

Local Area Plans Amendment (14831 dwellings)

Proposal Title : **Local Area Plans Amendment (14831 dwellings)**

Proposal Summary : **The planning proposal is to amend the Bankstown Local Environmental Plan 2015 to implement Council's recommendations for the North Central, North East, South East and South West Local Area Plans.**

PP Number : **PP_2016_CBANK_002_00**

Dop File No : **16/12754**

Proposal Details

Date Planning Proposal Received : **09-Dec-2016**

LGA covered : **Canterbury-Bankstown**

Region : **Metro(CBD)**

RPA : **Canterbury-Bankstown Council**

State Electorate : **AUBURN
BANKSTOWN
EAST HILLS
LAKEMBA**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Precinct**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **land in former Bankstown local government area**

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre : **N/A**

Release Area Name : **N/A**

Regional / Sub Regional Strategy : **Metro West Central subregion**

Consistent with Strategy :

Local Area Plans Amendment (14831 dwellings)

MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots : 0	No. of Dwellings (where relevant) :	14,831
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **As far as the Regional team is aware, there has been no meetings or communication with registered lobbyists in relation to this planning proposal.**

Supporting notes

Internal Supporting Notes : **Council provided additional information on 7 November 2016.
Council provided further additional information on 9 December 2016.**

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The intent of the planning proposal is to implement the recommendations of the North Central, North East, South East and South West Local Area Plans, as well as a number of city wide amendments in the Bankstown Local Environmental Plan 2015.**

DEPARTMENT COMMENT:

- Bankstown Council has prepared Local Area Plans for the North Central, North East, South West and South East.
- The South East Local Area Plan covers Padstow, Padstow Heights, Revesby and Revesby Heights; the South West Local Area Plan covers East Hills, Milperra, Panania, and Picnic Point; the North East Local Area Plan covers Greenacre, Mount Lewis, and Punchbowl; and, the North Central Local Area Plan covers Birrong, Chullora, Condell Park, Yagoona and parts of Bankstown.
- These plans are a council planning policy and not a statutory planning document or instrument. Bankstown Council has not sought the Secretary's endorsement of the Local Area Plans.
- Bankstown Council adopted the Local Area Plans on 11 May 2016. In adopting the plan, Council also included a number of site specific amendments, generally relating to height and floor space ratio which had not been included in the community consultation of the Local Area Plans. These recommendations are discussed later in the report.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The planning proposal includes a number of mapping and instrument amendments to Bankstown Local Area Plan 2015 as follows:

1. PROPOSED CITY WIDE AMENDMENTS

- Insert a design excellence provision.

It is intended that then design excellence will apply to all business zones (B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core, B4 Mixed Use, B5 Business Development, B6 Enterprise Corridor) in the former Bankstown local government area.

DEPARTMENT COMMENT: The planning proposal includes a draft design excellence provision. The Department has a model design excellence provision.

While the planning proposal also provides an explanatory note regarding the intent of the provision, it is recommended that the Gateway determination require clarification that Council's proposed clause may not be the final drafted version.

- Insert a Boarding Houses and serviced apartments provision.

The intent of the proposed provision is to ensure boarding houses and serviced apartments deliver the highest standards of architectural design, and complies with the requirements of State Environmental Planning Policy No. 65; and the Apartment Design Guide.

DEPARTMENT COMMENT:

A proposed clause is included in the proposal which seeks to apply the requirements of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development to serviced apartments and boarding houses. SEPP65 does not apply to serviced apartments or boarding houses currently.

Clause 4(4) of SEPP65 states:

4 Application of Policy

(4) Unless a local environmental plan states otherwise, this Policy does not apply to a boarding house or a serviced apartment to which that plan applies.

Serviced apartment and boarding houses provide a different form of accommodation to standard apartments with a greater emphasis on short term accommodation and communal facilities.

As boarding houses contributes to a diversity in housing choice, particularly in relation to affordability, it is considered inappropriate to impose higher development standards which may impact on feasibility and supply.

It is recommended that this proposed provision be omitted from the planning proposal. The omission of the provision has been discussed with Council staff who have not raised any major concerns.

If Council is concerned about serviced apartments being converted into residential flat buildings, there is a model provision in standard instrument local environmental plans that enables the consideration of SEPP65 to be applied in this instance. It is recommended that the Gateway determination letter advise Council of this model provision, and that it may include this provision in the planning proposal without requesting an alteration to the Gateway determination.

- Insert an Active Street Frontages provision

It is intended that the active street frontages provision would apply to certain land identified on the active street frontages map in each of the local areas, including Punchbowl Road main street in Punchbowl and Greenacre main street, in the north east local area; Cahors Road, Padstow Parade and Howard Road in Padstow, and Selems Parade, Marco Avenue and Revesby Place in Revesby in the south east local area; and,

Traver Street and Anderson Avenue in Panania and McClaurin Avenue, East Hills in the south west local area.

DEPARTMENT COMMENT:

The planning proposal includes a draft clause. The Department has a model active street frontages provision.

While the planning proposal also provides an explanatory note regarding the intent of the provision, it is recommended that the Gateway determination requires clarification within the proposal that Council's proposed clause may not be the final drafted version.

- **Insert Stormwater and water sensitive urban design provision**

It is intended to insert a local provision relating to stormwater and water sensitive urban design to apply to all residential, business, industrial, private recreation and special uses zone.

The proposed amendment is intended to consider the aims and objectives Greater Metropolitan Regional Environmental Plan No. 2 - Georges River Catchment.

DEPARTMENT COMMENT:

The planning proposal includes a draft local clause. The Department has a model stormwater clause.

While the planning proposal also provides an explanatory note regarding the intent of the provision, it is recommended that the Gateway determination require clarification that Council's proposed clause may not be the final drafted version.

- **Amend clause 4.1 to reduce the minimum subdivision lot size for attached dwellings to 250 sqm.**

The proposed amendment intends to apply to R3 Medium Density Residential and R4 High Density Residential zones under the Bankstown LEP 2015.

DEPARTMENT COMMENT:

This provision is intended to be an exception to the lot size shown on the minimum lot size map.

- **Introduce a minimum lot size of 450sqm for secondary dwellings.**

DEPARTMENT COMMENT:

This minimum lot size control is consistent with provisions within State Environmental Planning Policy (Affordable Rental Housing) 2009.

- **Amend the land use table to prohibit 'community facilities' and 'information and education facilities' in the IN1 General Industrial and IN2 Light Industrial zones.**

- **Amend the land use table to prohibit 'serviced apartments' in the B5 Business Development zone.**

- **Insert a local provision for 'Council infrastructure development'**

DEPARTMENT COMMENT:

A similar provision to this proposed provision is included in Blue Mountains Local Environmental Plan 2015. The intent of the provision is to ensure that necessary infrastructure to meet community needs is delivered in a timely manner.

LOCAL AREA PLAN AMENDMENTS:

2. PROPOSED NORTH CENTRAL AMENDMENTS

- Amend zone, height and floor space ratio controls on certain sites within Yagoona Village, and apply lot consolidation provisions to certain sites.
- Amend zone, height and floor space ratio controls on certain sites within Birrong Neighbourhood centre and apply lot consolidation provisions for certain land.
- Amend zones and/or planning controls on certain sites within the Rookwood Road Neighbourhood Centre; Condell Park Neighbourhood Centre; Regents Park Urban Centre; the employment lands within the Local Area Plan; and, in the Hospital Precinct.
- It is proposed to rezone certain parcels of existing open space to R2, identify additional sites for open space, and reclassify a number of parcels of land.
- It is also proposed to amend Terrestrial Biodiversity Map, and include additional local heritage items.

