

## CANADA BAY LOCAL ENVIRONMENTAL PLAN 2013

Canada Bay Local Environmental Plan 2013 – Compliance Table		
Current version for 28 March 2025 to date		
Clause	Control	Comment
<b>Zoning</b>	R2 Low Density Residential	The Rezoning proposal concurrent with this SSDA application will make a RFB permissible development over the subject site.
<b>Part 2 Permitted or Prohibited Development</b>		
<b>2.3</b>	Zone objectives and land use table	The proposed residential flat building and Build to Rent Housing is consistent with the zone objectives
<b>2.6</b>	Subdivision	Subdivision is proposed on the towers proposed for a residential flat building.
<b>2.7</b>	Demolition requires consent	All existing structures on the site is proposed to be demolished as part of this application.
<b>Part 4 Principal Development Standards</b>		
<b>4.1A</b>	Minimum lot sizes for certain dwellings – R4 Zone  1,500m <sup>2</sup> and width at building line of 20m	Complies
<b>4.3</b>	Height of buildings – 8.5m	Planning Proposal seeks height of 77m  SSDA seeks +30% via Housing SEPP 2021 for infill affordable housing  78m + 23.4m = 101.4m  Building A = 100.4m Building B = 99.2m Building C = 46.3m  Complies.
<b>4.4</b>	Floor space ratio -	Planning Proposal seeks FSR of 5:1  SSDA seeks +30% via Housing SEPP 2021 for infill affordable housing.  5 + 1.5 = 6.5:1  The proposed FSR is 6.06:1 and complies.
<b>Part 5 Miscellaneous Provisions</b>		
<b>5.4</b>	Controls relating to miscellaneous permissible uses  <b>Neighbourhood shops:</b> the retail floor area must not exceed 80 square metres.	Note that via Schedule 1 (19) Commercial premises are permitted in the R4 zone, despite any other provision of the LEP.  The Rezoning Proposal seeks to continue Schedule 1 (19) over the subject site.

5.10	Heritage conservation	Addressed in EIS and complies.
5.21	Flooding	Addressed in EIS and complies.
5.22	Special flood considerations	Addressed in EIS and complies.
<b>Part 6 Additional Local Provision</b>		
6.1	Acid sulfate soils	Addressed in EIS with no acid sulfate soil risk
6.2	Earthworks	Earthwork is proposed as part of this application.
6.3	Environmentally Sensitive Land	Not mapped
6.5	Active street frontages	Not mapped
6.10	<p>Public Utility Infrastructure</p> <p>Development consent must not be granted for development on land in an intensive urban development area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.</p> <p><b>public utility infrastructure</b>, in relation to an intensive urban development area, includes infrastructure for any of the following—</p> <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the disposal and management of sewage.</li> </ul>	An infrastructure services report is provided with the proposal and confirms that all necessary infrastructure is available to support the proposed development. Refer to EIS for detail.
6.11	<p>Mix of dwelling sizes in residential flat buildings and mixed use development</p> <ul style="list-style-type: none"> <li>- at least 20% of the dwellings in the development will be studio or 1 bedroom dwellings, and</li> <li>- at least 20% of the dwellings in the development will have at least 3 bedrooms.</li> </ul>	<p>35% of all apartments are studio or 1 bedroom in size. Complies.</p> <p>20% of all apartments are at least three bedroom in size. Complies.</p>
6.12	Affordable Housing	Not applicable – site is outside of the mapped area.
6.13	Development in areas subject to aircraft noise	Not applicable
6.14	Design Excellence	Not applicable.
<b>Part 8 Burwood-Concord, Homebush North and Kings Bay Precincts</b>		

8.1	Application of Part	Not applicable – site not identified on the Key Sites Map
<b>Schedule 1 Additional permitted uses</b>		
19	<p data-bbox="344 320 592 349">Use of land in Zone R4</p> <p data-bbox="344 383 708 539"><i>Development for the purpose of commercial premises is permitted with development consent on the ground floor of residential flat buildings.</i></p>	The PP will seek to apply this clause to the site.