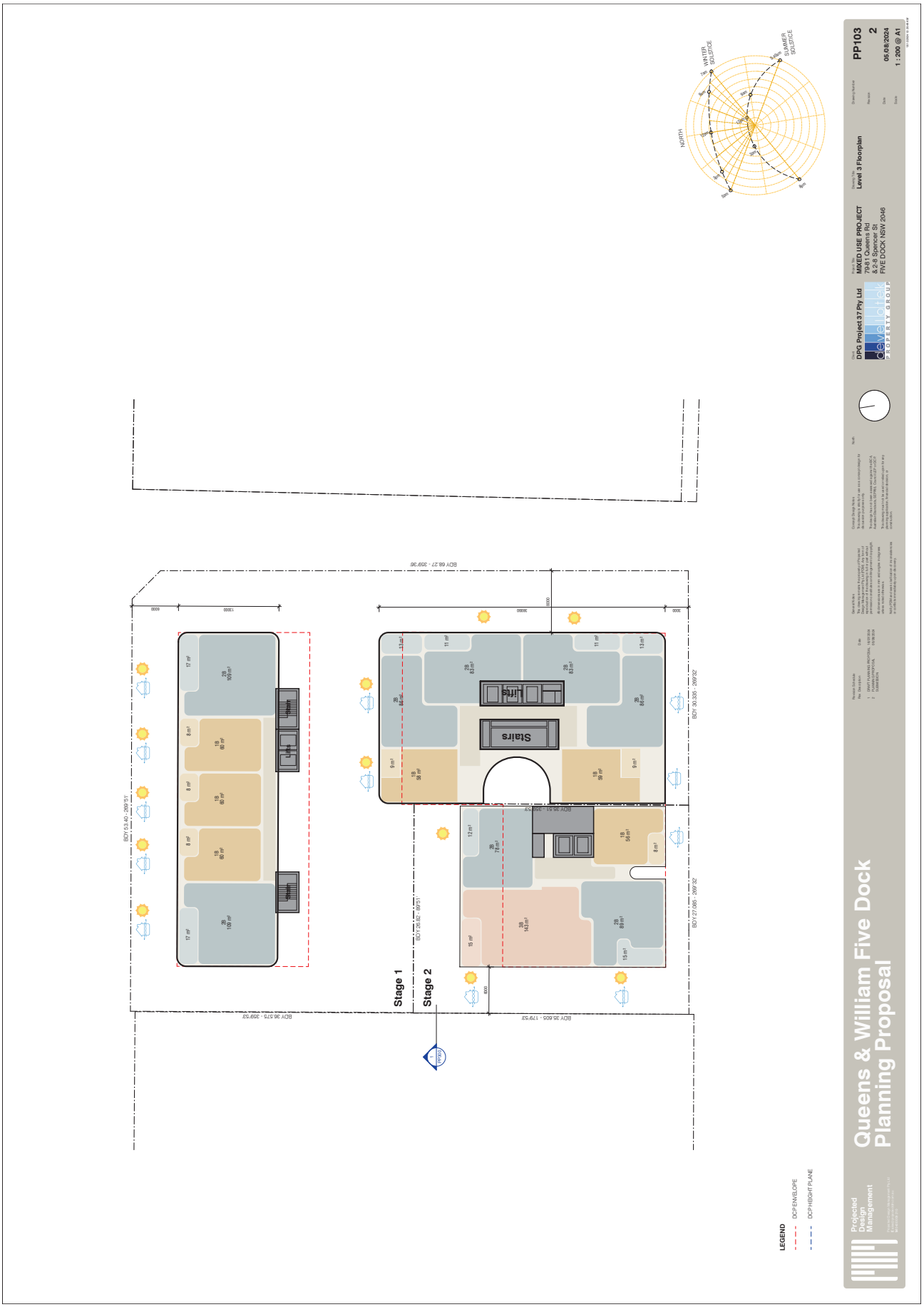
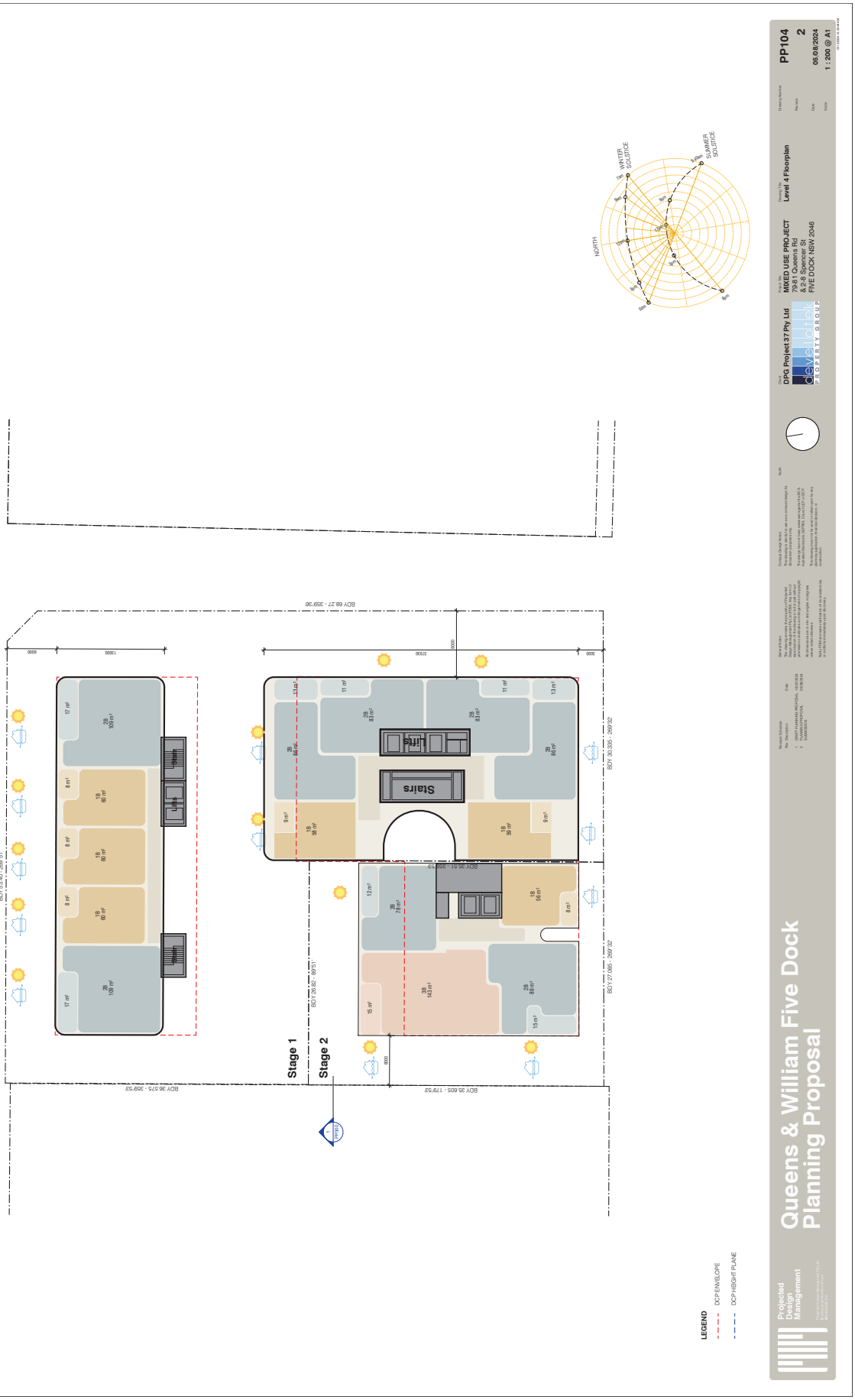
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PROPERTY GROUP
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stairs
Lifts
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH


Queens & William Five Dock
Planning Proposal
Projected Design Management
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
Level 3 Floorplan
PP103
2
05.08.2024
1 : 200 @ A1
Stage 1
Stage 2
Stairs
Lifts
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
SUMMER SOLSTICE
WINTER SOLSTICE
NORTH


Queens & William Five Dock
Planning Proposal
Projected Design Management
PP104
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05.08.2024
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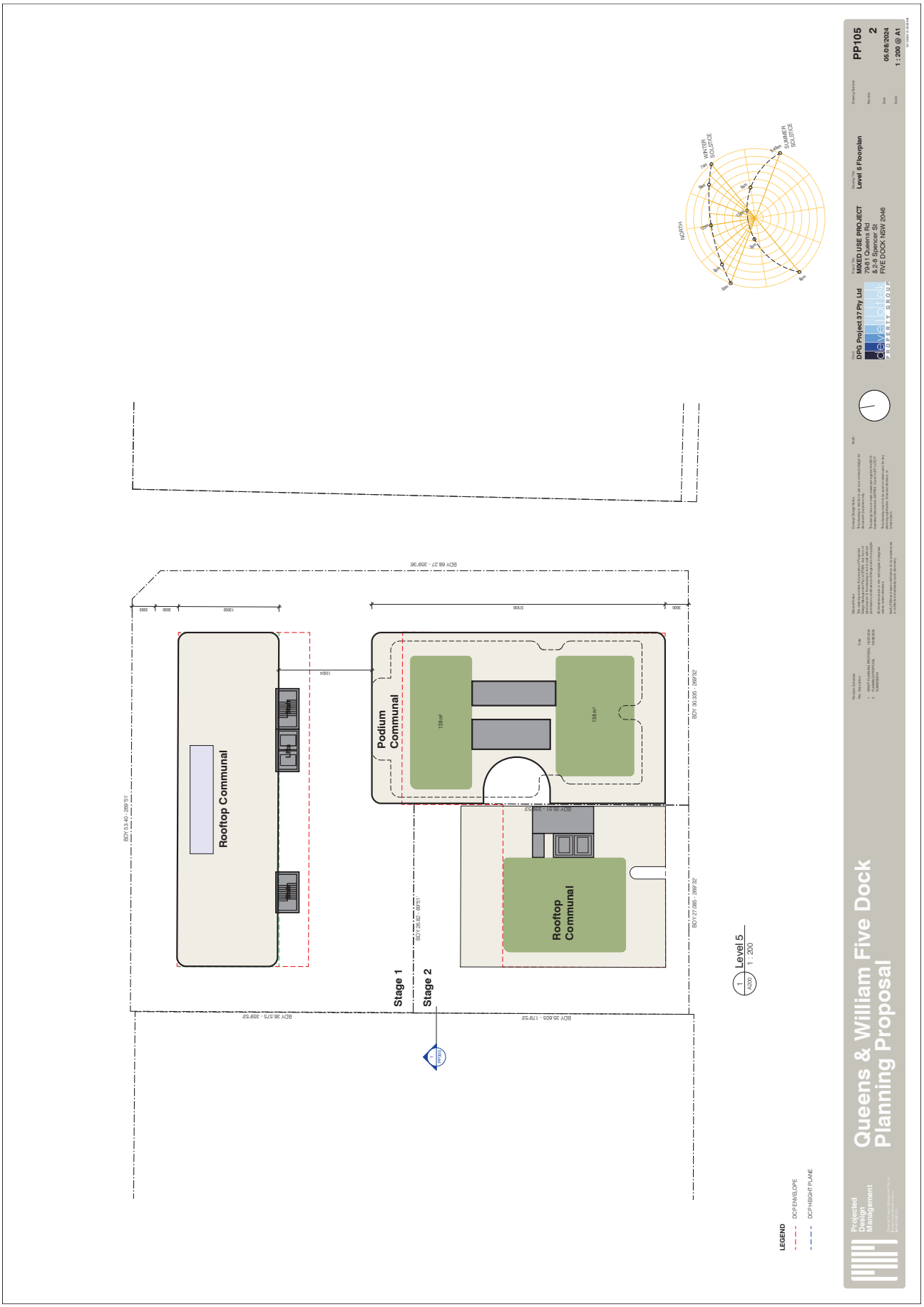
Level 4 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PROPERTY GROUP
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stairs
Lifts
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH


Rooftop Communal
Podium Communal
139m²
158 m²
Rooftop Communal
Stage 1
Stage 2
Level 5
1 : 200
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Level 5 Floorplan
PP105
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05.08.2024
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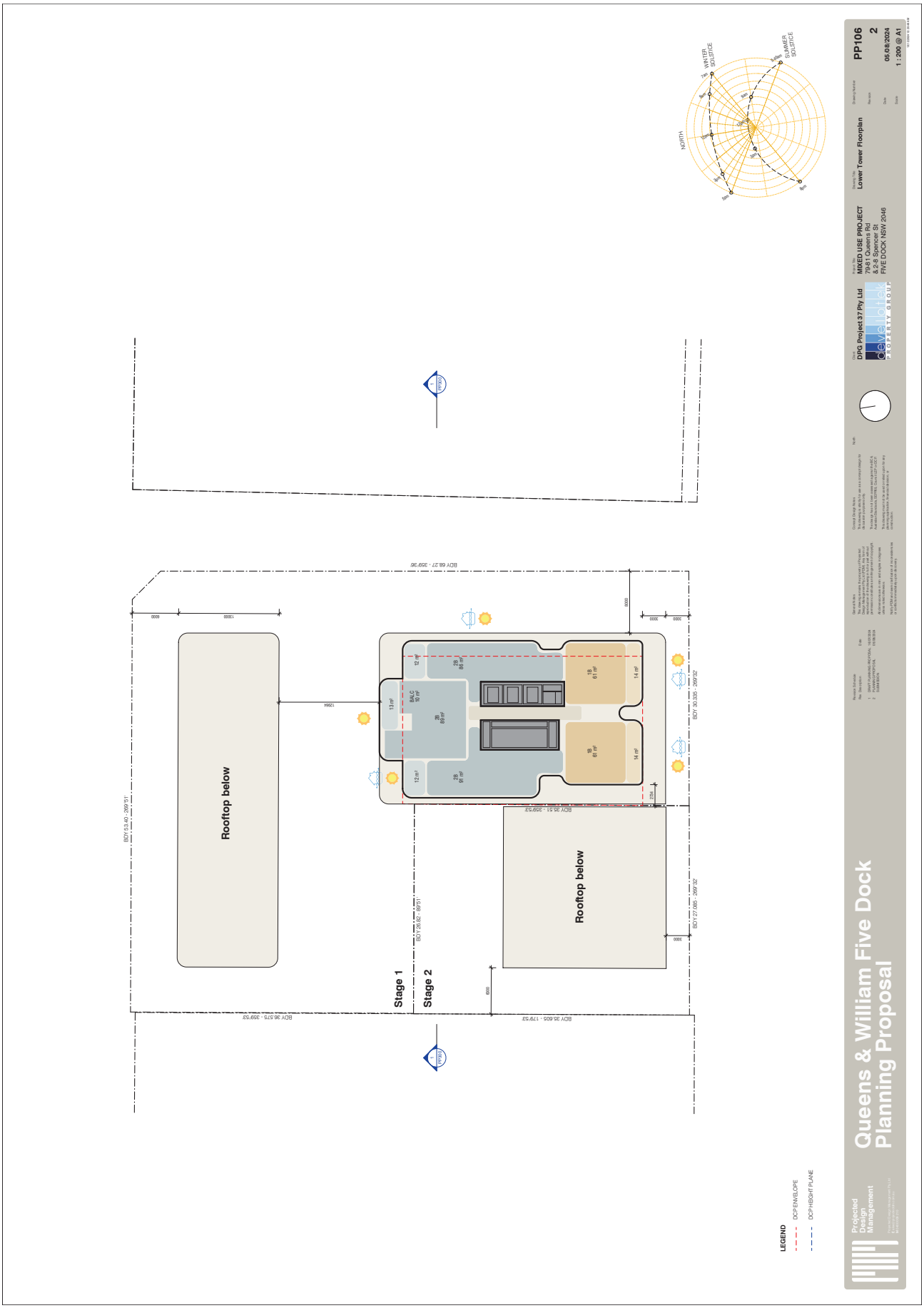
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH


Rooftop below
Rooftop below
Stage 1
Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Lower Tower Floorplan
PP106
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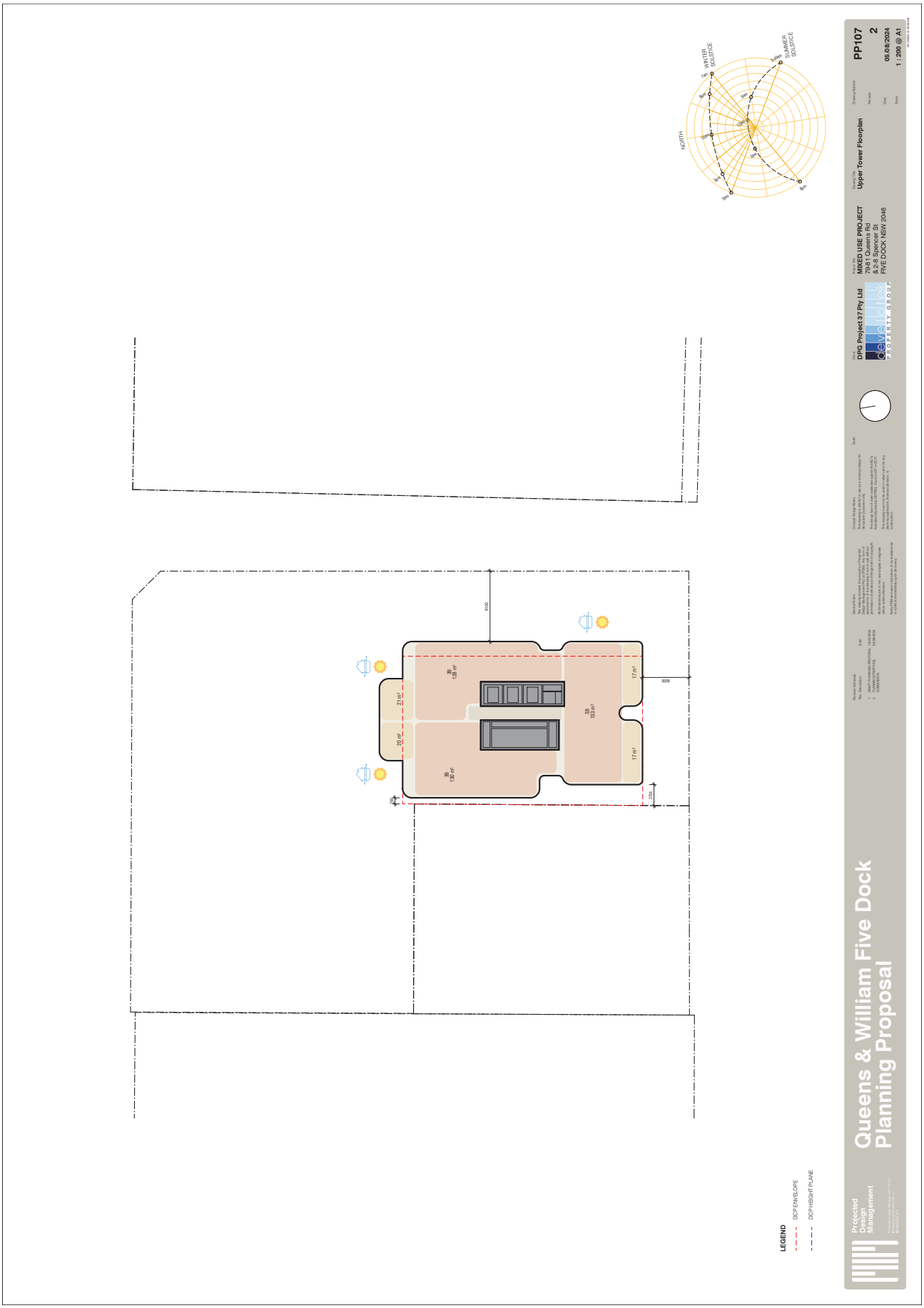
SUMMER SOLSTICE
NORTH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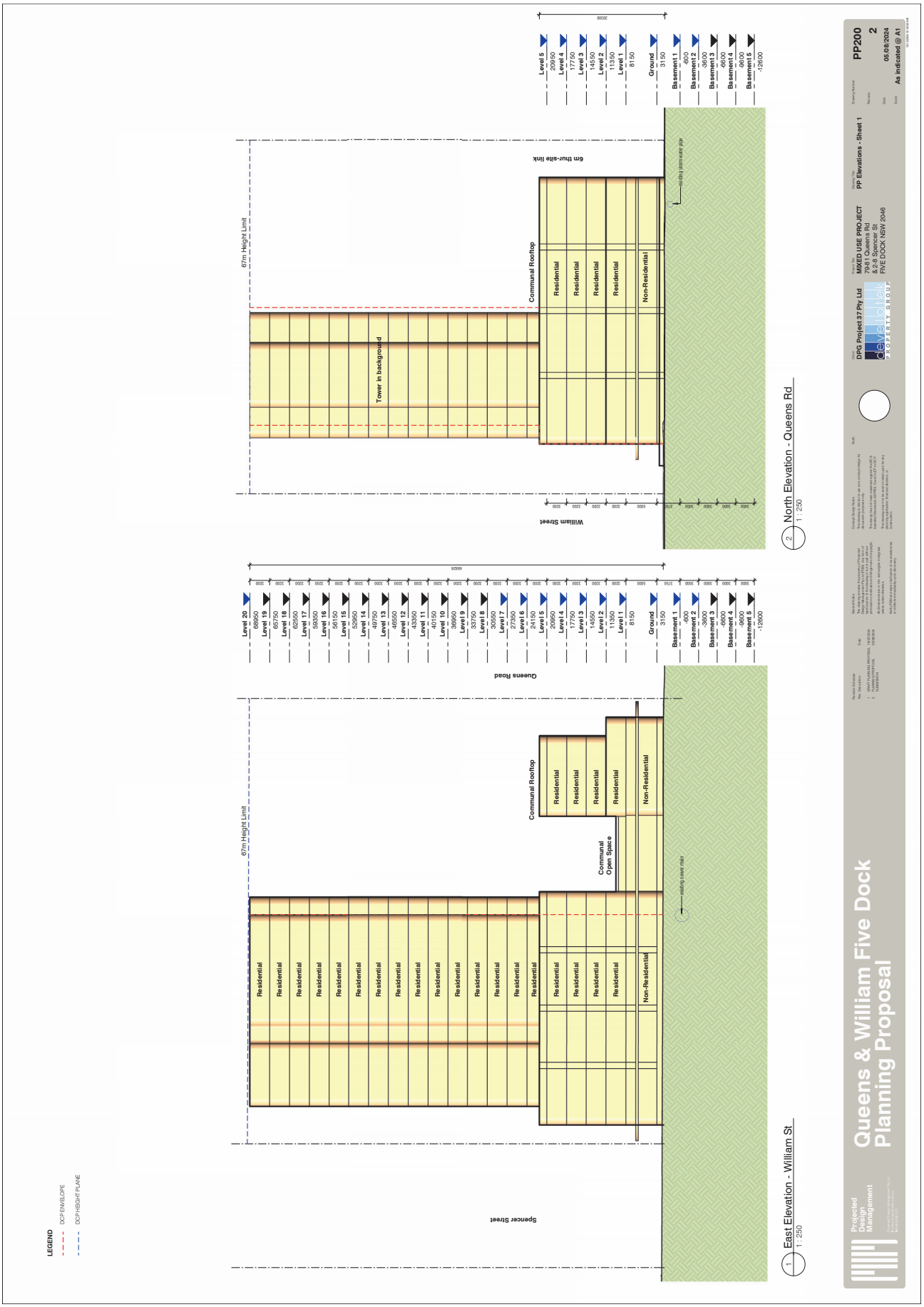
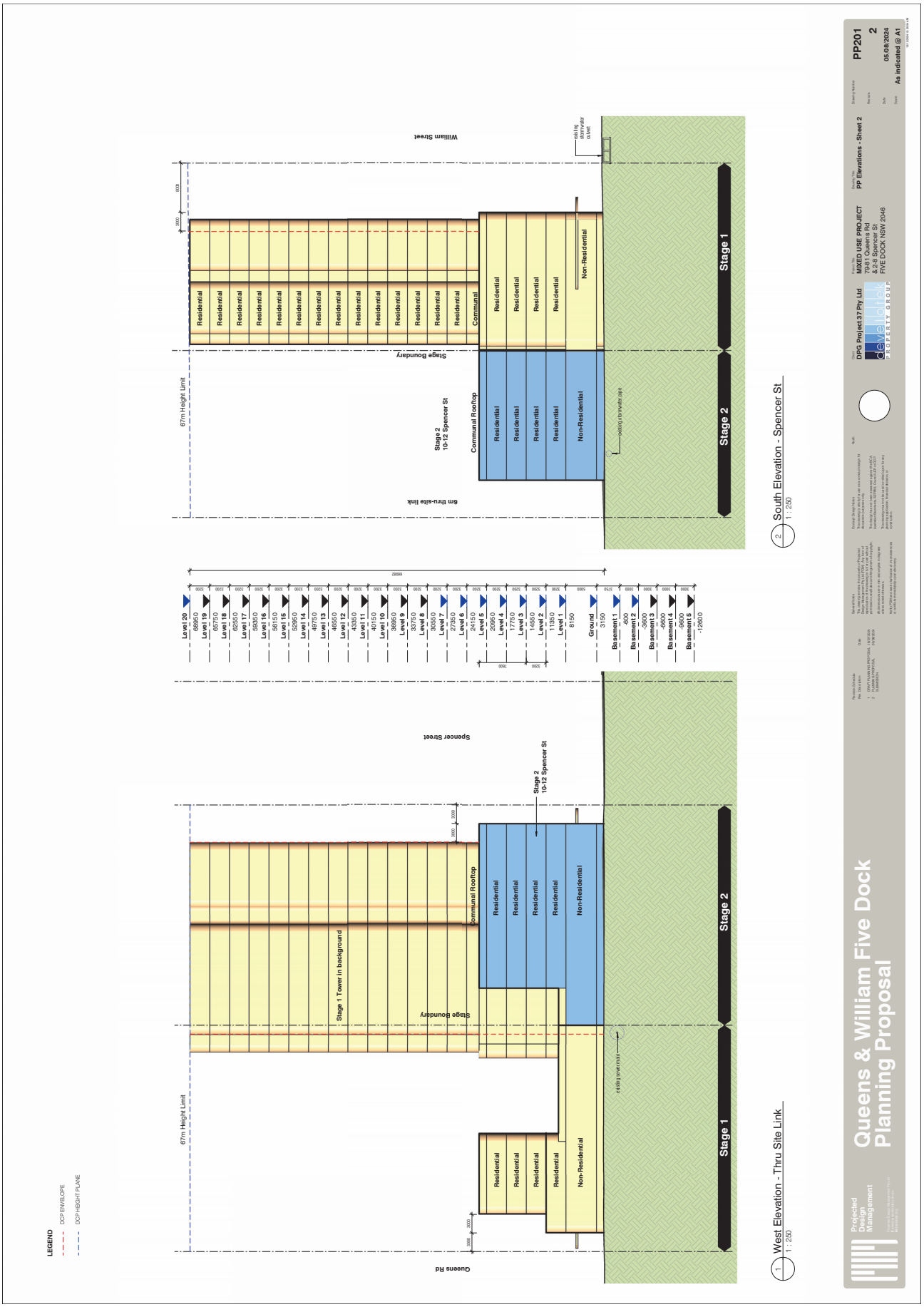
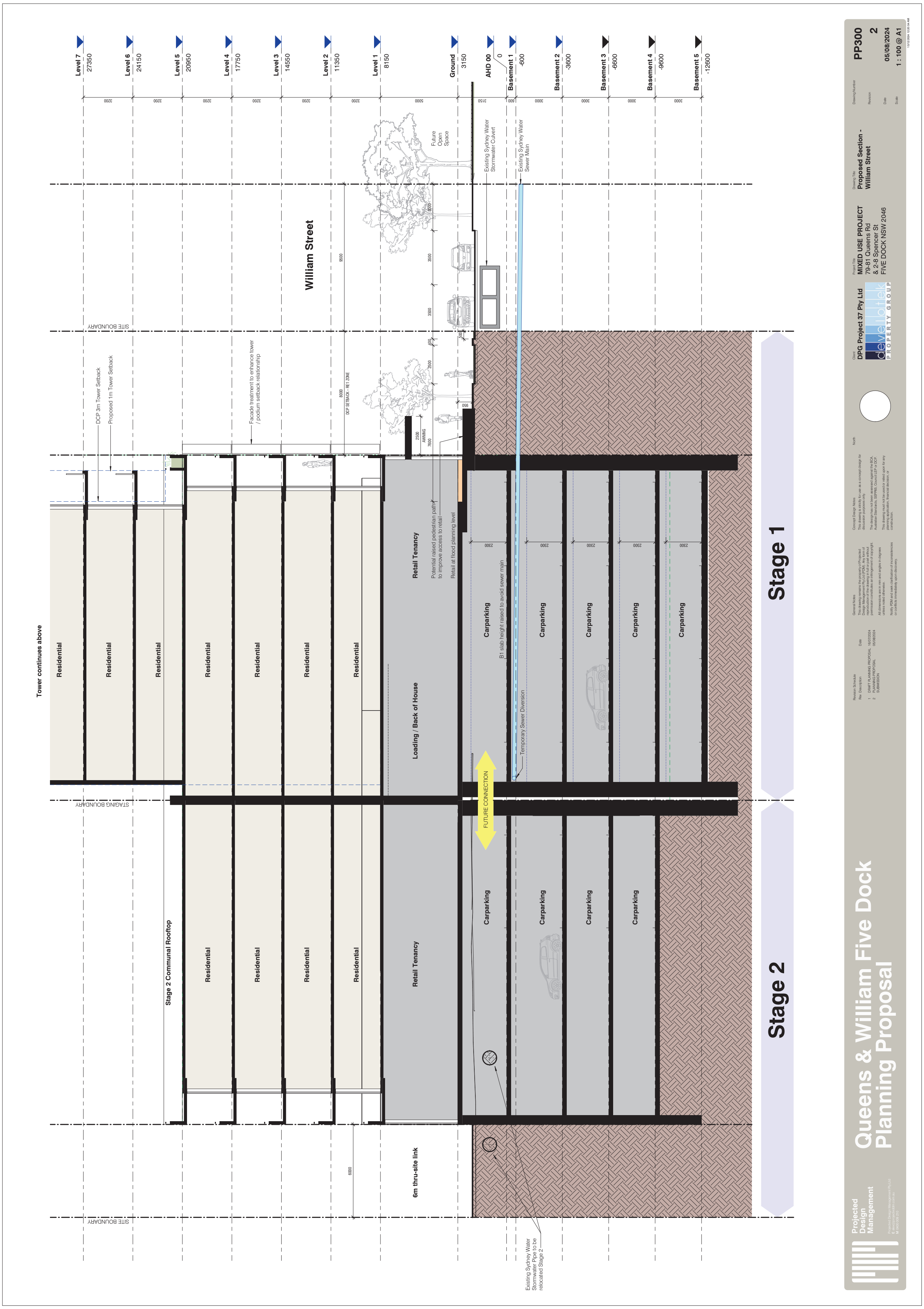
SUMMER SOLSTICE
NORTH
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Upper Tower Floorplan
PP107
2
05.08.2024
1 : 200 @ A1


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 1
PP200
2
05.08.2024
As indicated @ A1
develotek PROPERTY GROUP
1 East Elevation - William St
1 : 250
2 North Elevation - Queens Rd
1 : 250
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Spencer Street
Queens Road
William Street
67m Height Limit
Communal Rooftop
Communal Open Space
Residential
Non-Residential
Tower in background
6m thur-site link
existing stormwater drain
existing sewer main
Level 20 69650
Level 19 66750
Level 18 63850
Level 17 60950
Level 16 58050
Level 15 55150
Level 14 52250
Level 13 49350
Level 12 46450
Level 11 43550
Level 10 40650
Level 9 37750
Level 8 34850
Level 7 31950
Level 6 29050
Level 5 26150
Level 4 23250
Level 3 20350
Level 2 17450
Level 1 14550
Ground 11650
Basement 1 8750
Basement 2 5850
Basement 3 2950
Basement 4 50
Basement 5 -2850