3. PROPOSED NORTH EAST AMENDMENTS

- Amend zone and height and FSR controls on certain sites in Greenacre Small Village Centre, and apply lot consolidation provisions to a number of sites.
- **Punchbowl Small Village Centre**
Amend zone, height and FSR controls on certain sites within Punchbowl Small Village Centre; apply lot consolidation provisions to certain land; and, apply historically significant street facade provisions to certain land at No. 7-25 Breust Place and 709 and 759 Punchbowl Road, Punchbowl.
- Amend zone and height and FSR controls to certain properties within the Hume Highway and Canterbury Road Enterprise Corridors, and apply lot consolidation provisions.
- Amend the height and density provisions for multi dwelling housing at 81-95 Boronia Road, Greenacre
- Amend controls to certain properties in Greenacre Employment lands.
- Identify a number of local heritage items
- It is proposed to rezone certain parcels of existing open space to R2, identify additional sites for open space, and reclassify a number of parcels of land.
- Amend the Terrestrial Biodiversity map.

4. PROPOSED SOUTH WEST AMENDMENTS

- Amend the zone, height and floor space ratio controls on certain sites within the Panania Small Village Centre, and apply lot consolidation provisions to certain sites.
- Amend the zone, height and FSR controls for certain specified properties within the East Hills Neighbourhood Centre, and apply lot consolidation provisions.
- Identify items of local significance in Schedule 5.
- Prohibit multi-dwelling housing for specified properties along the Georges River Foreshore Area (Nos 3-13 Auld Avenue, Milperra, Nos. 13-55 Burbank Avenue, East Hills, Nos 57-95 Burbank Avenue, Picnic Point, Nos 384-406 Henry Lawson Drive, Milperra and Nos. 480-572, 582-614 and 636-692 Henry Lawson Drive, East Hills.

DEPARTMENT COMMENT ON PROPOSED MULTI-DWELLING HOUSING PROVISION:

While concern is raised as to whether this creates a subzone, there is currently a provision in the Bankstown LEP 2015 (Clause 4.1B(4)) which enables the intent of this provision to apply elsewhere in the local government area i.e. "(4) Despite subclause (2), development consent must not be granted to development for the purpose of multi dwelling housing and boarding houses on land identified as "Area 2" on the Special Provisions Map".

- It is proposed to rezone certain parcels of existing open space to R2, identify additional sites for open space, and reclassify a number of parcels of land.

- Amend the terrestrial biodiversity map

- Amend zones for specified properties (mostly from RE1 Public Recreation to SP2 Waste or Resource Management Facility) at Kelso Waste Precinct; amend schedule 1 by removal of a permitted use; and reclassifying properties from "community land" to "operational land" or part "community/operational land".

DEPARTMENT COMMENT:

The proposed change of zone is to reflect the existing use of the site, and protect this usability of this essential infrastructure to meet long term waste and resource management needs.

Some this land is owned by Canterbury-Bankstown Council; Roads and Maritime Services; and, Crown Lands. It is recommended that these agencies be consulted during the exhibition of the planning proposal.

PROPOSED SOUTH EAST AMENDMENTS

- Amend zone and height and FSR controls on certain sites within the Revesby Village Centre, and apply a lot consolidation provisions to certain sites.

- Apply a site specific provision to a catalyst site (7A-17 Marco Avenue) in relation to public benefits.

DEPARTMENT COMMENT ON PUBLIC BENEFIT PROVISION:

The intent of this clause is to deliver some key public improvement works with the opportunity of additional height of building and floor space ratio provisions (proposed 26m building height and 3:1 FSR, and 38m building height and 3.5:1 FSR, if public improvements works - i.e central plaza and public car parking spaces, can be achieved within the development). The application of this provision will be subject to legal drafting.

- Apply an additional permitted use of a "registered club" at 60 McGirr Street, Revesby. The site is currently used for the Revesby Bowling Club.

- Amend zone and height and FSR controls on certain sites within the Padstow Village Centre, and apply lot consolidation provisions.

- Amend schedule 1 to permit additional permitted use – 'bulky goods premises' at No. 122 Canterbury Road, No. 134 Canterbury Road, and No. 148 Canterbury Road, Padstow.

NB: These properties are currently zoned IN1 General Industrial, and the proposed additional permitted use is intended to reflect existing development on these properties.

DEPARTMENT COMMENT ON ADDITIONAL PERMITTED USE

Bankstown Council considered the best mechanism to permit bulky goods premises on these properties including permitting 'bulky good premises' in the IN1 General Industrial zone, and rezoning these sites to B5 Business Development. It was considered that the use of Schedule 1 is the most appropriate mechanism in this instance.

This approach is supported.

- Amend zone (R2 to B6 Enterprise Corridor), height of building and FSR provisions as applying to certain properties - 268 Canterbury Road, 2 Milperra Road and 2-4 The River Road, Revesby (including removal of lot size applying to specified properties).

- Amend Schedule 5 to include specified local heritage items.

- Proposed introduction of local provision to prohibit multi dwelling housing at two specified properties.

DEPARTMENT COMMENT ON PROPOSED MULTI-DWELLING HOUSING PROVISION:
While concern is raised as to whether the above creates a subzone, there is currently a provision in the Bankstown LEP 2015 (Clause 4.1B(4)) which enables the intent of this provision to apply elsewhere in the local government area, as follows: "(4) Despite subclause (2), development consent must not be granted to development for the purpose of multi dwelling housing and boarding houses on land identified as "Area 2" on the Special Provisions Map".

- It is proposed to rezone certain parcels of existing open space to R2, identify additional sites for open space, and reclassify a number of parcels of land.

- Amend Terrestrial Biodiversity Map.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
3.5 Development Near Licensed Aerodromes
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Practice Note PN16-001: Classification and reclassification of public land through a local environmental plan.

The planning proposal includes 49 sites to be reclassified, 38 sites from 'community land' to 'operational land' and 11 sites from 'operational land' to 'community land'.

These sites have been identified through Council's strategic planning work, including an open space analysis in each local area plan and Open Space Strategic Plan adopted by Bankstown Council in 2013.

The majority of sites have been identified for divestment, as they have been identified as surplus to the community needs or do not meet the criteria for high value open space.

On 7 November, Council provided additional information about each parcel in accordance with the Practice Note, including title searches.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

State Environmental Planning Policy No. 55 - Remediation of land

Council has identified that there are currently a number of Council owned properties that are inconsistent with the SEPP, and Council has yet to undertake investigations to determine the suitability of the site for its intended use.

Council had also identified a number of privately owned properties that are inconsistent with the SEPP, and neither Council or the landowner has undertaken investigations to determine the suitability of the site for its intended use.

Council intends to request the land owners undertake these investigations once a Gateway has been issued. It is recommended that the Gateway determination include a condition requiring a stage 1 investigation prior to proceeding to public exhibition.

It is recommended that the Gateway determination include a condition requiring the preliminary assessment the identified sites for contamination risks, and further consider the consistency of the planning proposal with this Direction following exhibition.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP65)

SEPP65 applies to the development and redevelopment of residential flat buildings and aims to improve the design quality of residential apartment development in New South Wales.

DEPARTMENT COMMENT:

The planning proposal includes a proposed provision which would enable the provision of the SEPP to apply to the development of serviced apartments and boarding houses.

This provision has been identified as there a provision within the application of SEPP65, clause 4(4), which states “unless a local environmental plan states otherwise, this Policy does not apply to a boarding house or a serviced apartment to which that plan applies.”. The intent of the proposed provision in the planning proposal is to use this clause in the SEPP as an activation clause to apply the provisions of the SEPP to boarding houses and serviced apartments.

There is currently a standard provision relating to the application of the policy, when a serviced apartment is converted to a residential flat building.

It is considered that the SEPP65 Design Guidelines is not applicable to boarding houses which have a different concept of living standard, i.e. communal space. Some building controls, such as solar and daylight access, are applicable but not the size or layout.

It is recommended that the Gateway determination require that the planning proposal be amended to remove this proposed provision.

Section 117 Directions

3.1 – Residential Zones

The direction applies as the planning proposal will affect land within an existing or proposed residential zone boundary.

The planning proposal proposes to rezone land to high density residential and increase residential density within a 150 metre to 600 metre walking catchment of a number of centres including Yagoona, Padstow, Panania, Revesby, Punchbowl and Greenacre.

The planning proposal is inconsistent with the Direction as it proposes to introduce a provision that will reduce the permissible residential density on certain land that adjoins the Georges River by prohibiting multi-dwelling housing on those lots.

Bankstown Council has proposed this provision to reduce pressure to develop the foreshore area, and to protect the Georges River foreshore area. This proposed provision only affects a number of privately owned properties along the Georges River

foreshore.

It is considered that this inconsistency is of minor significance, as the provision is only proposed to affect a small number of properties in the Local Government Area. It is recommended that the Secretary's delegate agree to the inconsistency.

3.5 – Development near Licenced Aerodromes

The Direction applies as the planning proposal affects land in the vicinity of Bankstown airport.

The planning proposal intends to amend planning provisions which apply to the Local Government Area, and provide strategic uplift to certain centres in the Local Government Area.

The proposed strategic uplift areas appear to be outside the ANEF mapped areas. That being said, it is recommended that Council consult with Department of Infrastructure and Regional Development, Civil Aviation Safety Authority (CASA), and Bankstown Airport prior to public exhibition.

The consistency of the planning proposal with this Direction will be further considered following exhibition.

4.1 Acid Sulfate Soils

The Direction applies as the planning proposal applies to land that has a probability of containing acid sulfate soils and are identified on Council's Acid Sulfate Soils maps.

The planning proposal identifies seven (7) privately owned sites in Punchbowl, Padstow and East Hills that contain a high probability of containing acid sulfate soils (Classes 2-4), that are proposed to have changes to its planning controls.

Council intends to request the land owners undertake further assessment following the issue of a Gateway determination. There is also land that is identified as low probability containing acid sulfate soils (Class 5) as identified on Council's Acid Sulfate Soils map.

For all these sites, there are currently provisions to consider acid sulfate soils in the Bankstown Local Environmental Plan 2015.

The consistency of the planning proposal with this Direction will be further considered following exhibition.

4.3 – Flood Prone land

The Direction applies as Bankstown Council's flood studies have identified that there are a number of areas affected by medium to high risk stormwater and riverine flooding.

There are a number of properties affected by the high risk stormwater flood precinct at the boundary of the sites, which are proposed to be rezoned to enable higher density development.

These sites only have a small portion of the site affected by the high risk flood affectation, and these properties can be developed outside the identified flood risk area.

There are also a number of sites affected by medium risk stormwater flooding. The medium flood risk precinct is land below the 100-year floor level that is not subject to a high hydraulic hazard and where there are no significant evacuation difficulties.

In accordance with Council's policy on medium risk flood precincts, development controls can be utilised to manage flood risk as part of any future development

application. This development controls include develop habitable floor levels with a required freeboard; and, design of parking and access must minimise inundation. This policy was prepared in accordance with the Floodplain Development Manual 2005.

It is recommended that during public exhibition, Council consult with the Office of Environment and Heritage and State Emergency Services (SES). The consistency of the planning proposal with this direction may be further considered following agency consultation.

6.2 – Reserving Land for Public Purposes

The planning proposal includes a proposal to rezone a number of properties which are owned by public authorities including Transport for NSW; Sydney Water; Department of Education; Roads and Maritime Services; and, Crown Lands. The agreement of these agencies have not yet been received. It is recommended that Council consult with the relevant public authorities during the public exhibition period. This requirement is addressed in the letter to Council.

One parcel of land at Kelso landfill proposed to be rezoned from RE1 to SP2 Waste or resource management facility, is owned by the Department of Planning (Office of Strategic Lands). OSL has been consulted and has not raised any objections to the proposed change of zone for this site.

The planning proposal also proposes to rezone and reclassify a number of parcels of land to provide to additional open space, and divest of underutilised public open space. These sites have been identified in accordance with Bankstown Council's open space strategy.

It is recommended that consideration of this direction, and agreement of the Secretary's delegate be further considered, following consultation with public authorities, community consultation, and a public hearing.

6.3 – Site Specific Provisions

This Direction applies as the planning proposal identifies a number of additional permitted uses.

The planning proposal also includes a number of site specific provisions relating to lot consolidation, and a provision to prohibit multi-dwelling housing on certain land along the Georges River foreshore.

These provisions are proposed in response to Bankstown Council's strategic work undertaken to inform the Local Area Plans to achieve better development outcomes; protect the Georges River Foreshore; and, reflect existing uses on the identified sites.

It is considered that the inconsistency with Section 117 Direction 6.3 – Site Specific Provisions is of minor significance and it is recommended that the agreement of the Secretary's delegate be issued in this instance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council has provided maps for each of the Local Area Plans, identifying the mapping amendments for each of the Local Areas (North Central, North East, South East and South West) including:

- land application map;
- land zoning map;
- height of building map;
- floor space ratio map;
- heritage maps;
- terrestrial biodiversity map;
- special provisions map;
- additional permitted uses map;
- active street frontages map; and

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- reclassification map.

The exhibition maps are not consistent with the SI LEP technical mapping requirements.

As the proposed changes to land use zones, floor space ratio controls, height of building controls, and others, only apply to certain areas in each of the local area plans (instead of all the land on the maps), the maps are legible and do make assist in simplifying which maps the community need to review for their local area.

It is recommended that current SI LEP maps area also prepared to identify the current controls for the applicable land, and surrounding controls for the applicable land for public exhibition purposes.

It is also recommended that the Gateway determination require that Council prepare SI LEP compliant maps prior to the finalisation of the planning proposal. This requirement is addressed in the letter to Council.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed to exhibit the planning proposal for 28 days. As the planning proposal also includes the reclassification of land a public hearing is also required.**

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **Practice Note PN16-001: Classification and reclassification of public land through a local environmental plan.**

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **There is sufficient information to assess the planning proposal.**

Proposal Assessment

Principal LEP:

Due Date : **March 2015**

Comments in relation to Principal LEP : **Bankstown Local Environmental Plan 2015 was notified on 5 March 2015.
The planning proposal applies to land within the former Bankstown local government area.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the result of the former Bankstown Council undertaking a number of strategic studies across the former Bankstown local government area.
The former Bankstown has previously prepared a North West Local Area Plan and Bankstown CBD Local Area Plan, the recommendations of which, have been incorporated into Bankstown Local Environmental Plan 2015.**

The former Bankstown Council is aiming to meet dwelling targets identified in the draft West Central Subregional Strategy.

Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY

The planning proposal is generally consistent with A Plan for Growing Sydney. Specifically, the planning proposal is consistent with, a number of Directions, including, but not limited to:

Direction 1.9 - Support priority economic sectors

The planning proposal, and supporting local area plans have identified and protected existing industrial zoned land, and included mechanisms to enable the on-going evolution of industrial and employment generating uses in the local government area.

Direction 2.1 - Accelerate housing supply across Sydney, Direction 2.2 - Accelerate urban renewal across Sydney, Direction 2.3 - Improve housing choice to suit different needs and lifestyles and Direction 3.1 - Revitalise existing suburbs.

The planning proposal intends to enable a variety of medium density and high density residential development in appropriate walking distances around identified centres, providing additional housing supply and opportunity for improved housing choice in areas well serviced by public transport and services.

Direction 3.2 - Create a network of interlinked, multipurpose open and green spaces across Sydney

The planning proposal identifies green spaces that form part of the city's green grid along the Georges Rivers, and reviews existing open space within Bankstown, divesting underutilised open space and identifying and rezoning new open space opportunities across the Local Government Area.

Direction 4.1 - Protect our natural environment and biodiversity

The planning proposal identifies areas of significant vegetation and biodiversity to be protected on the Bankstown Local Environmental Plan Terrestrial Biodiversity Maps.