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 2
PP201
2
05.08.2024
As indicated @ A1
1 West Elevation - Thru Site Link
1 : 250
2 South Elevation - Spencer St
1 : 250
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens Rd
William Street
Spencer Street
Stage Boundary
67m Height Limit
6m thru-site link
Stage 1
Stage 2
10-12 Spencer St
Communal Rooftop
Stage 1 Tower in background
Residential
Non-Residential
Communal
existing stormwater culvert
existing stormwater pipe
Level 20 69650
Level 19 67750
Level 18 65850
Level 17 63950
Level 16 62050
Level 15 60150
Level 14 58250
Level 13 56350
Level 12 54450
Level 11 52550
Level 10 50650
Level 9 48750
Level 8 46850
Level 7 44950
Level 6 43050
Level 5 41150
Level 4 39250
Level 3 37350
Level 2 35450
Level 1 33550
Ground 31650
Basement 1 29750
Basement 2 27850
Basement 3 25950
Basement 4 24050
Basement 5 22150


Queens & William Five Dock
Planning Proposal
Proposed Section - William Street
PP300
2
05/08/2024
1 : 100 @ A1
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Projected Design Management
Stage 1
Stage 2
William Street
Tower continues above
Residential
Retail Tenancy
Loading / Back of House
Carparking
FUTURE CONNECTION
Stage 2 Communal Rooftop
6m thru-site link
SITE BOUNDARY
STAGING BOUNDARY
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
Future Open Space
Existing Sydney Water Stormwater Culvert
Existing Sydney Water Sewer Main
DCP 3m Tower Setback
Proposed 1m Tower Setback
Facade treatment to enhance tower / podium setback relationship
Potential raised pedestrian path to improve access to retail
Retail at flood planning level
B1 slab height raised to avoid sewer main
Temporary Sewer Diversion
Existing Sydney Water Stormwater Pipe to be relocated Stage 2


Queens & William Five Dock
Planning Proposal
Projected Design Management
Client
DPG Project 37 Pty Ltd
develotek PROPERTY GROUP
Project Title
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Drawing Title
Shadow Diagrams
Drawing Number
PP400
Revision
2
Date
05.08.2024
Scale
1 : 1200 @ A1
Shadow - PP - 9am
1 : 1200
Shadow - PP - 10am
1 : 1200
Shadow - PP - 11am
1 : 1200
Shadow - PP - 12pm
1 : 1200
Shadow - PP - 1pm
1 : 1200
Shadow - PP - 2pm
1 : 1200
Shadow - PP - 3pm
1 : 1200
DCP shadow dashed red
Stage 1
Stage 2


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
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 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
Projected Design Management
DPG Project 37 Pty Ltd
develotek PROPERTY GROUP
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Solar Access - Sun Eye Diagrams PP
PP402
3
05.08.2024
@ A1

develotek PROPERTY GROUP

DPG Project Reference **DPG37**
Project Address **79-81 Queens Rd & 2-6 Spencer St FIVE DOCK NSW 2046**
Design Reference **Planning Proposal**
Revision Date **22/01/2025**

Site Data

Stage 1	
Site Area	3151
FSR	3
Baseline GFA	9453
BASIX Bonus GFA 5%	472.65
Maximum GFA	9925.7
Maximum FSR	3.15

Stage 2	
Site Area	962
FSR	3
Baseline GFA	2886
BASIX Bonus GFA 5%	144.3
Maximum GFA	3030.3
Maximum FSR	3.15

Combined Achieved	
Total Site Area	4113
Total Maximum GFA	12956
Total Maximum FSR	3.15
Total Achieved GFA	12008
Total Achieved FSR	2.9195

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 Surveyor.

Stage 1

Floor to Floor Height	Level	USE	UNITS	GFA	Solar	CV
					70%	60%
3.2	L19	Residential	1	200	1	1
3.2	L18	Residential	2	280	2	2
3.2	L17	Residential	2	280	2	2
3.2	L16	Residential	2	280	2	2
3.2	L15	Residential	2	280	2	2
3.2	L14	Residential	2	280	2	2
3.2	L13	Residential	3	423	3	3
3.2	L12	Residential	3	423	3	3
3.2	L11	Residential	3	423	3	3
3.2	L10	Residential	3	423	3	3
3.2	L9	Residential	3	423	3	3
3.2	L8	Residential	3	423	3	3
3.2	L7	Residential	5	430	5	4
3.2	L6	Residential	5	430	5	4
3.2	L5	Residential	0	300		
3.2	L4	Residential	11	950	9	9
3.2	L3	Residential	11	950	9	9
3.2	L2	Residential	11	950	9	9
3.2	L1	Residential	10	870	8	8
	Totals		82	9018	74	39
			-	-	90%	74%
6.2	Ground	Retail	4	900		
	Totals		4	900		
3.4	B1	Parking	30			
3.1	B2	Parking	49			
3.1	B3	Parking	49			
3.1	B4	Parking				
3.1	B5	Parking				
	Totals		128			
	Totals		GFA	9918		
			FSR	3.15		

67 Tower Height
15.8 Basement Depth

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

Projected Design Management

Planning Proposal
ADG Assessment

Mixed Use Shop Top Housing Development
79-81 Queens Rd & 2-8 Spencer St
FIVE DOCK NSW 2046

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Project Administration

Project:	**Mixed Use Shop Top Housing Development** 79-81 Queens Rd & 2-8 Spencer St FIVE DOCK NSW 2046
Client:	**DPG Project 37 Pty Ltd** Level 10/97-99 Bathurst St, Sydney NSW 2000 **E** alex@develotek.com.au
Prepared By:	**Alex Deacon - Director** Projected Design Management Pty Ltd Registered Design Practitioner DEP0000036 Building Design (Medium Rise) Certificate IV Access Consulting ACA Associate Member No. 792 **E** alex@projecteddm.com.au **M** 0400 009 210 **ABN** 89 651 864 756
Report Reference No:	**DPG37_Five Dock – ADG Assessment**

Document Control

Revision	Date	Amendments
1.0	22/01/2025	Final for PP Submission

Contents

1 Introduction & Scope

1.1 General

This Apartment Design Guide (ADG) Assessment Report has been prepared on behalf of DPG Project 37 PTY LTD (Applicant) in support of a Planning Proposal for a proposed Mixed Use Shop Top Housing Development.

This report is intended to be read in conjunction with the Concept Planning Proposal Design plans prepared by *Projected Design Management Pty Ltd*. This document assesses the general capability of the development to comply with the ADG. Formal detailed assessment of compliance must be prepared by a registered Architect for DA submission.

The design is subject to further development during Architectural Design Excellence Competition and DA preparation and shall be re-assessed by the competition winning Architect.

1.2 ADG Assessment

APARTMENT DESIGN GUIDE (ADG) ASSESSMENT TABLE
An assessment of the proposal's capability to comply with the ADG is provided in the table below.

Part 1, 2 of the ADG are considered to have been addressed during preparation of the precinct specific DCP.

The table below addresses the requirements of *Part 3 – Siting the development*, and *Part 4 – Designing the building*.

Design Objective	Assessment	Achieved
3A Site Analysis	The general site arrangement is consistent with Council's DCP subject to the minor variations proposed by the Planning Proposal.	Can readily comply To be addressed by Architects during Design Competition
3B Orientation	The general site arrangement is consistent with Council's DCP subject to the minor variations proposed by the Planning Proposal. The buildings are oriented to address all street frontages, with apartments facing primarily north and east to maximise solar access. The amended tower footprint proposed by the Planning Proposal results in negligible additional overshadowing that can be addressed further during design development.	Can readily comply To be addressed by Architects during Design Competition
3C Public Domain Interface	The general site arrangement and public domain upgrades is consistent with Council's DCP. Flooding considerations result in a level difference between ground floor habitable areas and the public domain. Council's DCP offers guidance for various approaches to address the level difference.	Can readily comply To be addressed by Architects during Design Competition

3D Communal and Public Open Space	Approximately 787m2 of communal open space is required. (25% of site area). The proposal includes various opportunities for ground level, podium, and rooftop communal open spaces with good solar access. Public open space is proposed to all street frontages in accordance with the DCP and Council's public domain guidelines.	Can readily comply To be addressed by Architects during DA Design
3E Deep Soil Zones	Approximately 220m2 minimum of deep soil zone is required. (7% of site area). 472m2 (15%) is preferred. Opportunities for deep soil include: - All street setbacks - 6m wide through site link	Can readily comply To be addressed by Architects during DA Design
3F Visual Privacy	Separation of buildings is provided in accordance with this clause.	Can readily comply To be addressed by Architects during DA Design
3G Pedestrian access and entries	All building entries address street interfaces, and can be designed for easy identification and accessibility. A through-site link is proposed in accordance with the DCP.	Can readily comply To be addressed by Architects during DA Design
3H Vehicle Access	Vehicle access is proposed via Spencer St after consultation with Transport for NSW.	Can readily comply To be addressed by Architects during DA Design
3J Bicycle and Car Parking	Car park design and parking rates is subject to future architectural design.	Can readily comply To be addressed by Architects during DA Design
4A Solar and daylight access	Apartments are oriented to maximise solar access and can achieve significantly higher than 70%. Detailed design of balconies, shading, and final unit positions is subject to architectural design competition.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4B Natural ventilation	Apartments are oriented to maximise natural cross ventilation. Detailed design of apartments, rooms, and windows is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design

4C Ceiling heights	Floor to floor height of 3.2m is proposed for residential floors. 2.7m ceilings to habitable areas can readily be achieved.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4D Apartment size and layout	Apartment sizes are compliant with this clause. Detailed design of apartments is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4E Private open space and balconies	Apartment balcony sizes are compliant with this clause. Detailed design of apartments is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4F Common circulation and spaces	Common areas meet the general requirements of this clause, and can include access to natural light and ventilation. An appropriate number of lifts is proposed. Detailed design of residential floorplates is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4G Storage	Internal layouts of apartments are not provided in the Planning Proposal. Detailed design of apartments is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4H Acoustic privacy	Internal layouts of apartments are not provided in the Planning Proposal. Appropriate party wall thicknesses are allocated in the Planning Proposal design. Detailed design of apartments is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4J Noise and pollution	The podium / tower building typology assists with external noise mitigation. Further assessment shall be undertaken during DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design

4K Apartment mix	A variety of 1, 2, and 3 bedroom apartments is proposed. Council's DCP requires provision of minimum 20% 1B and 20% 3B apartments.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4L Ground floor apartments	Not applicable. The proposal is for shop-top housing. No residential dwellings are permitted at ground level.	Not applicable.
4M Facades	Façade design is not provided in the Planning Proposal. Detailed design of elevations is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4N Roof design	Roof design is not provided in the Planning Proposal. Detailed design of elevations is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4O Landscape design	Landscape design is not provided in the Planning Proposal. Detailed design of landscaping is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4P Planting on structures	Landscape design is not provided in the Planning Proposal. Detailed design of landscaping is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4Q Universal design	Apartment Layouts are not provided in the Planning Proposal. Common areas are generally accessible via lifts to all floors including basements. Careful consideration of accessibility between public domain and ground floor level is required at Design Competition stage. Detailed design of the building is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4R Adaptive reuse	Not applicable.	Not applicable.

	The existing building fabric is not compatible with the scale of new development. No existing building fabric is proposed to be retained.	
4S Mixed use	The proposal includes a mix of retail and residential accommodation.	Complies.
4T Awnings and signage	Signage and awning design is not provided in the Planning Proposal. An awning is required to protect external public domain adjoining retail premises at ground level. Detailed design of signage is subject to architectural design competition and detailed DA design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4U Energy efficiency	The building layout incorporates passive solar design principles, however is subject to further development during Design Competition and DA stage.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4V Water management and conservation	Water Management is to be addressed at Design Competition and DA stages.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4W Waste management	Waste facilities include chutes, recycling bins at each floor, and basement holding areas. Collection shall occur internally at ground level subject to detailed design.	Can readily comply To be addressed by Architects during Design Competition and DA Design
4X Building maintenance	Building Maintenance is to be addressed at Design Competition and DA stages.	Can readily comply To be addressed by Architects during Design Competition and DA Design

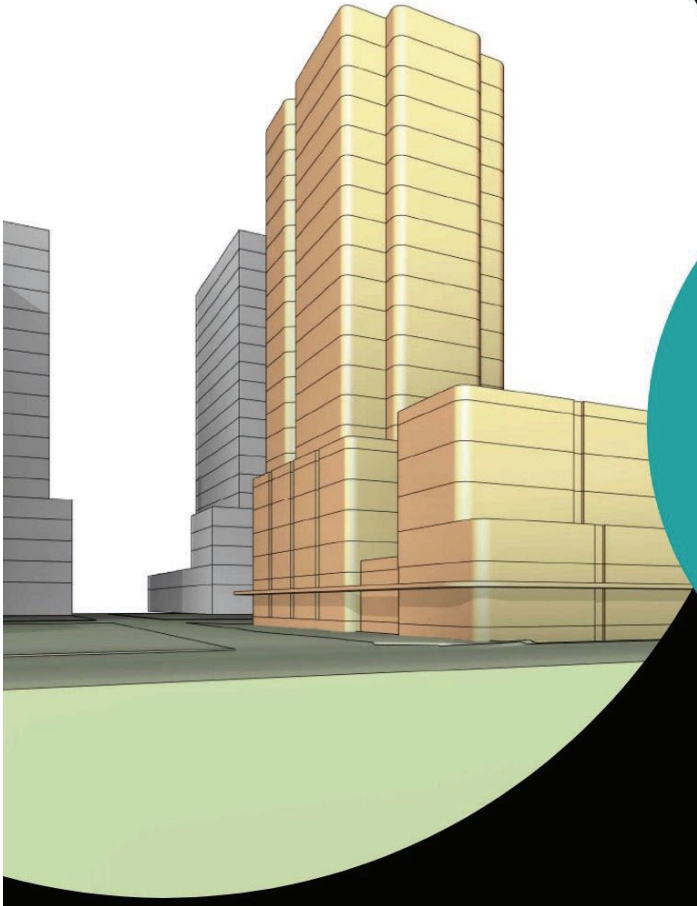
2 Conclusion

Projected Design Management has reviewed the Planning Proposal concept design documents against the Apartment Design Guide (ADG).

The design concept is considered capable of complying with the Apartment Design Guide subject to completion of a Design Competition, and preparation of a detailed Architectural Design by a registered Architect for Development Application submission.

Kind Regards,

Alex Deacon
Director
Projected Design Management Pty Ltd
ABN 89 651 864 756



QUEEN RD & WILLIAM ST, FIVE DOCK

BUILT FORM TESTING

PLANNING PROPOSAL - DEC. 2024

Cover image courtesy of
Projected Design Management

Audax Urban

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Audax Urban

EXECUTIVE SUMMARY

Audax Urban has been engaged by DPG 37 Pty Ltd to conduct built form testing and analysis of the potential visual and overshadowing impacts of a proposed alternative reduced tower setback to the edge of podium for the property located at 78 -79 Queens Rd & 2-8 Spencer St, Five Dock (henceforth the subject site). The purpose of this report is to provide an independent assessment of the proposed alternative setbacks with regards to the acceptability of the overall built form, overshadowing and visual impacts.

This report has been prepared in support of a Planning Proposal application for the subject site, which aims to modify aspects of the applicable controls on the site with the purpose of delivering a mixed-use building comprising ground level retail and residential uses above. The development will consist of approximately 134 dwelling units, including 15% affordable housing, along with ground level retail activation and public domain improvements. The proposed massing will be distributed across the site in the form of a low-rise 5 storey podium (18.2m) generally built to the property boundaries and a 20-storey tower toward the southern end of the site. The proposed built form is generally guided by the strategic vision for Five Dock and more specifically, the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) Kings Bay precinct.