DRAFT SOUTH DISTRICT PLAN

The draft South District Plan is currently on public exhibition. The planning proposal is generally consistent with the draft South District Plan, as it will provide additional dwelling and employment opportunities.

Specifically, the planning proposal is consistent with the three principles in A Plan For Growing Sydney that underpin many of the priorities of the draft District Plan, including:

- Priority 1: Increasing housing choice around all centres through urban renewal in established areas;
- Priority 2 - Stronger economic development in strategic centres and transport gateways; and
- Priority 3 - Connecting Centres with a networked public transport system.

The planning proposal intends to enable higher density residential development in Yagoona, Punchbowl, Panania, Revesby and Padstow, which are identified as centres in the draft District Plan.

The planning proposal also assists in meeting Canterbury-Bankstown's minimum housing targets in the draft District Plan, 13,250 dwellings by 2021, and the South District minimum housing targets of 83,500 by 2036.

SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR STRATEGY

Punchbowl is identified as a small village centre in Bankstown Council's North East Local Area Plan, and is identified in the Sydenham to Bankstown Urban Renewal Corridor Strategy.

An important part of the Corridor Strategy has been to examine the infrastructure and services required to meet the needs of local communities. The former Bankstown Council has noted that it has consulted with relevant agencies during the preparation of its Local

Area Plans, and that State agencies identified that the local areas have adequate public infrastructure to support residential and employment growth.

The Gateway determination has been conditioned to include a satisfactory arrangements clause for contributions towards the provision of designated State public infrastructure.

BANKSTOWN COUNCIL'S STRATEGIC WORK

Bankstown Council commissioned a number of studies to inform the draft Local Area Plans, including an Urban Design Study.

The urban design study translates the vision for the centres identified in Bankstown Council's Residential Development Study and Local Areas Issue Paper into an Urban Design approach.

The urban design study incorporates the findings of the:

- retail and commercial floor space needs analysis;
- market feasibility report; and
- the heritage review.

•The methodology to prepare the Urban Design Study included:

- o a review of the urban planning context including a review of current planning controls;
- o preparation of urban design principles for each of the town centres to inform the subsequent planning work. The urban design principles were reality tested for dwelling yield to assess in broad terms each centres capacity and the appropriateness of the proposed urban footprint;
- o development of a structure plan for each of the centres. The Council staff workshopped three (3) urban footprint and density scenarios – growth concentrated, hybrid and density spread. A series of preferred structure plans were developed with corresponding building heights, gross floor area and dwelling numbers summarised in a yield schedule;
- o upon completion of the Structure Plans, these were tested with 3D modelling, building typology investigations, economic feasibility, and movement and activity review;
- o the preparation of development controls plans recommendations, which include streetscape and building envelope designs, building articulations, transitions in building heights and interfaces with open space and community facilities; and,
- o the preparation of a public domain improvement program.

The Urban Design Study informed the preparation of the Local Area Plans.

COUNCIL'S LOCAL AREA PLANS

The former Bankstown Council commenced work on Local Area Plans for the North East (Greenacre, Mount Lewis, and Punchbowl), North Central (Birrong, Chullora, Condell Park, Potts Hill, Regents Park and Yagoona), South East (Padstow, Padstow Heights, Revesby and Revesby Heights) and South West (East Hills, Milperra, Panania and Picnic Point) in 2013.

The former Bankstown Council exhibited the draft Local Area Plans in September 2014. Following consideration of submissions, the former Bankstown Council revised the planning proposal and re-exhibited the draft Local Area Plans in November 2015.

In May 2016, the former Bankstown Council adopted the draft Local Area Plans. On the night, the former Councillors adopted a number of off-the-floor recommendations which had not been publicly exhibited.

The planning proposal includes these recommendations. Consideration of these Council resolutions and the consistency with the exhibited draft Local Area Plans are discussed below:

COUNCIL RESOLUTIONS ADOPTED ON 11 MAY 2016

The former Bankstown Council considered a report on 26 April 2016, which provided a summary of the key issues raised by the received submissions. The Council resolved to defer the draft Plans to allow amendments to be considered at Council workshop.

An extraordinary meeting was held by the former Bankstown City Council on 11 May 2016.

At this meeting, the former Council resolved and approved the Local Area Plans for the City's North East, North Central, South East and South West areas.

The former Council resolved to make the following:

- o Six (6) Amendments to the North Central Local Area Plan;
- o Three (3) amendments to the North East Local Area Plan;
- o Twelve (12) amendments to the South East Local Area Plan; and
- o One (1) amendment to the South West Local Area Plan.

The adopted amendments to the Local Area Plans are discussed below.

NORTH CENTRAL LOCAL AREA PLAN

The former Council resolved to make six (6) amendments to the North East Local Area Plan. These are discussed below:

SITE - Properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona

CURRENT CONTROLS - Zone - Zone B2 Local Centre, Maximum Height of Buildings 6 storeys, with a 3 storey buffer at the Crescent, with 2:1 FSR.

LOCAL AREA PLAN RECOMMENDATION - Proposed zone B2 Local Centre, Maximum Height of Buildings 8 storeys, with 2.5:1 FSR, subject to lot consolidation. Otherwise Maximum Height of Buildings 6 storeys will apply.

COUNCIL RESOLUTION - Proposed zone B2 Local Centre, Maximum Height of Buildings 8 storeys, with a FSR to match.

DEPARTMENT CONSIDERATION - The Local Area Plans indicated that in the B2 zone in the Yagoona Village Centre 6-8 storeys with an FSR between 2.5:1 and 3:1 were feasible. The local area plan proposed to encourage a 6 storey height limit, and enable additional height to 8 storeys to be permissible with lot consolidation to encourage better design outcomes for the area and maintain the car park on the southern side of the Hume Highway at 120 Highland Avenue.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the additional height controls are achievable through lot consolidation which will enable a better design outcome for the area.

SITE - Properties at 176 – 184 Cooper Road in Yagoona

CURRENT CONTROLS - Zone B2 Local Centre, Maximum height of buildings of 6 storeys and 2:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Maintain the B2 zone, and HOB control, and increase FSR to 2.5:1.

LOCAL AREA PLAN RECOMMENDATION - Proposed zone B2 Local Centre, Maximum height of buildings of 6 storeys and 2.5:1 FSR.

COUNCIL RESOLUTION: Proposed zone B2 Local Centre, Maximum height of buildings of 8 storeys with an FSR to match

DEPARTMENT CONSIDERATION - The site is intended to be redeveloped to help revitalise the town centre, improve vehicular movements and provide a new community centre and quality development overlooking Gazzard Park. The additional floor space ratio proposed in the Local Area Plan will increase the feasibility of redevelopment on the site, without impacting on the amenity of the adjoining park and surrounding land. The Local Area Plan notes that based on the urban design analysis, a traditional village centre is comprised of buildings that create dense urban form, generally of a similar height and not more than six (6) storeys. The continuous urban form helps define the streets and public spaces. The Local Area Plan notes that there is an opportunity for a taller precinct (8 storeys), which is achieved at the site between Church Road, Church Lane and the train line, and the site between Church Street, Petty Street and Breasley Place. It is considered the additional height and floor space ratio controls proposed in the Council resolution will potentially result in overdevelopment of the site, undermine the urban design intent of one taller precinct and may have potential traffic impacts for the area.

DEPARTMENT RECOMMENDATION - Maintain Local Area Plan recommendation, as the

increased heights proposed by the Council resolution are inconsistent with the desired future character for the centre, and could create amenity issues for the adjoining park and surrounding land.

SITE - Properties at 255 – 291 Cooper Road in Yagoona

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum Height of Buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential with a maximum height of buildings of 6 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - Council's economic analysis indicated that in the R4 zone in the Yagoona Village Centre 4–6 storeys with an FSR between 1:1 and 1.5:1 were feasible. The proposed controls in the Local Area Plan are considered appropriate for the site to enable redevelopment in proximity to the Yagoona train station without resulting in overdevelopment of land on Cooper Road and creating excess traffic and amenity issues. While it is noted that 6 storeys is within the desired built form standards for village centres (between four (4) and six (6) storeys), in the identified Yagoona residential frame A consistent height across the whole of the street block is appropriate to promote compatibility of design and function due to the fragmented ownership. The street block adjoins low density residential therefore 4 storeys is considered the appropriate height for the entire block.

DEPARTMENT RECOMMENDATION - Retain Local Area Plan recommendation, as the proposed increased heights are inconsistent with the recommended desired future character for the centre.

SITE - Properties at 11 – 31 Rookwood Road in Yagoona

CURRENT CONTROLS - Zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential with a maximum height of buildings of 6 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - This site is adjacent to Bankstown North Public School. It is considered that the additional height and FSR on this residentially zoned site may result in overshadowing and amenity issues for the adjoining school site.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the additional heights may result in overshadowing on the adjoining school.

SITE - Gascoigne Reserve

CURRENT CONTROLS - Currently a Council reserve (Zone RE1 Public Recreation).

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R2 Low Density Residential, maximum Height of Buildings of 2 storeys and 0.5:1 FSR. Additionally, reclassify the site from "community land" to "operational land".

COUNCIL RESOLUTION - Retain the property at 55A Gascoigne Road in Birrong (Gascoigne Reserve) as open space.

DEPARTMENT CONSIDERATION - It is noted that local residents currently use the reserve for active and passive recreation. The reserve does not have any street frontage (bound by the rear fences of residential properties) and is adjacent to good quality open spaces (Jim Ring Reserve and Maluga Passive Park).

The site is largely inaccessible for redevelopment. Council should undertake further studies to ascertain how redevelopment could occur, given these access issues. Alternatively, the greenspace could be enhanced to make it a more significant local open space.

DEPARTMENT RECOMMENDATION - Retain as per Council Resolution of 11 May 2016, as the site has access issues which would limit redevelopment opportunities. Additional justification is to be provided if Council wishes to pursue the sale of this property..

SITE - 30-46 Auburn Road, Regents Park.

CURRENT CONTROLS - Zone R4 High Density Residential, maximum height of buildings of 2 storeys and 0.6:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R4 High Density Residential, maximum height of buildings of 8 storeys abutting the train line and 6 storeys on Auburn Road and 1.75:1 FSR.

COUNCIL RESOLUTION - Zone R4 High Density Residential with a suitable maximum height of buildings to be determined with a 2.25:1 FSR, subject to traffic and public domain works.

DEPARTMENT CONSIDERATION - This site was subject to a pre-Gateway review (PGR_2014_BANKS_002_00). The Sydney West Joint Regional Planning Panel (the Panel) recommended that the planning proposal proceed with a maximum floor space ratio of 1.75:1 and a maximum height provision of 6 storeys for Auburn Road and 8 storeys for the remainder of the site. This recommendation was made based on the publicly exhibited North Central Local Area Plan prepared by the Council and as supported by a detailed urban design and traffic analysis. A planning proposal consistent with the recommendations of the Local Area Plan and JRPP recommendation was submitted to the Department and a Gateway determination was issued on 23 September 2016. It is noted that the proponent would like the additional height and floor space ratio controls included by the Council resolution in this proposal.

DEPARTMENT RECOMMENDATION - The separate planning proposal for this site was granted a Gateway determination on 23 September 2016 and was subject to assessment by the JRPP. It is recommended that this site is excluded from the planning proposal and proceed with the controls recommended in the Local Area Plan and Pre-Gateway Review. Council supports this approach.

CONCLUSION

It is recommended the Gateway determination include a condition requiring the planning proposal to be amended to reflect the recommendations in the North Central Local Area Plan for Properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; Properties at 176 – 184 Cooper Road in Yagoona; Properties at 255 – 291 Cooper Road in Yagoona; and Properties at 11 – 31 Rookwood Road in Yagoona.

It is further recommended that the planning proposal maintain the Council resolution for Gascoigne Reserve; and that 30-46 Auburn Road, Regents Park be excluded from the planning proposal, as it is currently subject to a separate planning proposal.

NORTH EAST LOCAL AREA PLAN

The former Council resolved to make three (3) amendments to the North East Local Area Plan. These are discussed below:

SITE - Nos 66-86 Waterloo Road and No. 2 Mimosa Road, Greenace

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum Height of Buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Maintain existing controls.

COUNCIL RESOLUTION - Rezone to R4 High density residential with maximum height of 3 storeys and FSR to match.

DEPARTMENT CONSIDERATION - The site is located to the south of Council proposed extension of a high density zone along Waterloo Road, which ends at the northern side of Mimosa Road. The proposed change of zone includes a heritage item and school, and extends outside Council's 400 metre walking catchment identified for small village centres. No planning evidence has been submitted to justify the extension of zone.

DEPARTMENT RECOMMENDATION - Retain Local Area Plan recommendation, as the site is located outside the identified walking catchment.

SITE - Nos 102 Columbine Ave, Punchbowl (Warwick Reserve)

CURRENT CONTROLS - RE1 Public open space

LOCAL AREA PLAN RECOMMENDATIONS - Rezone to B1 Neighbourhood Centre; and, reclassify the site from "community land" to "operational land".

COUNCIL RESOLUTION - Rezone to R2 Low Density residential with maximum height of buildings at 2 storeys with an FSR to match; and, reclassify the site from "community land" to "operational land".

DEPARTMENT CONSIDERATION - This site appears to be a logical extension of existing B1 Neighbourhood Centre zone however, the Local Area Plan does not include a retail

assessment to justify the need for additional retail uses in this precinct. A site visit indicated the shops were underutilised and a few of the businesses had been converted to residential uses. It is noted that the B1 zone permits Residential Flat Buildings and shop top housing, so there is opportunity for residential uses on the site, if the Local Area Plan recommendation is retained. However the R2 zone will allow residential development that is consistent with the character of housing in the locality and therefore it is considered that the R2 zone will promote a more acceptable form of development.

DEPARTMENT RECOMMENDATION - Support the Council resolution as the site visit indicated that there was insufficient demand for additional retail for this area.

SITE - No 23 Canterbury Road, Punchbowl

CURRENT CONTROLS: Zone B1 Neighbourhood Centre, with a maximum height of buildings of 11 metres.

LOCAL AREA PLAN RECOMMENDATION: Proposed zone B1 Neighbourhood Centre, with a maximum height of buildings of 11 metres.

COUNCIL RESOLUTION: Proposed zone B1 Neighbourhood Centre, with a maximum height of buildings of 14 metres.

DEPARTMENT CONSIDERATION - The adjoining land also zoned B1 at No 21 Canterbury Road has had an increase of height to 17m as it is intended that this site would be consolidated and developed with Nos 921, 921A and 921B Punchbowl Road (zoned B1). No. 23 Canterbury Road was excluded as the site is heavily constrained with electricity and drainage easements. It is considered that as the site has limited opportunity and site area for redevelopment, the additional height control will make the development of the site more feasible. It is noted that the site constraints are likely to ensure a separation between future development and the existing residential development to the west of the site.

DEPARTMENT RECOMMENDATION - Retain as per Council Resolution of 11 May 2016, as the additional height controls will increase the feasibility of redeveloping the site as it is heavily constrained.

CONCLUSION

It is recommended the Gateway determination include a condition requiring the planning proposal to be amended to reflect the recommendations in the North East Local Area Plan for Nos 66-86 Waterloo Road and No. 2 Mimosa Road, Greenace.