To arrive at the findings presented in this report, Audax Urban has reviewed the built form testing conducted by Projected Design Management (Refer to Appendix 1), in the form of compliant massing envelopes (3m setback above podium) compared against the proposed alternative 1m tower setback above podium. This investigation has also included a site visit and a review of the aims and objectives of the Kings Bay Precinct Master Plan report by Group GSA and the applicable built form controls in *Canada Bay Development Control Plan* (CBDCP) *Part K – Special Precincts* to ascertain Council's desired future character for this sector of the Kings Bay Precinct.

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. The response to 'human scale' is maintained by the continuous datum line of the podium level independent of the scale of the tower above. The overshadowing effects of the proposed reduction in the eastern and western setbacks are similar with regards to the proposed public park at 129-153 Parramatta Road and 53-75 Queens Road, Five Dock (SSD-73228210) also known as the Daicorp Site.

Similar overshadowing of the 1m setback when compared to the 3m setback is achieved through the modulation, sculping of the tower form and by maintaining key alignments when compared to the DCP envelope controls. The reduction in the east and west setbacks from 3m to 1m has a negligible effect in the way the overall massing is perceived, and it is therefore acceptable with regards to the streetscape response. 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.

STRATEGIC OVERVIEW

The overall vision for the precinct according to the Kings Bay Precinct Master Plan report by Group GSA, is that the Kings Bay Precinct "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 part of the vision for this precinct, the Precinct Master Plan sets out the urban design principles for the precinct and site. These principles in turn informed key elements of the masterplan including the requirement for:

> *"New parks and linkages are provided to compliment the existing open space network and help to create an active and permeable neighbourhood".*

As part of the creation of the networks of parks and linkages, the master plan required an 8m land dedication for the purpose of "public domain widening along Williams Street". "The proposed arrangement of land" was to be dedicated to Canada Bay Council" to ensure:

> "the provision of significant public domain enhancements. Among proposed improvements, public domain enhancements and new roads and accessways will be required to be dedicated to Council…"

The above is a key consideration as part of this analysis because the land dedication eroded significant width reducing the available depth of the site. The width being a critical dimension on an L-shaped site. While the dedication delivers a positive urban outcome for the precinct, it does at the expense of the development flexibility of the site. The longer edge of the site or panhandle where the tower is supposed to be located according to the precinct master plan becomes narrower in depth. This burdens the site as it limits the flexibility and constrains the available depth at the most appropriate location for the placement of the taller built form on site.

According to the Kings Bay Precinct Master Plan, the "upper level setbacks of the Kings Bay Precinct "have been designed to moderate the perceived height of buildings from the street". This approach, will

> "minimise the visual impact of taller buildings and enhance the comfort of visitors on the street. The design will minimise overshadowing of main streets and public open spaces, and will facilitate good separation between higher-rising buildings in the precinct, enhancing the access to sunlight, privacy and air flow for more residents."

The CBDCP was adopted by Council on 28 March 2023 and consists of three sections in Part K – Special Precincts. Figure K20-21 Built Form Envelope - Section G (east) stipulates that a 3m upper level setback applies above a maximum street wall height of 18.2m. Page K320 of the controls titled "*Street wall heights and upper level setbacks*" further defines the proportion, scale and visual enclosure of the public domain" to provide "a level of consistency across the precinct" Part K also states that "Upper level setbacks lessen the visual impact of taller development and help create a more unified, human-scale streetscape environment".

The following sections of this report will test and discuss the ability of the proposed 1m setback to meet the aims and objectives of the 3m setback including the moderation of the perceived height, minimisation of visual impact, reduce overshadowing and facilitate good separation.

PROJECT REVIEW

The project team's alternative proposed setback consists of the reduction of 3m to 1m of the upper-level setback applicable above the maximum street wall height of 18.2m. The alternative setback has been proposed after extensive built form testing by Projected Design Management (Henceforth, PDM) and based on a series of well-defined aims and principles. These principles have been observed as part of the formulation of a base case for the alternative setbacks that in turn reconfigure the massing and typical layout of the tower to achieve several basic performance criteria. This will also form the basis for the Architectural Design Competition at a later phase of the process after the Planning Proposal stage. These principles included:

Orientation and Placement – The alternative setback of 1m aims to reorient the tower form to maximise the number of units that can achieve solar access in excess of the minimum ADG requirements. The project team aims to achieve a majority of units receiving 5 hours or more of solar access as the tower form will face an unobstructed northern aspect over the Five Dock Leisure Centre and the Barnwell Park Golf Club.

Built Form Separation and Maximisation of Adjacent Development Potential – The design of the tower and reduction of east and west setbacks aims to maximise the development potential of the adjacent site at 10-12 Spencer St (Henceforth, No 10 -12) and other nearby development to the west. The aim is to sculpt and reorient the built form to increase apertures towards the north and away from neighbouring properties to the west thus minimising privacy and overlooking concerns. This requires the increase in the frontage to the north to then minimise the length and extent of active facades to the west. Core areas and blank walls can be located closer to the common boundary to the west. This in turn would maximise the redevelopment potential of No.10-12 as they will be able to attach their future redevelopment to the common boundary wall up to the podium height. It is important to note that any future redevelopment of No. 10-12 is not likely to surpass the podium level due to the quantum of development derived from the size of the land holding. Their likely lower built form height will further reduce any privacy concerns between the two sites.

Reduce Appearance of Bulk and Scale – The built form testing demonstrates that the form of the tower maintains a tall and slender proportions even with the inclusion of a reduced 1m setback to William Street. The provision of a continuous podium height is effective in reinforcing the pedestrian level's 'human scale' at 1m or 3m setback. As the testing shows (refer to pages xx - yy of Appendix 1), the appearance of bulk and scale of a 20-storey tower above the podium is very similar. In both cases, the built form relationship between the podium and the tower is consistent.

Sculpted Elevations to Emphasize Verticality – The aim was to maintain an elegant proportion to the tower form. The testing has shown the effectiveness of sculpting the tower corners to mitigate the perception of large and continuous elevations. Sculpting the corner of the tower façades accentuates the tower's slenderness ratio and verticality. This achieves a similar built form outcome as the deeper 3m setback.

Maximise Solar Access and Outlook – The aim was to provide 100% north-facing or dual aspect units. Increasing the tower's frontage facing north helps to capture northern exposure allowing greater solar penetration deep into the tower facade. This also maximises views toward the north, which are valuable outlooks over the Five Dock Leisure Centre and the Barnwell Park Golf Club.

Maintain Continuous Street Wall Height and Active Frontages – another aim of the reduced setback is to maintain a well-defined and continuous street wall height. As shown in the side-by-side built form testing (Refer to appendix A), the height of the podium is consistent along the William Street and Queen Road's frontages. The other important aim is to maximise the active frontages. The ability to widen the tower in the east-west direction, is to compact the quantum of development on the north-south axis. This in turn

allows the location of the building core to be strategically located to allow a consolidated and shared vehicle access for the neighbouring site at No. 10-12. The consolidation of vehicle crossings will increase the length of the active frontages once both sites redevelop. This is a positive outcome.

The following section of this report discusses the built form testing, which has arrived at sympathetic urban design response for the site -one that achieves the key principles and aims listed above and that achieves the orderly redevelopment of the subject site.

TESTING AND REVIEW OF ALTERNATIVE SETBACKS

The built form testing of the alternative 1m setback has considered the impacts of the reduced 1m setback to the interface with William Street as well as the impacts to No 10-12. The alternative proposed setbacks and separations to the common boundary anticipate No 10-12 to build fully to the common boundary up to the podium height.

The perception of height, bulk scale of the tower is greatly assisted by the podium or street wall height. The comparative analysis shows that the consistency stablished by the podium height achieves similar streetscape whether the setback above podium is 1m or 3m. As Figure 1 below shows (refer also to Appendix A DWGs yy-xx), the podium level provides continuity in the pedestrian experience, such that the difference in the perceived scale of the tower above is negligible.

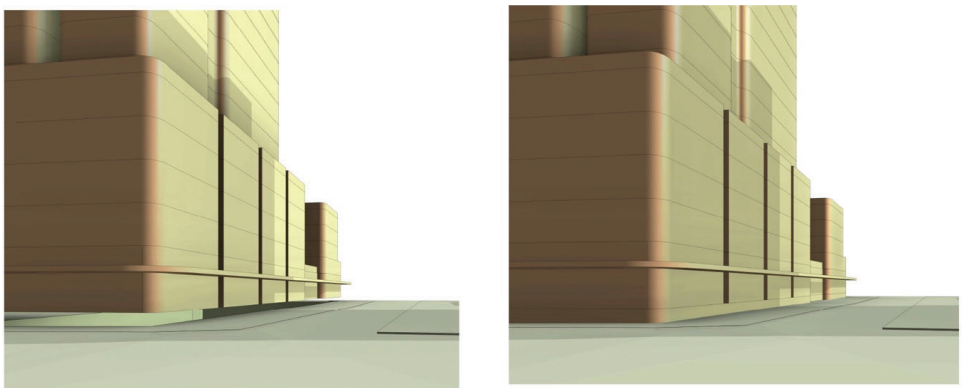

Figure 1 - Built Form Testing: Compliant 3m setback (left) - Reduced 1m Setback (right) – Source: PDM

In terms of bulk and scale, the continuous datum of the podium helps to break down the overall massing as perceived from the public domain. The height to street width ratio is another factor that assists this particular location as the tower does not face another tower across the street. It faces a future publicly accessible park. This lessens the 'sense of enclosure' that would

normally be experienced with 20-storey tower development on both sides of the road. The continuity of the podium level is very important in this location as it will provide visual containment to the future park to the east across William Street.

The ground level presentation and activation can be benefited by the consolidation or sharing of service and vehicle entrances. The future DA on the subject site at a later stage can include an easement to achieve this.

BUILT FORM

As shown in Figure 1, the potential tower form behind the 1m setback can achieve a similarly harmonious relationship with the podium as that of a 3m setback envisioned by the CB DCP.

The two well-articulated and sculpted building forms have almost the same appearance when compared side by side in the case of a 1m or 3m setback. The testing confirms that a difference of 2m is almost imperceptible for a tower of 20 storeys. Both towers appear to be tall and slender built forms; however, the tower with the reduced 1m setback has greater number of north facing units per level and therefore it has a better environmental performance and sustainability index.

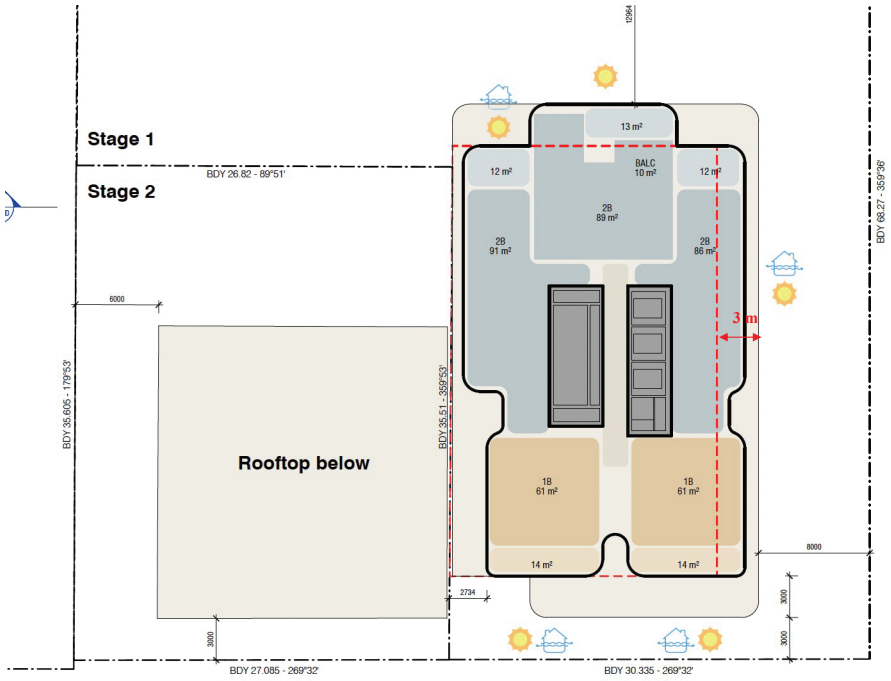

Figure 2 Typical Plan showing 3 north facing apartments where only 2 are possible within the 3m setback - Source: PDM

OVERSHADOWING

As shown by the overshadowing testing on page xx of Appendix A, the compliant (3m) and the alternative reduced setback (1m) cast similar shadows to the future publicly accessible park on the Daicorp Site when compared side by side. The testing confirms that the overshadowing cast by a difference of 2m on the eastern setback to William Street is almost imperceptible for a tower of 20 or more storeys. The park on the Daicorp Site achieves similar areas of solar access between 11-2 pm during mid-winter, which are the preferred lunch time hours during winter. The alternative proposed setback is therefore a reasonable outcome.

FACILITATE GOOD SEPARATION

Another finding of the built form testing is that the alternative setbacks can achieve a sympathetic built form on the site and maximise streetscape opportunities and appropriate separation for the neighbouring property to the west at No. 10-12.

Any future development on that lot is not likely to reach its allowable height and will have a smaller scale and height. No. 10-12 can easily continue the ground-level interface and consolidate the activation on the ground plane for this section of the street, if allowed to build to the common boundary with the subject site and share vehicle access. This enhances the potential for No. 10-12 to push its redevelopment to the east along the common boundary and then provide and continue the required lane way to the west, which is a positive outcome. The provision of a 1m setback above a continuous podium offers the same or similar visual relief for a tower of this scale when seen from the future laneway as a deeper 3m setback. This is a reasonable outcome considering the benefit of a wider north facing façade and the potential for the laneway to the west to be realised.

As the proposed tower on the subject site will face an open park to the east, there are no issues with regards to separation due in that direction. The reduced setback to 1m is therefore a reasonable outcome.

CONCLUSIONS AND RECOMENDATIONS

The rigorous built form testing has compared the upper-level setback predicated by the controls (3m) side by side with the alternative proposed reduced setback (1m) from several vantage points in the vicinity of the site.

The following findings summarise the outcomes of the built form testing:

- The 1m setback above the street wall height is as effective as the 3m setback in reducing the perception of bulk and scale for a 20-or-more storey tower.
- The continuity of the podium level is sufficient regardless of the setback above street wall height in the provision of 'human scale' as seen from the public domain and surrounding main vantage points.
- The sculpting of the tower's corners is as effective as a deeper setback in the reduction of the appearance of bulk and scale.
- The sculpted corners also assist in mitigating overshadowing impacts.

In summary, the independent built form testing has concluded that a reduced 1m setback can achieve a reasonable urban design outcome and meet the objective of the controls.

Appendix A – Please refer to the attached PDF titled 'Built Form Testing' by Projected Design Management.

Audax Urban

Suite 5, 46 Morton Street
Wollstonecraft , NSW 2065

Contact:

Karla Castellanos, Director of Urban Design
Email: karla@audaxurban.com
Mob: 0406975688

Audax Urban Pty Ltd ABN 99 640 800 040

Melbourne
Sydney
Brisbane
Canberra
Perth
www.philipchun.com.au

PHILIP CHUN
Building Compliance

Ref: 24-223056_Stg1&Stg2 Development_241217

17 December 2024

Develotek
Level 10/97-99 Bathurst St,
Sydney NSW 2000

Attention: **Alex Lekovski**

Re: **Queens and William Five Dock Planning Proposal**
79-81 Queens Road & 2-8 Spencer Street, Five Dock NSW 2046
Stage 1 and Stage 2 Developments

We note that the proposed development located at 79-81 Queens Road & 2-8 Spencer Street, Five Dock will involve the construction across two separate lots. As the development will involve the staged construction across two individual lots, various clauses of the BCA will need to be taken into consideration where the property is located on separate property titles.