SOUTH EAST LOCAL AREA PLAN

- The former Council resolved to make twelve (12) amendments to the South East Local Area Plan. These are discussed below:

SITE - Nos 41-75C Marco Avenue and Nos 36-38 Polo Street, Revesby

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R4 High Density Residential, maximum height of buildings of 6 storeys and 1.5:1 FSR.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential, maximum height of buildings of 8 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - The site is on the edge of the Local Area Plan identified residential frame and uplift area. The proposed heights are inconsistent with the Local Area Plan's overall Height of Buildings Strategy, with maximum heights of 6 storeys for R4 High Density Residential zoned land. Height of buildings greater than 6 storeys have been discouraged in the Local Area Plans to minimise overshadowing. The Local Area Plans have recommended a six (6) storey maximum height to reflect the proximity to the commercial core and Amour Park. Other areas within the residential frame are recommended to have a maximum four (4) storey height to provide an appropriate built form transition. No justification has been provided for the increase height sought by the Council resolution.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the proposed heights of 8 storeys is inconsistent with Council's overall policy position for high density residential development, which recommends a maximum height of buildings of 6 storeys.

SITE - Nos. 2-26 Swan Street and Nos 9-13 Polo Street, Revesby
CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR
LOCAL AREA PLAN RECOMMENDATIONS - Zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR
COUNCIL RESOLUTION - Proposed zone R4 High Density Residential with a maximum height of buildings of 6 storeys and a FSR to match.
DEPARTMENT CONSIDERATION - The site is located at the northern edge of residential frame and uplift area. This area has been identified in the urban design analysis as having constraints, specifically, the street layout, cul-des-sacs and narrow street widths. Site inspection confirmed that access to the area is constrained.
DEPARTMENT RECOMMENDATION - Maintain Local Area Plan recommendation, as the area is constrained and has limited access.

SITE - Properties bounded by Bransgrove Road, Polo Street and The River Road (north of the proposed Revesby Village Centre).
CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.
LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.
COUNCIL RESOLUTION - Proposed zone R4 High Density Residential with a maximum height of buildings of 3 storeys with an FSR to match.
DEPARTMENT CONSIDERATION - The site is outside of the residential fringe (north) area, and this area has been identified in the urban design analysis as having constraints, specifically, the street layout with cul-des-sacs and narrow street widths. Access constraints were confirmed during a site inspection
DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the area is constrained and has limited access.

SITE - No. 60 McGirr Street and Nos 60-80A Uranus
CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.
LOCAL AREA PLAN RECOMMENDATIONS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR. Additionally, insert "registered clubs" as an additional permitted use at No. 60 McGirr Street, Revesby.
COUNCIL RESOLUTION: Proposed zone R4 High Density Residential, maximum height of buildings of 4 storeys with an FSR to match
DEPARTMENT CONSIDERATION - The site is outside the identified residential fringe area and beyond the 600m walking distance catchment. This site could have the potential to be investigated as part of a future amendment but as no planning justification has been provided it is considered that the rezoning is premature.
DEPARTMENT RECOMMENDATION - Retain Local Area Plan recommendation, as the site is outside of the identified walking catchment.

SITE - Nos 20-26 Howard Road, Padstow
CURRENT CONTROLS - Zone B2 Local Centre with a maximum height of buildings of 4 storeys with 1:1 FSR.
LOCAL AREA PLAN RECOMMENDATIONS - Zone B2 Local Centre with a maximum height of buildings of 6 storeys with 2.5:1 FSR.
COUNCIL RESOLUTION - Proposed zone B2 Local Centre with a maximum height of buildings of 8 storeys with an FSR to match.
DEPARTMENT CONSIDERATION - The site is on the edge of the proposed commercial core on the southern side of the railway line. The proposed heights in the Local Area Plan graduate down to 4 storey to the adjoining residential zone. Height of building controls greater than 6 storeys have been discouraged in the Local Area Plans to minimise overshadowing impacts.
DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the area is a buffer area between high and low density residential development.

SITE - 2-16A Banks Street and Nos 43-49 Cahors Road, Padstow
CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of

2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Zone R4 High Density Residential, maximum height of buildings of 6 storeys and 1.5:1 FSR.

COUNCIL RESOLUTION - Proposed zone B2 Local Centre with a maximum height of buildings of 8 storeys with an FSR to match

DEPARTMENT CONSIDERATION - This site is outside the identified commercial precinct (spine of centre) in the Local Area Plan. Site inspection confirmed there is limited connectivity to the northern commercial core or the station. The Local Area Plan identifies that the intended outcome is to extend retail activity and active street frontages along the main street spine to ensure the long term success of the village centre. Further, the proposed increased heights could result in a number of urban design issues with the adjoining low density residential land including inconsistency with the character of the area, and traffic impacts on the local road network.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as the site is outside the existing commercial core. The Local Area Plans have limited commercial zoning to encourage the concentration of commercial development in Padstow Parade to reinforce the centre.

SITE - Nos 7-9 and 10-12 Jeanette Street, Nos 18-22 Banks Street and Nos 25-39 Stephanie Street, Padstow.

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS -Zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR at Nos 7-9 and 10-12 Jeanette Street, Nos 18-22 Banks Street, and 6 storeys and 1:1 FSR at 25-39 Stephanie Street, Padstow.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential, maximum height of buildings of 8 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - This site is located on the edge of the identified residential frame, with limited access through a cul de sac. Local Area Plan recommendations provides appropriate buffer and graduation of heights to the low density residential zoned land.

DEPARTMENT RECOMMENDATION - Maintain Local Area Plan recommendation, as the area is a buffer area between high and low density residential development.

SITE - Nos 1-5 and 2-8 Jeanette Street, Nos 24-30 Banks Street and Nos 1-23 Stephanie Street

CURRENT CONTROLS - Zone R2 High Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Zone R4 High Density Residential, maximum height of buildings of 4 storeys and 1:1 FSR.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential, maximum height of buildings of 6 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - This area has been identified in the urban design analysis as having constraints, specifically, the street layout (cul-des-sacs) and narrow street widths. This area also provides a buffer to low density residential zoned land.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as there are traffic constraints to higher density residential development in this area.

SITE - Nos 1-31 Segers Avenue and Nos 12-20 Faraday Road, Padstow

CURRENT CONTROLS -Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Zone R4 High Density Residential, maximum height of buildings of 6 storeys and 1.5:1 FSR.

COUNCIL RESOLUTION - Zone B2 Local Centre, maximum height of buildings of 6 storeys with an FSR to match.

DEPARTMENT CONSIDERATION - A business zone on this site is inconsistent with Council's strategy for the commercial spine. This area is intended to provide a transition between greater heights in commercial spine and low density residential. The Local Area Plans have also limited commercial zoning to control supply and encourage the concentration of commercial development in Padstow Parade to reinforce the centre. The Local Area Plan identifies that the desired future character for the southern commercial core precinct is the

local retail magnet with the anchor supermarket. It is intended outcome is to extend retail activity and active street frontages along the main street spine (Howard Road and Padstow Parade) to create a vibrant streetscape and ensure the long term success of the village centre. Additionally there is limited opportunity for connectivity back to the identified commercial centre on Padstow Parade.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation to ensure the viability of business development along Padstow Parade.

SITE - Nos 1-25 Banks Street, No 1-8 Nigel Place in Padstow

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R4 High Density Residential, maximum height of buildings of 6 storeys and 1.5:1 FSR, and maximum height of buildings of 4 storeys and 1:1 FSR.

COUNCIL RESOLUTION - IProposed zone R4 High Density Residential maximum height of buildings of 8 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - This site provides a buffer and transition area from commercial spine to low density residential. The Local Area Plans has discouraged building heights of 8 storeys to minimise overshadowing.

DEPARTMENT RECOMMENDATION - Retain Local Area Plan recommendation, as the site provides a buffer area between the commercial spine and lower density residential area.

SITE - Nos 42-86 and Nos 45-89 Iberia Street, Padstow

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential maximum height of buildings of 4 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - TThis site would be an expansion of residential fringe area. In the Local Area Plan this area provides a transition zone to low density residential. The street is within the 600m walking catchment. However, it is considered the areas should be retained as low density residential to be consistent with the existing character of the street and concentrate higher density residential development closer to the centre and Cahors Road.