The proposed development is capable of complying with the BCA, subject to the design team considering and designing the buildings to individually comply with the following:

1) The external walls of the buildings on Stage 1 and Stage 2 will be constructed against the property boundary and will require an FRL. The external walls will be required to be constructed to comply with Specification 5 of the BCA with regards to having the relevant Fire Resistance Level. Design team can nominate relevant FRL's within fire compartmentation drawings to demonstrate compliance with this requirement.

2) The openings with the external wall, that are required to be provided with a FRL, will be required to be protected in accordance with clause C4D5 of the BCA. The design team can nominate a proposed method of compliance including wall-wetting sprinklers, fire doors, fire shutters, fire windows as appropriate to the opening.

3) The proposal entails the construction of residential apartments on the property boundary. The SOU's will need to be provided with light and ventilation in accordance with BCA Part F. In particular the designers will need to note the design requirements of F6D2 & F6D3 and F6D7. The design team will need to ensure that where light and ventilation is to be obtained via openings, these openings are situated on the Northern and Southern façade of the respective buildings. This is due to the Eastern and Western facades of the respective buildings facing each other and cannot be relied upon for light and ventilation.

Where compliance with the deemed to satisfy provisions nominated above is not readily achievable, performance-based assessment and performance solutions may need to be used to demonstrate compliance with the Building Code of Australia. These will be identified in general terms in the future assessment of the design and will be informed by the relevant design engineers prior to issue of the relevant building approvals.

Should you have any queries in regard to the above, please do not hesitate to contact the undersigned.
Regards,

Peter Murphy
Senior Associate
PHILIP CHUN BC NSW PTY LTD

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.

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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	5,960m² 4,216m²	4.78%
130 Tennyson Rd Mortlake	25/09/2023 $3,800,000	442.6m² 634m²	3.90%
10 Chapel St, Marrickville	28/03/2024 $2,260,000	416m² 390m²	3.43%
60 Silverwater Rd, Silverwater	17/05/2024 $4,100,000	1,057m² 674m²	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 2,090m², (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:

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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

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:

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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**

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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 any inconsistencies or conflicts immediately upon discovery.

Consult 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

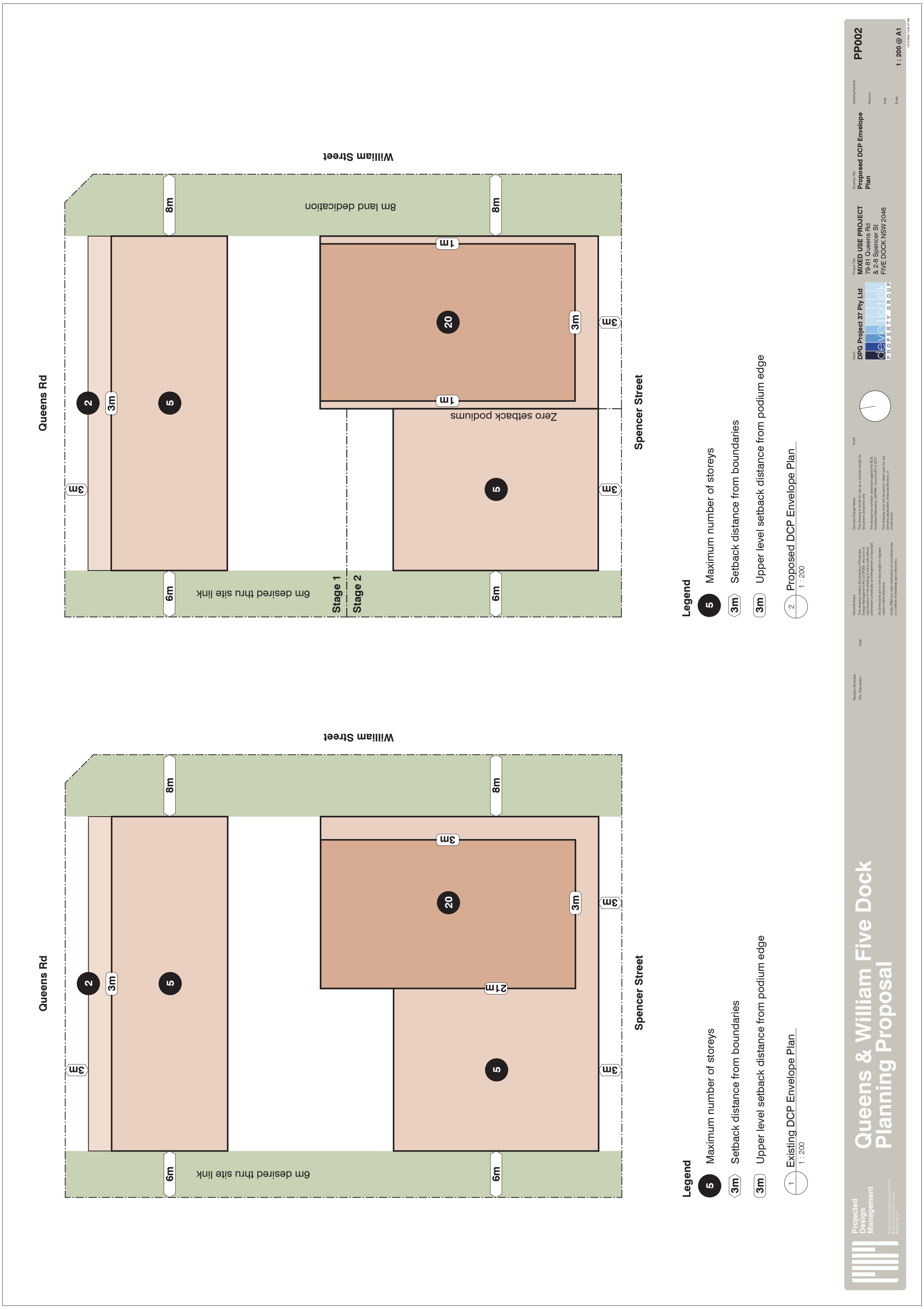
develotek PROPERTY GROUP

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

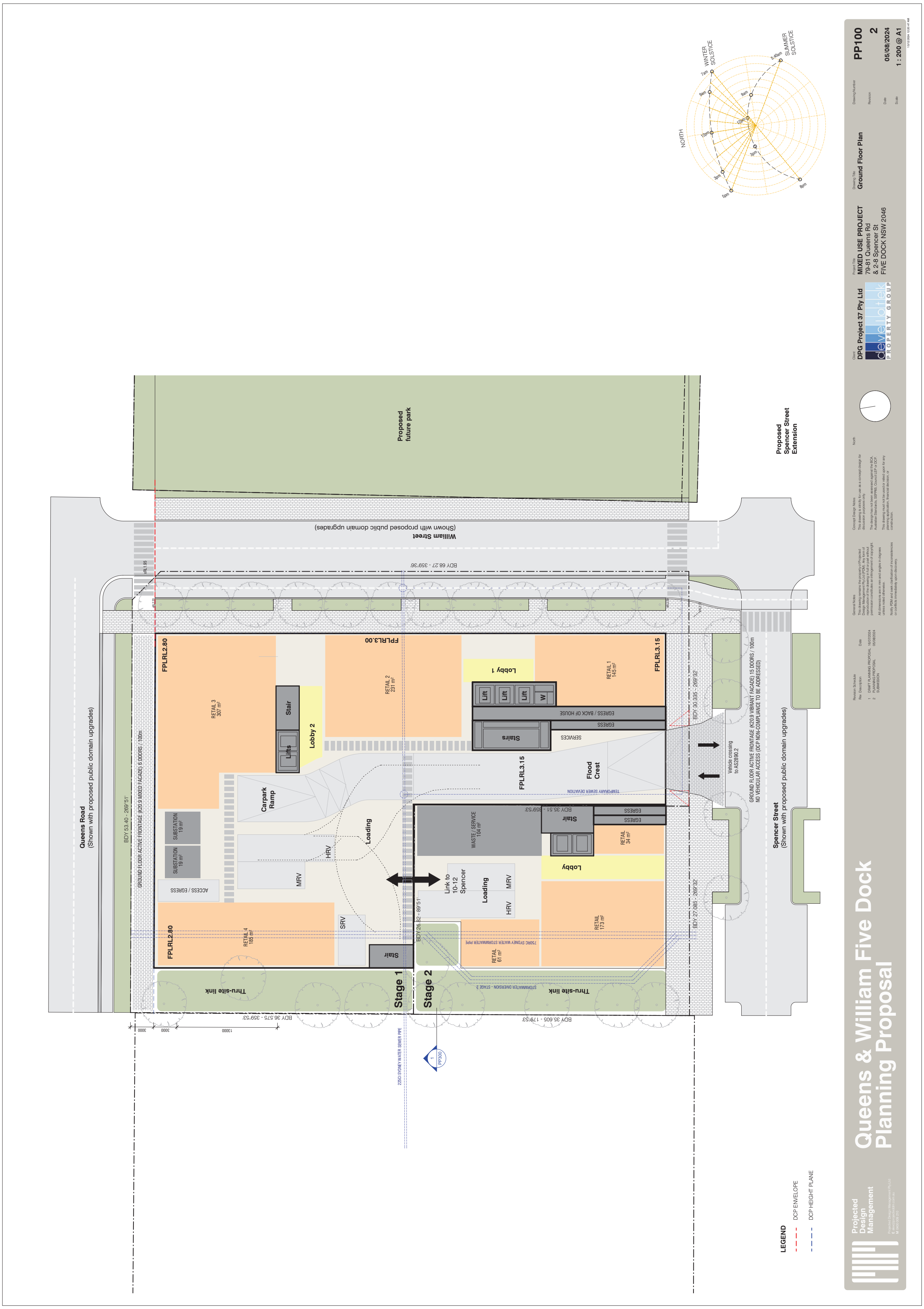
Drawing Title
Cover Page

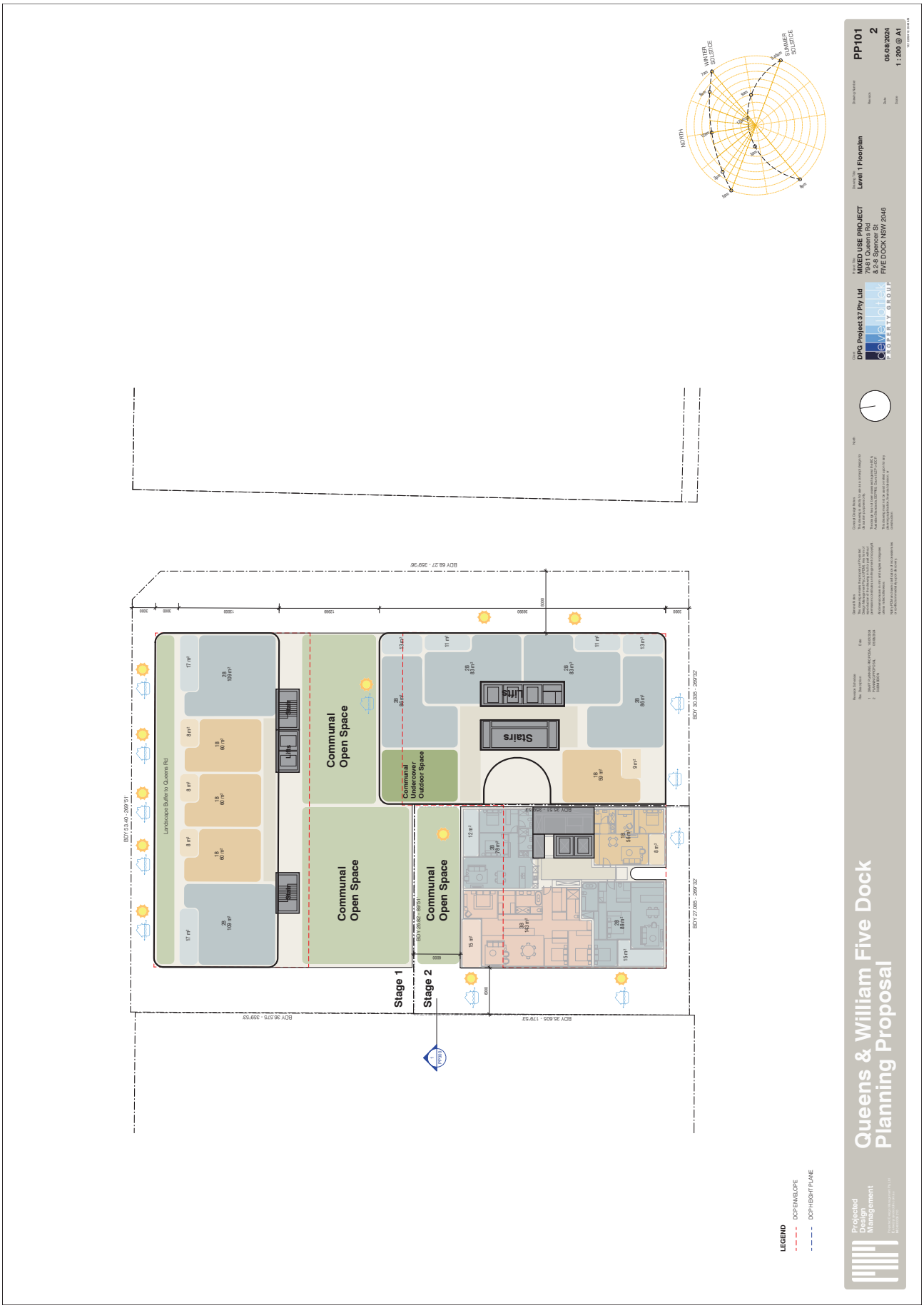
Drawing Number PP000
Revision 2
Date 05.08/2024
Scale @ A1

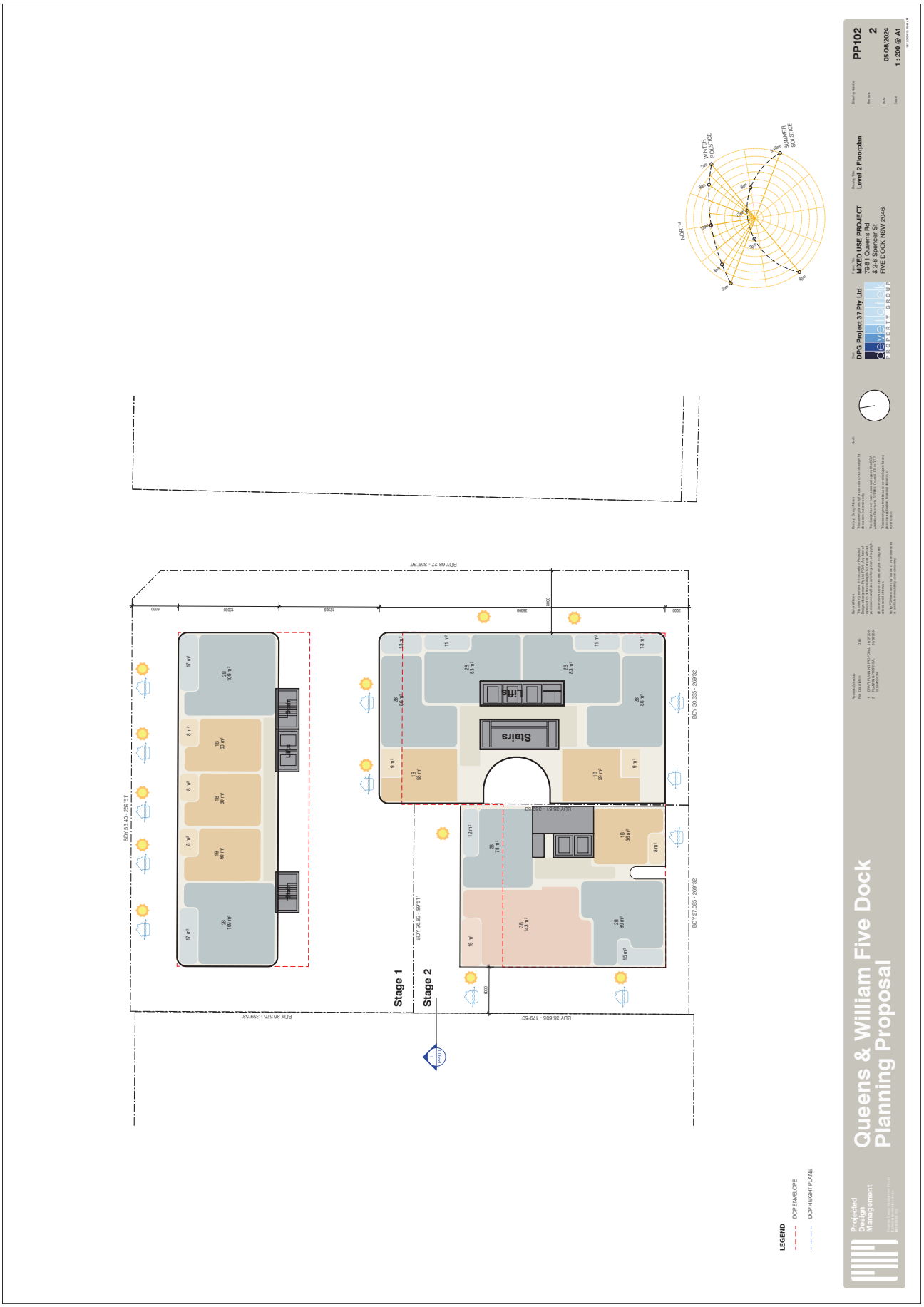

Queens & William Five Dock
Planning Proposal
Projected Design Management
DCP Site Plan - Part K20 Kings Bay
1 : 400
Proposed Site Plan - Planning Proposal - Staged
1 : 400
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
William Street Park (Proposed)
Open Space (Proposed)
Queens Road
William Street
Spencer Street
87.1m max HOB (DCP Section G-G) + 10% ADEPP
67m max HOB (DCP Section G-G)
Stage 1
Stage 2
Survey vs DP discrepancy
DPG Project 37 Pty Ltd
MIXED USE PROJECT
7941 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Proposed Site Plan
PP001
2
10.06.2024
As indicated @ A1
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH

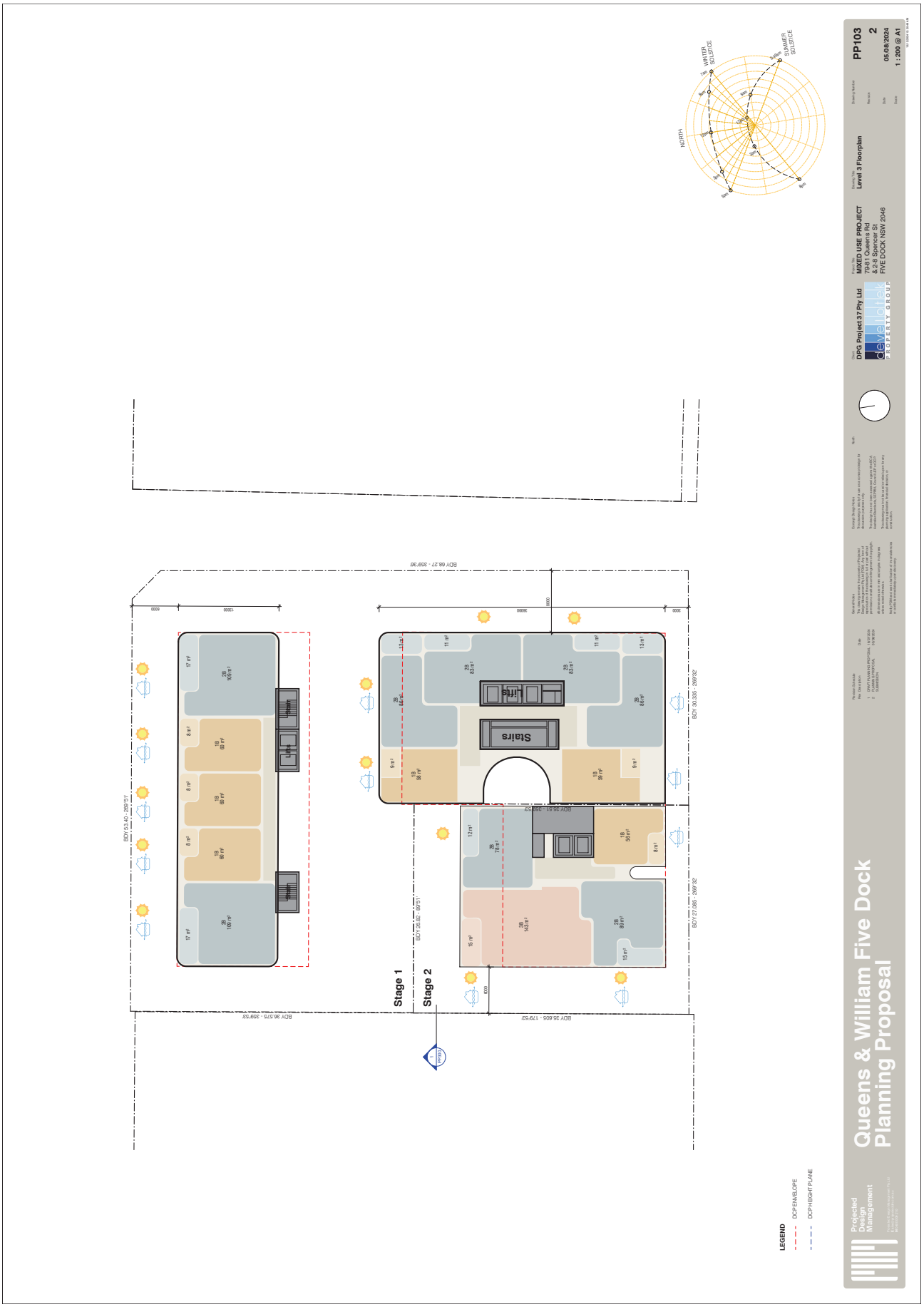

Queens Rd
Spencer Street
William Street
8m land dedication
6m desired thru site link
Zero setback podiums
Stage 1
Stage 2
Legend
Maximum number of storeys
Setback distance from boundaries
Upper level setback distance from podium edge
Proposed DCP Envelope Plan
1 : 200
Existing DCP Envelope Plan
1 : 200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

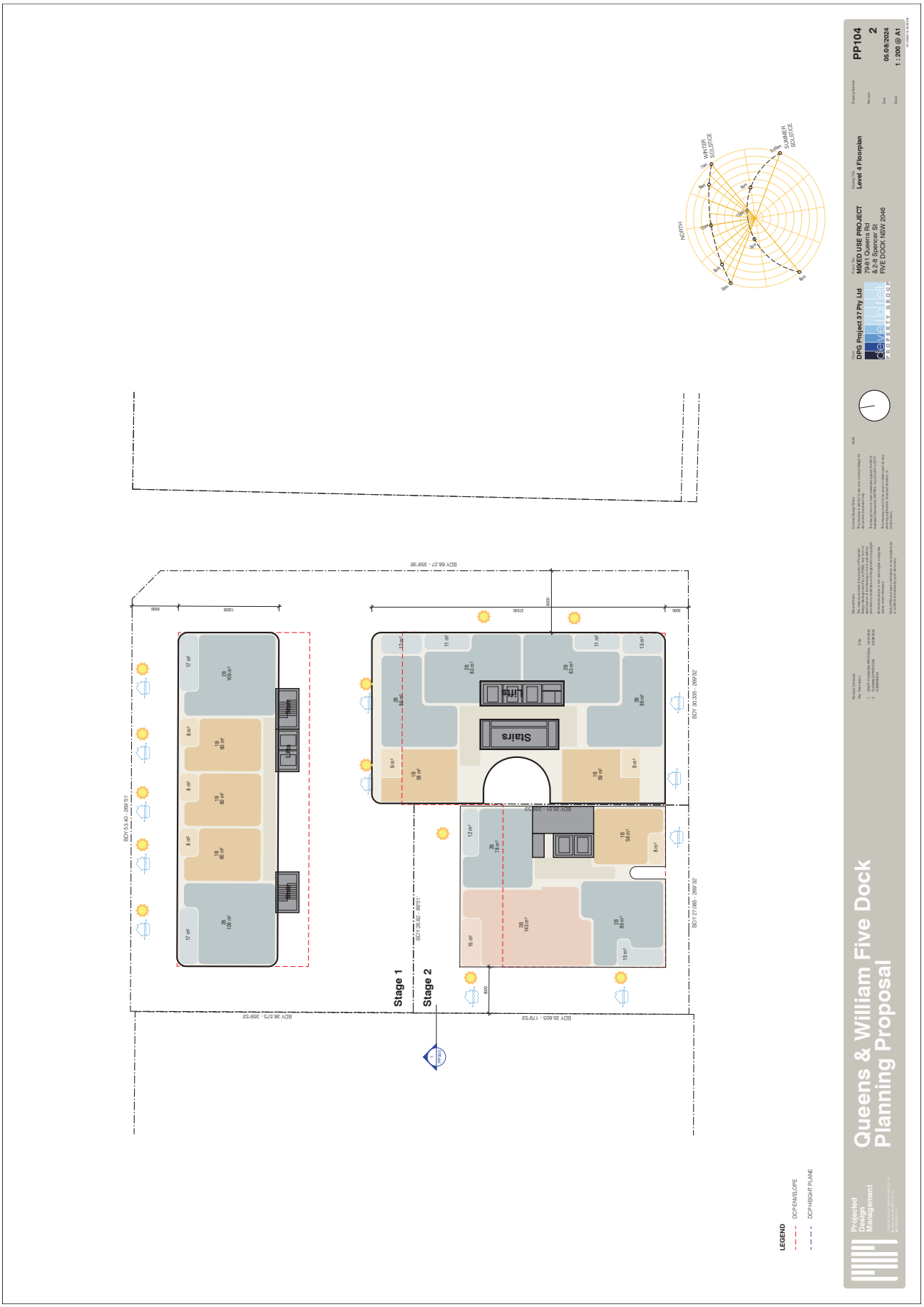

Queens & William Five Dock
Planning Proposal
Basement Floorplans
PP099
3
05/08/2024
1 : 200 @ A1
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Projected Design Management
Basement 1
1 : 200
Basement 2-5
1 : 200
Basement 1
Stage 1
Basement 1
Stage 2
Basement 2
Stage 1
Basement 2
Stage 2
Stage 1
Stage 2
Lobby
Lifts
Stair
Waste
FIRE PUMP
FIRE TANK
EXHAUST FAN
SUPPLY FAN
Existing Sydney Water Sewer Main
Existing Sydney Water Stormwater Culvert
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE

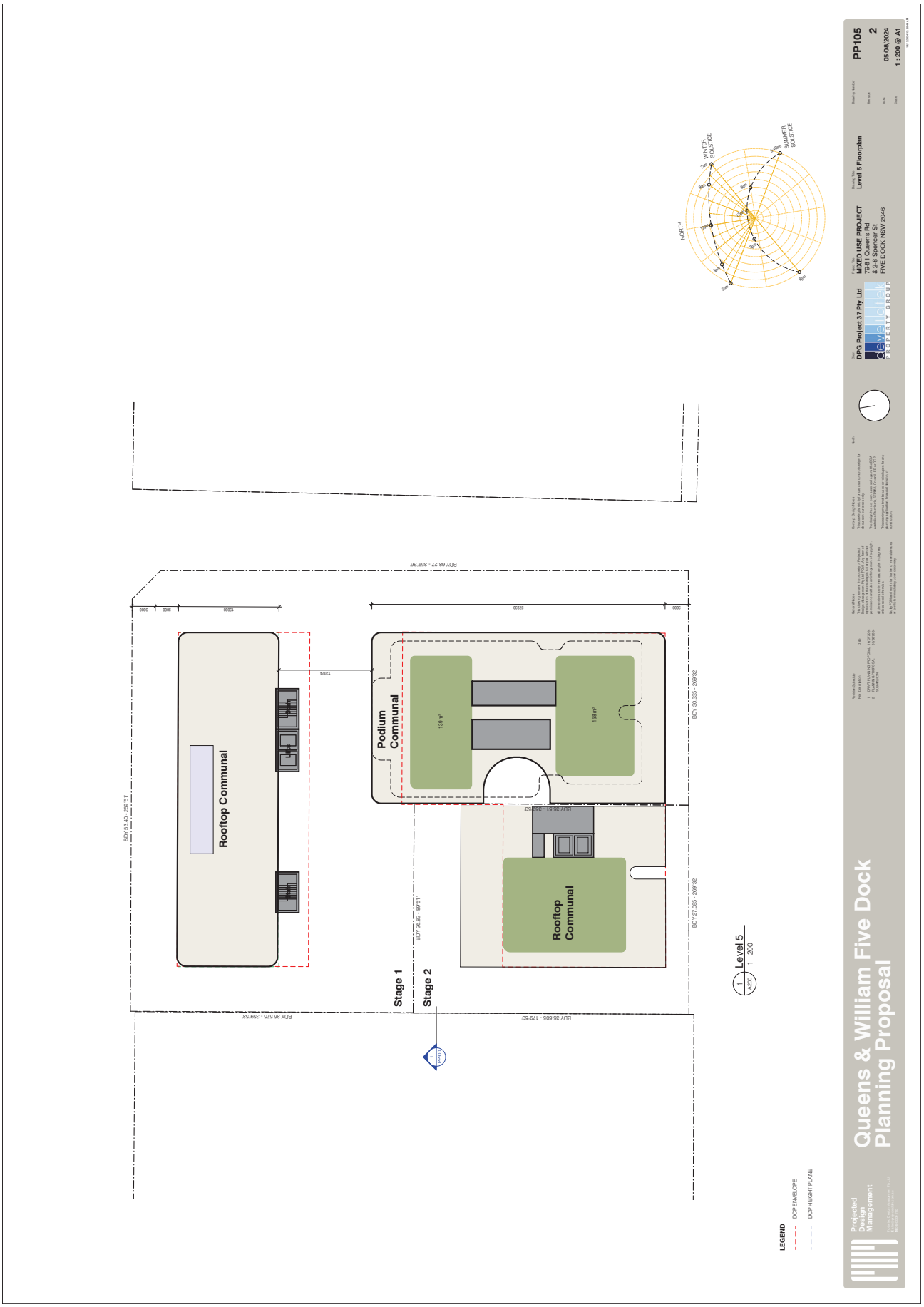

Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Ground Floor Plan
PP100
2
05/08/2024
1 : 200 @ A1
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Proposed future park
Proposed Spencer Street Extension
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
RETAIL 1
RETAIL 2
RETAIL 3
RETAIL 4
Lobby 1
Lobby 2
Lobby
Stair
Stairs
Lifts
Lift
EGRESS
SERVICES
Carpark Ramp
Loading
HRV
MRV
SRV
Link to 10-12 Spencer
WASTE / SERVICE
SUBSTATION
ACCESS / EGRESS
Flood Crest
FPLRL2.80
FPLRL3.00
FPLRL3.15
Vehicle crossing
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH

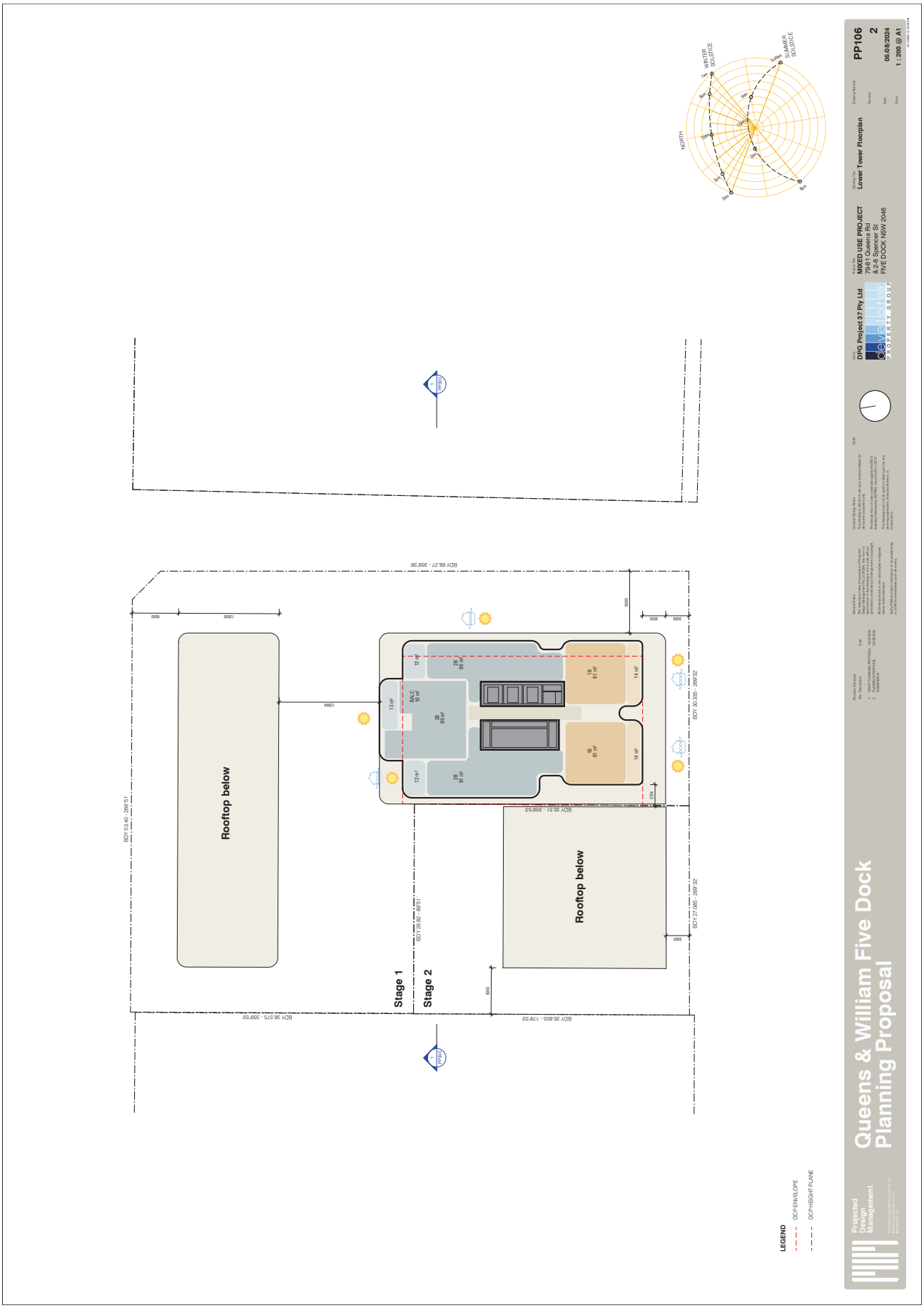

Communal Open Space
Communal Open Space
Communal Open Space
Communal Undercover Outdoor Space
Stairs
Lifts
Landscape Buffer to Queens Rd
Stage 1
Stage 2
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Level 1 Floorplan
PP101
2
05.08.2024
1 : 200 @ A1

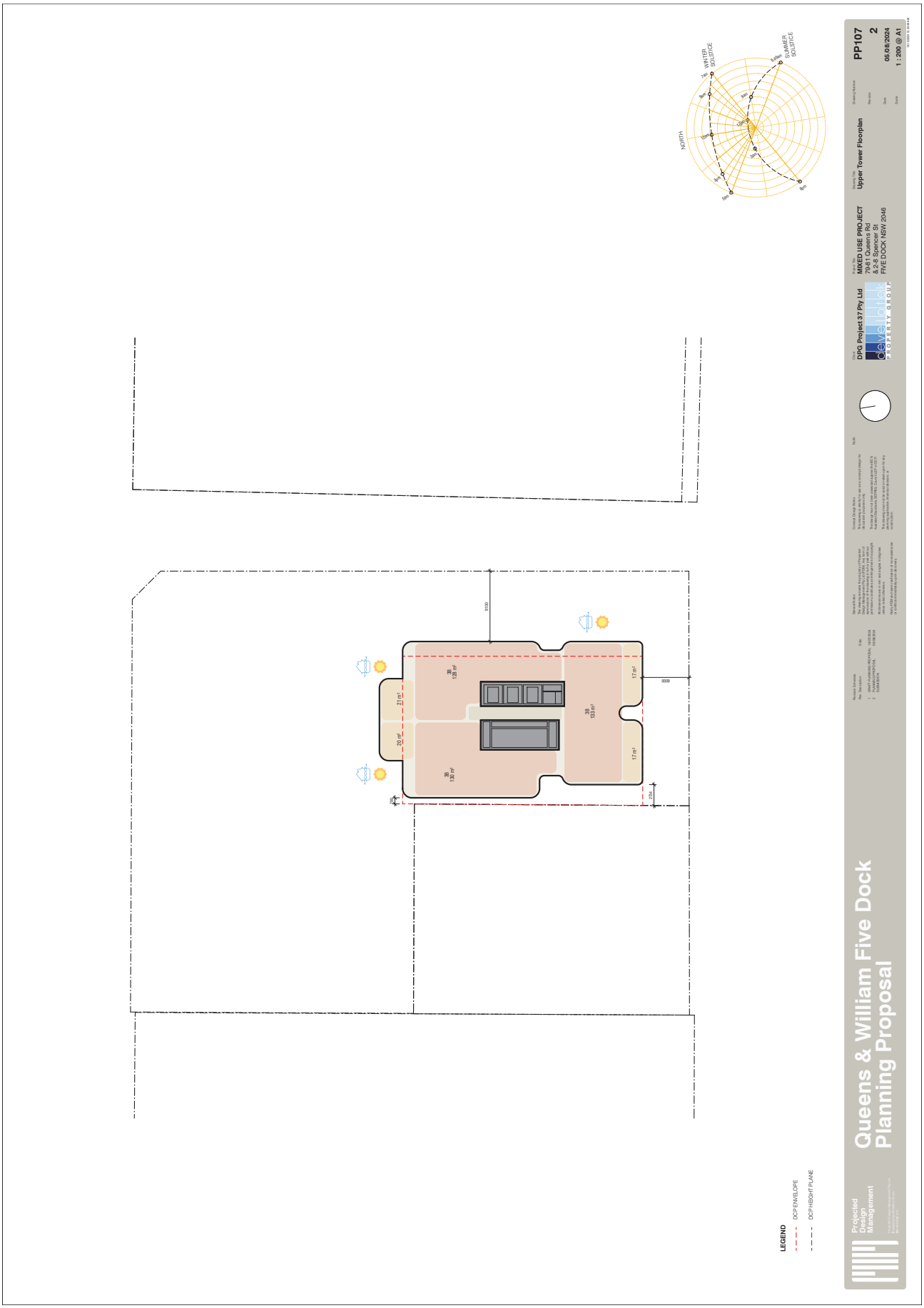

Queens & William Five Dock
Planning Proposal
Projected Design Management
PP102
2
05.08.2024
1 : 200 @ A1
Level 2 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PROPERTY GROUP
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stairs
Lifts
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH

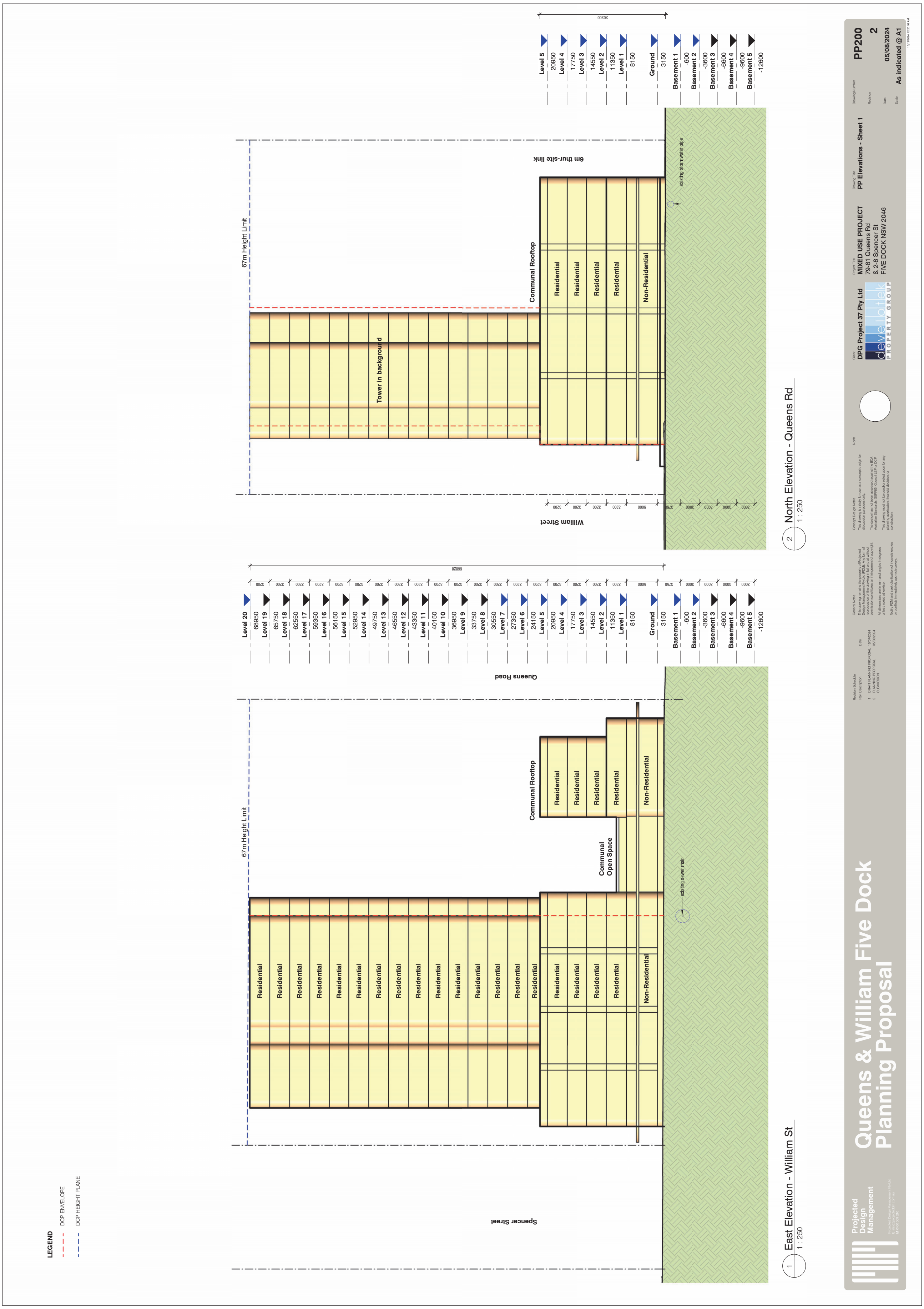

Queens & William Five Dock
Planning Proposal
Projected Design Management
Level 3 Floorplan
PP103
2
05.08.2024
1 : 200 @ A1
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
develotek
PROPERTY GROUP
Stage 1
Stage 2
Stairs
Lifts
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
NORTH
WINTER SOLSTICE
SUMMER SOLSTICE

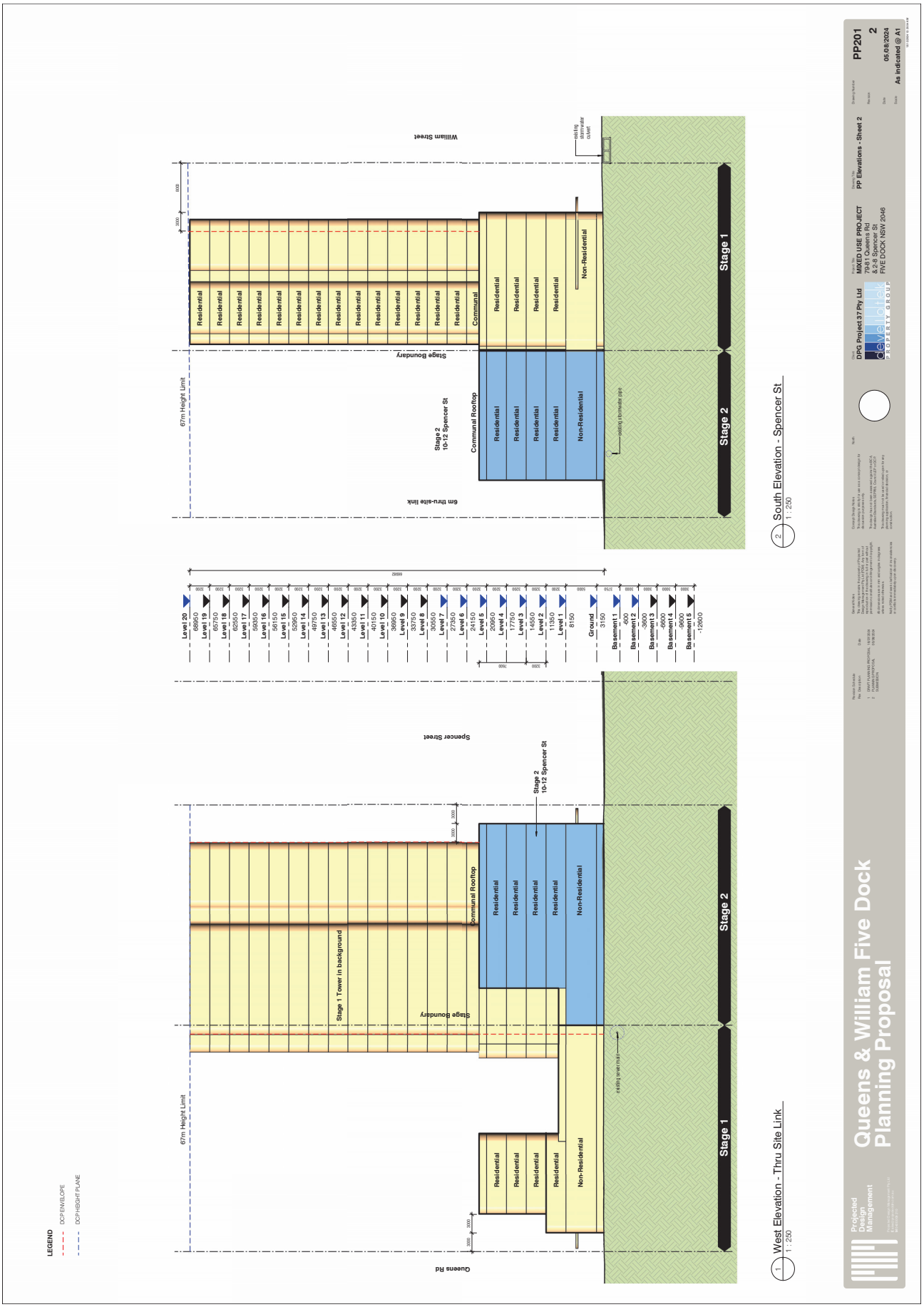

Queens & William Five Dock
Planning Proposal
Projected Design Management
PP104
2
05.08.2024
1 : 200 @ A1
Level 4 Floorplan
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
DPG Project 37 Pty Ltd
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Stage 1
Stage 2
Stairs
Lifts
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH

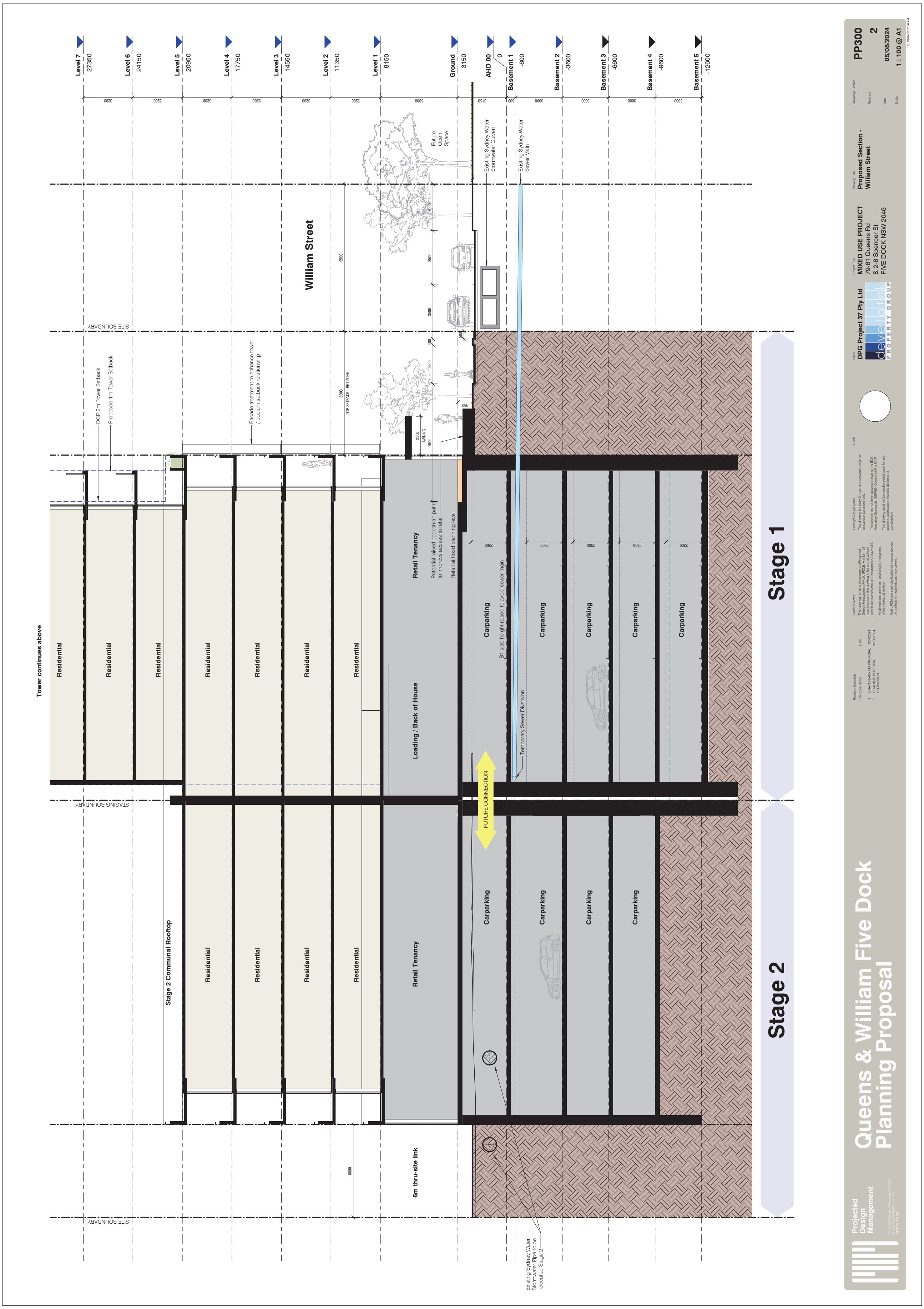

Rooftop Communal
Podium Communal
139 m²
158 m²
Rooftop Communal
Stage 1
Stage 2
Level 5
1 : 200
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Level 5 Floorplan
PP105
2
05.08.2024
1 : 200 @ A1
develotek PROPERTY GROUP


Rooftop below
Rooftop below
Stage 1
Stage 2
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Lower Tower Floorplan
PP106
2
05.08.2024
1 : 200 @ A1
WINTER SOLSTICE
SUMMER SOLSTICE
NORTH


WINTER SOLSTICE
SUMMER SOLSTICE
NORTH
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Upper Tower Floorplan
PP107
2
05.08.2024
1 : 200 @ A1


Queens & William Five Dock
Planning Proposal
East Elevation - William St
1 : 250
North Elevation - Queens Rd
1 : 250
67m Height Limit
Tower in background
Communal Rooftop
Communal Open Space
Residential
Non-Residential
6m thur-site link
Queens Road
William Street
Spencer Street
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 1
PP200
2
05/08/2024
As indicated @ A1
Projected Design Management


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
PP Elevations - Sheet 2
PP201
2
05.08.2024
As indicated @ A1
1 West Elevation - Thru Site Link
1 : 250
2 South Elevation - Spencer St
1 : 250
LEGEND
DCP ENVELOPE
DCP HEIGHT PLANE
Queens Rd
William Street
Spencer Street
Stage 1
Stage 2
Stage Boundary
67m Height Limit
Communal Rooftop
Residential
Non-Residential
Stage 1 Tower in background
Stage 2
10-12 Spencer St
6m thru-site link
existing stormwater pipe
existing sewer main
existing stormwater culvert
Level 20 69650
Level 19 67750
Level 18 65850
Level 17 63950
Level 16 62050
Level 15 60150
Level 14 58250
Level 13 56350
Level 12 54450
Level 11 52550
Level 10 50650
Level 9 48750
Level 8 46850
Level 7 44950
Level 6 43050
Level 5 41150
Level 4 39250
Level 3 37350
Level 2 35450
Level 1 33550
Ground 31650
Basement 1 29750
Basement 2 27850
Basement 3 25950
Basement 4 24050
Basement 5 22150


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Proposed Section -
William Street
PP300
2
05/08/2024
1 : 100 @ A1
Stage 1
Stage 2
William Street
Tower continues above
Residential
Stage 2 Communal Rooftop
Retail Tenancy
Loading / Back of House
Carparking
FUTURE CONNECTION
Temporary Sewer Diversion
B1 slab height raised to avoid sewer main
Retail at flood planning level
Potential raised pedestrian path to improve access to retail
Facade treatment to enhance tower / podium setback relationship
DCP 3m Tower Setback
Proposed 1m Tower Setback
Existing Sydney Water Stormwater Culvert
Existing Sydney Water Sewer Main
Existing Sydney Water Stormwater Pipe to be relocated Stage 2
Future Open Space
6m thru-site link
SITE BOUNDARY
STAGING BOUNDARY
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


Queens & William Five Dock
Planning Proposal
Projected Design Management
DPG Project 37 Pty Ltd
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 Spencer St
FIVE DOCK NSW 2046
Shadow Diagrams
PP400
2
05.08.2024
1 : 1200 @ A1
DCP shadow dashed red
Stage 1
Stage 2
1 Shadow - PP - 9am
A300 1 : 1200
2 Shadow - PP - 10am
A300 1 : 1200
3 Shadow - PP - 11am
A300 1 : 1200
4 Shadow - PP - 12pm
A300 1 : 1200
5 Shadow - PP - 1pm
A300 1 : 1200
6 Shadow - PP - 2pm
A300 1 : 1200
7 Shadow - PP - 3pm
A300 1 : 1200


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
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 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
Projected Design Management
DPG Project 37 Pty Ltd
develotek PROPERTY GROUP
MIXED USE PROJECT
79-81 Queens Rd
& 2-8 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

belle
PROPERTY | COMMERCIAL

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

Planning Proposal
Amendments to Canada Bay DCP

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

22.01.25
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.

Author:	Michael Rowe Director	mrowe@beamplanning.com.au
	Sarah Castro Senior Planner	scastro@beamplanning.com.au

Beam Planning Pty Ltd | ABN 78 674 643 095 | beamplanning.com.au

K20 Kings Bay (PRCUTS)

The following amendments are proposed to K20 Kings Bay of the Canada Bay Development Control Plan. Additions are shown in ***bold italics***.

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

No change proposed.

K20.2 Existing Character

No change proposed.

K20.3 Desired Future Character

No change proposed.

K20.4 Urban Design Principles

No change proposed.

K20.5 Design Approach

No change proposed.

K20.6 Block Configuration

Objectives

No change proposed.

Controls

C1. New development is to consider future development on adjoining sites by providing sufficient separation and setbacks, and adjoining 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 setback 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.

K20.7 Site Amalgamation Plan to be updated to exclude adjoining land at 10-12 Spencer Street.

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

K20.7 Site Amalgamation Plan

K20.7 Access Network

No changes proposed.

K20.8 Public Domain Experience

Objectives

No changes proposed.

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 'humanscale' 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.

C6. Area 17, despite being redeveloped in stages must have a consolidated basement with one singular access driveway along Spencer Street.

K20.9 Active Frontages

No changes proposed.

K20.10 Street Wall Heights and Setbacks

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

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 Figure 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.

K20.12 Building Envelopes Plan-western part to be updated to amend upper-level setback distance from podium edge on William Street to 1m instead of 3m and on the western boundary to 1m instead of 21m.

K20.21 Built Form Envelope – Section G (east) to be updated to shift tower form further east to illustrate a 1m upper level setback distance from podium edge on William Street.

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

K20.12 Building Envelopes Plan – western part

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

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

K20.11 Transitions and Interfaces

No changes proposed.

K20.12 Interactive Frontages

No changes proposed.

K20.13 Massing and Articulation

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

C11. Development within Area 17 must provide high quality treatments to the common boundary between 2-8 Spencer Street and 10-12 Spencer Street, Five Dock.

K20.14 Heritage and Fine Grain

No changes proposed.

K20.15 Safety and Accessibility

No changes proposed.

K20.16 Amenity

No changes proposed.

K20.17 Appearance

No changes proposed.

K20.18 Landscape Design

No changes proposed.

K20.19 Sustainability and Resilience

No changes proposed.

K20.20 Access and Parking

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

Controls

Parking and access design

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. ***Both stages of development within Area 17 must be designed accordingly to accommodate a consolidated basement with a shared access point.***

Car parking
No changes proposed.

Shared parking
No changes proposed.

K20.21 Housing Diversity
No changes proposed.

K20.22 Residential Uses not covered by the Apartment Design Guide
No changes proposed.

Local Planning Panel Minutes

MINUTES OF THE CITY OF CANADA BAY LOCAL PLANNING PANEL

Date of Panel meeting	20th March 2025
Location	Hudson Room, City of Canada Bay Council
Panel members	Jason Perica (Chair) Judy Clark (Expert Member) Stephen Alchin (Expert Member) Anne Potter (Community Member)
Council staff	Paul Dewar, Helen Wilkins, Lucy Langley
Apologies	Nil
Declarations of interest	Nil

A meeting of the Local Planning Panel was held in the Hudson Room, Canada Bay Civic Centre, Drummoyne on Thursday, 20th March 2025 in relation to a Planning Proposal at 78 – 81 Queens Road and 2 – 12 Spencer Street, Five Dock and the Affordable Housing Contribution Scheme. Please note Planning Proposal meetings are not public meetings and therefore are not open to the public.

A site inspection was conducted by Panel members and Council staff from 10:15 – 11:00.

The applicant and their representatives Alan Chen, Michael Rowe and Karla Castellanos addressed the Panel from 1.30 – 2.15pm.

The planning proposal meeting concluded at 2:37pm.

ITEM 1: PLANNING PROPOSAL; PP2025/0001; 79-81 QUEENS ROAD AND 2-12 SPENCER STREET, FIVE DOCK

This proponent-initiated Planning Proposal seeks to amend the Canada Bay Local Environmental Plan 2013 (the LEP) to revise the minimum site area requirements by excluding 10-12 Spencer Street from Area 17 of the Kings Bay Precinct and to prescribe new planning controls for both sites.

The Panel's role is to provide advice to Council for their consideration. In providing advice, the Panel considered the strategic merit and site-specific merit of the Planning Proposal.

The Panel considered the Council staff report (including attachments) and heard from the applicant and their representatives in their address to the Panel, together with matters observed during the site inspection.

RECOMMENDATION

1. The Planning Proposal for land at 79-81 Queens Road and 2-12 Spencer Street, Five Dock (PP2025/0001) be progressed to Gateway determination subject to the following amendments:

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a) identify 10-12 Spencer Street as 'Key Site 17A' to incentivise the delivery of the 3m wide embellished public domain along Spencer Street;

b) retain the PRCUTS recommended maximum Floor Space Ratio of 3.0:1 across both sites, resulting in a maximum Incentive Floor Space Ratios of 3.3:1 to 79-81 Queens Road/2-8 Spencer Street and 1.8:1 to 10-12 Spencer Street;

c) apply a maximum Incentive Height of Building of 67m to 79-81 Queens Road / 2-8 Spencer Street and 19m to 10-12 Spencer Street;

d) inclusion of a competitive design process; and

e) provide the potential for a single vehicle access to allow a consolidated driveway and basement with the future development at 10-12 Spencer Street.

2. The following additional information be provided prior to the Planning Proposal being submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination:

   a) demonstrate the capacity of the site to provide landscaped area and deep soil in accordance with the Apartment Design Guide;

   b) a flood risk assessment that demonstrates flooding is able to be managed within the subject site and does not adversely impact any other properties.

3. In preparing Development Control Plan controls for the site, the following should be considered:

   a) encouraging all vehicular access off Spencer Street. While this may be inconsistent with urban design advice to Council, the Panel is of the view that such access is preferable to Queens Road, which is a classified road, and William Street, due to both planned urban design enhancements and traffic volumes in that street.

   b) discouraging above ground parking.

As background to the Panel's deliberations, the key issue is whether it is appropriate to change the amalgamation requirement of "Site 17" into 2 sites. This is not ideal, as the wider strategic vision may be compromised in planning for separate development, while the delivery of key infrastructure (particularly a 3m widening of Spencer Street) may be fragmented, delayed or not achieved. So, retaining the current controls is preferable. At the same time, in principle, if an owner has pursued reasonable endeavors to secure an amalgamated site, including with a commercial offer to purchase a site as part of a wider amalgamated site, reasonably above valuation assuming an uplift, and a reasonable urban design and infrastructure delivery outcome is possible while splitting an amalgamated site in two, then that may be an acceptable outcome, even if not ideal. This is the case here, as the proponent has made reasonable efforts and offers to secure 10-12 Spencer Street, unsuccessfully, and the Panel is satisfied that the two sites may be able to be developed separately.

However, to be clear, if at any point along the process of the Planning Proposal, the owners of No. 10-12 Spencer Street changes their position to sell to the proponent, then the Planning

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Proposal should not proceed, as the current controls are preferable and the Planning Proposal only really arises from unsuccessful negotiations.

Further, the Panel notes there is a timing and practical imperative, along with the development of the Deicorp site to the east, to resolve the timing and design parameters for the road and associated public domain upgrades around the site, particularly to William Street including any required additional traffic lane, but also to Queens Road. It is also apparent that 30% development bonuses available under *SEPP (Housing) 2021* have, or have the potential to, materially change the traffic demands on the road network in an area that is close to Parramatta Road (where plans for effective public transport are not in place), and the ability for pedestrians to move around this area and across Queens Road to the Five Dock Leisure Centre.

It is therefore appropriate to resolve planning, scope and delivery timetables for roads and public domain improvements around the site prior to the finalisation of the Planning Proposal, including potential changes (to required setbacks particularly) accounting for changing and potential changed circumstances in the wider area. The Panel also sees opportunity and benefit to providing and allowing planting of large trees along William Street and Queens Road, and any consequential changes to the setbacks to William Street and Queens Road to facilitate such an outcome.

VOTING
The decision was unanimous.

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ADOPTION OF MINUTES:
We, the undersigned members of the Canada Bay Local Planning Panel, certify that these Minutes are an accurate record of the meeting of 20 March 2025.

PANEL MEMBERS	
Jason Perica	Stephen Alchin
Judy Clark	Anne Potter

lanning Proposal

31P Henley Marine Drive, Drummoyne

BMAURBAN

Submitted to: Canada Bay Council

On behalf of: Aqua Luna

Date: November 2024

BMA URBAN STAFF RESPONSIBLE FOR THIS REPORT WERE:

Managing Director	Bernard Moroz
Associate Director	------
Project Planner	-----
Project Code	HMD-201/24
Report Number	Final - 3/12/24

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