DEPARTMENT RECOMMENDATION - Retain the Local Area Plan recommendation, as this area has been identified as a transition area between the higher and lower density.

SITE - Nos 8-12 Segers Avenue, Padstow

CURRENT CONTROLS - Zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

LOCAL AREA PLAN RECOMMENDATIONS - Zone R3 Medium Density Residential, maximum height of buildings of 3 storeys and 0.75:1 FSR.

COUNCIL RESOLUTION - Proposed zone R4 High Density Residential maximum height of buildings of 4 storeys with a FSR to match.

DEPARTMENT CONSIDERATION - The site provides a transition of heights to the proposed R4 High density residential zoning to the north to the school. The height was proposed to reduce overshadowing to the adjoining school. The proposed increased height is inconsistent with adjoining land on Gloucester Street.

DEPARTMENT RECOMMENDATION - Retain Local Area Plan recommendation, as the additional height is consistent with the adjoining land on Gloucester Street.

CONCLUSION

It is recommended the Gateway determination include a condition requiring the planning proposal to be amended to reflect the recommendations in the South East Local Area Plan for all the sites identified in the Council resolution.

SOUTH WEST LOCAL AREA PLAN

The former Bankstown Council resolved to adopt the South West Local Area Plan with one (1) amendment. This site is discussed below:

SITE - No. 96 Malvern Street, Panania (Malvern Reserve)

CURRENT CONTROLS - Zone RE1 Public Open Space

LOCAL AREA PLAN RECOMMENDATIONS - Proposed zone R2 Low Density Residential, maximum height of buildings of 2 storeys and 0.5:1 FSR.

COUNCIL RESOLUTION - Proposed zone RE1 Public Open Space.

DEPARTMENT CONSIDERATION - This site is a standalone corner block of open space, which could be maintained as open space or zoned R2 low density residential. It does not appear to be well utilised as open space. The Local Area Plan identifies that this site is surplus to the open space needs and has limited connectivity with adjoining open space areas, however, a site inspection determined that there is limited passive neighbourhood open space in this area.

DEPARTMENT RECOMMENDATION - Maintain the Council resolution. While the reasons for recommending the site being rezoned for low density residential development are noted, a desk top assessment and site inspection determined that there is limited passive neighbourhood open space in this area. This site can continue to provide passive recreation opportunities and green space in the Panania area.

CONCLUSION

It is recommended the Gateway determination include a condition requiring the planning proposal to be amended to reflect the Council resolution for No. 96 Malvern Street, Panania in the South West Local Area Plan.

Environmental social
economic impacts :

ENVIRONMENTAL

The Local Area Plans which inform the planning proposal have considered a number of environmental considerations including flood prone land, land identified as bushfire prone, land identified as potentially containing acid sulfate soils, and potentially contaminated land.

The planning proposal has identified that some additional investigations are intended following the issue of the Gateway determination with regards to acid sulfate soils and potentially contaminated land.

Flood prone land – stormwater flooding

The planning proposal includes some areas which have been proposed to be rezoned to higher density residential, which are identified as being within the medium risk flood affectation area. In accordance with Council's policy, the planning proposal identifies that there are development and design mechanisms that can be utilised to manage and mitigate the flood affectation of this land. It is recommended that Council consult with the Office of Environment and Heritage, and State Emergency Services, during the public exhibition period.

Terrestrial Biodiversity

The Local Area Plans have identified areas of ecologically sensitive areas which have been identified in the Terrestrial Biodiversity Maps.

Local Open Space

The planning proposal also considers the existing open space in each of the local area plan areas, recommending rezoning of underutilised open space, and rezoning and acquisition of more appropriately located open space across the local government area.

Other potential environmental considerations include noise and air quality along arterial roads, and land use conflicts between sensitive land uses. The planning proposal includes recommendations to encourage uplift in appropriate areas to minimise land use conflict. The planning proposal identifies potential risks in exposure to residential development near electricity easements, in particular near No. 23 Canterbury Road, Punchbowl. Council intends to consult with the relevant energy provider following the issue of a Gateway determination.

SOCIAL AND ECONOMIC

The planning proposal encourages an integrated social and economic renewal of a number of centres, encouraging growth and strategic uplift within 150m and 600m of the centres with recommendations to improve social infrastructure and community facilities in

Local Area Plans Amendment (14831 dwellings)

the process.

The planning proposal encourages additional employment opportunities within existing centres and identified employment precincts. Further, higher density residential development in walkable proximity to centres and public transport are envisaged.

Assessment Process

Proposal type : Precinct Community Consultation Period : 28 Days

Timeframe to make LEP : 18 months Delegation : DDG

Public Authority Consultation - s56(2)(d) :
Essential Energy
Sydney Metropolitan Catchment Management Authority
Department of Education and Communities
Office of Environment and Heritage
Family and Community Services - Housing NSW
Department of Trade and Investment
Transport for NSW
Department of Health
Transport for NSW - Sydney Trains
Transport for NSW - Roads and Maritime Services
State Emergency Service
Sydney Water
Adjoining LGAs
Other

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed? Yes

If no, provide reasons : The planning proposal should proceed as intends to enable the redevelopment of certain land within walking distance of existing centres, and strengthen the commercial core of existing centres.

Resubmission - s56(2)(b) : No

If Yes, reasons : There is sufficient information to assess the planning proposal.

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons : There are a number of proposed amendments to create higher density residential development within walking distance of existing centres and train stations.

As part of the Gateway determination, it is recommended that Council consult with relevant infrastructure agencies, and public infrastructure agencies including Transport for NSW, Roads and Maritime Services, Department of Education and Communities and Department of Health.

Documents

Document File Name	DocumentType Name	Is Public
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Local Area Plans Amendment (14831 dwellings)

Cover Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal - Local Area Plans - Written Document.pdf	Proposal	Yes
Map 01 - Land Application Map - North Central.pdf	Map	Yes
Map 02 - Land Application Map - North East.pdf	Map	Yes
Map 03 - Land Application Map - South East.pdf	Map	Yes
Map 04 - Land Application Map - South West.pdf	Map	Yes
Map 05 - Land Application Map - Former Bankstown LGA.pdf	Map	Yes
Map 06 - Land Zoning Map - North Central.pdf	Map	Yes
Map 07 - Land Zoning Map - North East.pdf	Map	Yes
Map 08 - Land Zoning Map - South East.pdf	Map	Yes
Map 09 - Land Zoning Map - South West.pdf	Map	Yes
Map 10 - Lot Size Map - North Central.pdf	Map	Yes
Map 11 - Lot Size Map - North East.pdf	Map	No
Map 12 - Lot Size Map - South East.pdf	Map	Yes
Map 13 - Lot Size Map - South West.pdf	Map	Yes
Map 14 - Height of Buildings Map - North Central.pdf	Map	Yes
Map 15 - Height of Buildings Map - North East.pdf	Map	Yes
Map 16 - Height of Buildings Map - South East.pdf	Map	Yes
Map 17 - Height of Buildings Map - South West.pdf	Map	Yes
Map 18 - Floor Space Ratio Map - North Central.pdf	Map	Yes
Map 19 - Floor Space Ratio Map - North East.pdf	Map	Yes
Map 20 - Floor Space Ratio Map - South East.pdf	Map	Yes
Map 21 - Floor Space Ratio Map - South West.pdf	Map	Yes
Map 22 - Heritage Map - North Central.pdf	Map	Yes
Map 23 - Heritage Map - North East.pdf	Map	Yes
Map 24 - Heritage Map - South East.pdf	Proposal	Yes
Map 25 - Heritage Map - South West.pdf	Map	Yes
Map 26 - Terrestrial Biodiversity Map - North Central.pdf	Map	Yes
Map 27 - Terrestrial Biodiversity Map - North East.pdf	Map	Yes
Map 28 - Terrestrial Biodiversity Map - South East.pdf	Map	Yes
Map 29 - Terrestrial Biodiversity Map - South West.pdf	Map	Yes
Map 30 - Special Provisions Map - South East.pdf	Map	Yes
Map 31 - Special Provisions Map - South West.pdf	Map	Yes
Map 32 - Additional Permitted Uses Map - North Central.pdf	Map	Yes
Map 33 - Additional Permitted Uses Map - South East.pdf	Map	Yes
Map 34 - Active Street Frontages Map - North Central.pdf	Map	Yes
Map 35 - Active Street Frontages Map - North East.pdf	Map	Yes
Map 36 - Active Street Frontages Map - South East.pdf	Map	Yes
Map 37 - Active Street Frontages Map - South West.pdf	Map	Yes
Map 38 - Land Reclassification Map - Lucas Road.pdf	Map	Yes
Map 39 - Land Reclassification Map - Henry Lawson Drive.pdf	Map	Yes
North Central Local Area Plan.pdf	Study	Yes
North East Local Area Plan.pdf	Study	Yes
South East Local Area Plan.pdf	Study	Yes
South West Local Area Plan.pdf	Study	Yes
Extraordinary Meeting - 11 May 2016 - Minutes.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan - Attachment A.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan - Attachment B.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan - Attachment C.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan - Attachment D.pdf	Proposal	Yes

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Extraordinary Meeting 11 May 2016 - Council Report - North Central Local Area Plan - Attachment E.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan - Attachment A.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan - Attachment B.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan - Attachment C.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan - Attachment D.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - North East Local Area Plan - Attachment E.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan - Attachment A.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan - Attachment B.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan - Attachment C.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan - Attachment D.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South East Local Area Plan - Attachment E.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan - Attachment A.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan - Attachment B.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan - Attachment C.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan - Attachment D.pdf	Proposal	Yes
Extraordinary Meeting 11 May 2016 - Council Report - South West Local Area Plan - Attachment E.pdf	Proposal	Yes
Reclassification - Cover Sheet.pdf	Proposal	Yes
Reclassification - North Central Local Area.pdf	Proposal	Yes
Reclassification - North East Local Area.pdf	Proposal	Yes
Reclassification - South East Local Area.pdf	Proposal	Yes
Reclassification - South West Local Area.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 1.1 Business and Industrial Zones
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.1 Acid Sulfate Soils
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 6.2 Reserving Land for Public Purposes
 - 6.3 Site Specific Provisions

Additional Information : **Delegation of the Greater Sydney Commission's Plan Making Functions:**
Due to the significant nature of the planning proposal, it is recommended that the

delegation of the Greater Sydney Commission's plan making functions not be issued in this instance.

Inconsistency with Section 117 Directions

It is recommended that further consideration be given to Section 117 Directions 3.5 - Development Near Licenced Aerodromes, Section 117 Direction 4.1 - Acid Sulfate Soils; Section 117 Direction 4.3 - Flood Prone Land; and Section 117 Direction 6.2 - Reserving Land for Public Purposes, following public exhibition and consultation with public authorities.

It is recommended that the delegate of the Greater Sydney Commission agree that the inconsistencies with Section 117 Direction 3.1 - Residential Zones and 6.3 - Site Specific Provisions, are of minor significance, and should be supported in this instance.

It is recommended that the planning proposal proceed, subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to:

- omit the reference to "additional amendments as resolved by Council in May 2016", on page 10 and 15, for properties bound by Highland Avenue, The Crescent, Dutton Street and Yagoona Lane in Yagoona; Properties at 176–184 Cooper Road in Yagoona; Properties at 255–291 Cooper Road in Yagoona; and Properties at 11–31 Rookwood Road in Yagoona; and amend the draft North Central exhibition maps as required;
- omit the reference to "additional amendments as resolved by Council in May 2016", on page 32, for 66–86 Waterloo Road and 2 Mimosa Road, Greenacre, while maintaining the other recommendations in the North East Local Area Plan;
- exclude 30–46 Auburn Road, Regents Park, from the planning proposal, as it is currently subject to a separate planning proposal;
- omit the reference to "additional amendments as resolved by Council in May 2016" on page 86 for the South West Local Area Plan and update the planning proposal to be consistent with the Council resolution for 96 Malvern Street, Panania;
- omit the reference to "additional amendments as resolved by Council in May 2016", on pages 55, 56, 62 and 63, for the South East Local Area Plans, relating to the following properties:
 - 41–75C Marco Avenue and 36–38 Polo Street, Revesby;
 - 2–26 Swan Street and 9–13 Polo Street, Revesby;
 - Properties bounded by Bransgrove Road, Polo Street and The River Road (north of the proposed Revesby Village Centre);
 - 60 McGirr Street and 60–80A Uranus Road, Revesby;
 - 20–26 Howard Road, Padstow;
 - 2–16A Banks Street and 43–49 Cahors Road, Padstow;
 - 7–9 and 10–12 Jeanette Street, 18–22 Banks Street and 25–39 Stephanie Street, Padstow;
 - 1–5 and 2–8 Jeanette Street, 24–30 Banks Street and 1–23 Stephanie Street, Padstow;
 - 1–31 Segers Avenue and 12–20 Faraday Road, Padstow;
 - 1–25 Banks Street and 1–8 Nigel Place, Padstow;
 - 42–86 and 45–89 Iberia Street, Padstow; and
 - 8–12 Segers Avenue, Padstow; and maintain the recommendations in the South East Local Area Plan, except 89–99 Howard Road, 2–6 Segers Avenue and 2–6 Gloucester Avenue Padstow, which has been deferred from the planning proposal;
- omit the proposed boarding houses and serviced apartments provision on page 90 of the planning proposal;
- update the assessment of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) with the outcome of a stage 1 preliminary assessment;
- update the assessment of Section 117 Direction 4.1 – Acid Sulfate Soils with the outcome of the preliminary assessments;
- amend the planning proposal to include information relating to all the sites to be reclassified in accordance with Practice Note PN16-001;
- include additional information with the explanatory note for each of the proposed local clauses that the proposed wording of each provision is subject to legal drafting and may be changed when the Plan is finalised;

- update the planning proposal to identify the consistency of the proposal with the draft South District Plan, and the draft Sydenham to Bankstown Urban Renewal Corridor Strategy; and
- include a description of a satisfactory arrangements provision for the contributions to designated State public infrastructure identified as part of a draft or final Sydenham to Bankstown Urban Renewal Corridor Strategy.

2. Prior to community consultation, consultation is required with the following public authorities, to comply with the requirements of relevant Section 117 Directions:

- Department of Infrastructure and Regional Development;
- Civil Aviation Safety Authority; and
- Bankstown Airport.

The planning proposal is to be updated with the outcome of the consultation with public authorities prior to proceeding to community consultation.

3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to preparing local environmental plans (Department of Planning and Environment 2016).

4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW;
- Transport for NSW – Roads and Maritime Services;
- Transport for NSW – Rail Corp;
- Transport for NSW – Freight;
- Office of Environment and Heritage;
- Office of Environment and Heritage – Heritage Division;
- Department of Industry – Lands (Crown Lands);
- NSW Health;
- Department of Education;
- State Emergency Service;
- Electricity provider;
- Sydney Water;
- Environmental Protection Authority; and
- adjoining local councils

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is required to be held into the planning proposal for the land proposed to be reclassified.

6. Prior to finalising the planning proposal, the planning proposal will need to be amended to include maps which are in accordance with the Department's technical mapping standards and guidelines as set out in the Department's "Standard Technical Requirements for Spatial Datasets and Maps" Version 1.0 dated 30 November 2015.

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Supporting Reasons :

This planning proposal implements the strategic work undertaken by the former Bankstown Council in the preparation of its North Central, North East, South West and South East Local Area Plans. This proposal will assist in providing additional housing supply and choice, and additional employment opportunities across a number of centres

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in the former Bankstown local government area.

Signature:



Printed Name:

TESSA PARMETEK

Date:

12 MAY 2017

