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## Canterbury Bankstown Local Planning Panel - 7 May 2018

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**ITEM 1**                      **Application to amend Bankstown Local Environmental Plan 2015: 297–299 Canterbury Road in Revesby**

**AUTHOR**                      **Planning**

### **PURPOSE AND BACKGROUND**

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Council is in receipt of an application to prepare a planning proposal for the site at 297–299 Canterbury Road in Revesby.

To date, the assessment identifies the need for additional information to determine whether the proposal demonstrates strategic merit to proceed to the Gateway. The additional information includes the need for a prescribed airspace study to determine the maximum building height, and an appropriate mechanism to realise the supporting infrastructure in a timely manner.

### **ISSUE**

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In accordance with the Local Planning Panel’s Direction, the purpose of this progress report is to request the Panel to identify any other matters that Council should consider prior to determining whether the proposal should proceed to the Gateway.

### **RECOMMENDATION**

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That the Local Planning Panel identifies any matters that Council should consider prior to determining whether the proposal proceeds to the Gateway.

### **RECOMMENDATION**

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That the Local Planning Panel identifies any matters that Council should consider prior to determining whether the proposal proceeds to the Gateway.

### **ATTACHMENTS**

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- A. Assessment Findings

## **POLICY IMPACT**

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This matter has no policy implications for Council.

## **FINANCIAL IMPACT**

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At this stage, this matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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Hospitals are an important piece of infrastructure and this proposal presents the opportunity to deliver a facility, which may benefit the community.

## DETAILED INFORMATION

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### SITE DESCRIPTION

The site is located at the corner of Canterbury Road and Mavis Street in Revesby and comprises the following properties:

Property Address	Lot and DP Description	Site Area
297 Canterbury Road	Lot 9, DP 663160	3,712m <sup>2</sup>
299 Canterbury Road	Lot 202, DP 840245	5,467m <sup>2</sup>

The site is within Zone IN1 General Industrial under Bankstown Local Environmental Plan 2015. Hospitals are permitted in this zone subject to consent. The maximum FSR on the site is 1:1. The industrial zones do not have a maximum building height standard.

The site is occupied by industrial buildings including warehouses, offices and showrooms. The site is also subject to drainage easements and rights-of-carriageway.

In relation to local context, the site is located within the Bankstown Industrial Precinct and is surrounded by industrial development. Mavis Street is a cul-de-sac and B-Double trucks use this road to access industrial properties. The site is also subject to prescribed airspace restrictions due to the proximity to the Bankstown Airport.

The Bankstown-Lidcombe Hospital is a 1km walking distance to the north via Claribel Road. Public transport is limited to bus services. The nearest railway station is Bankstown (3.5km) to the north.



Figure 1: Site

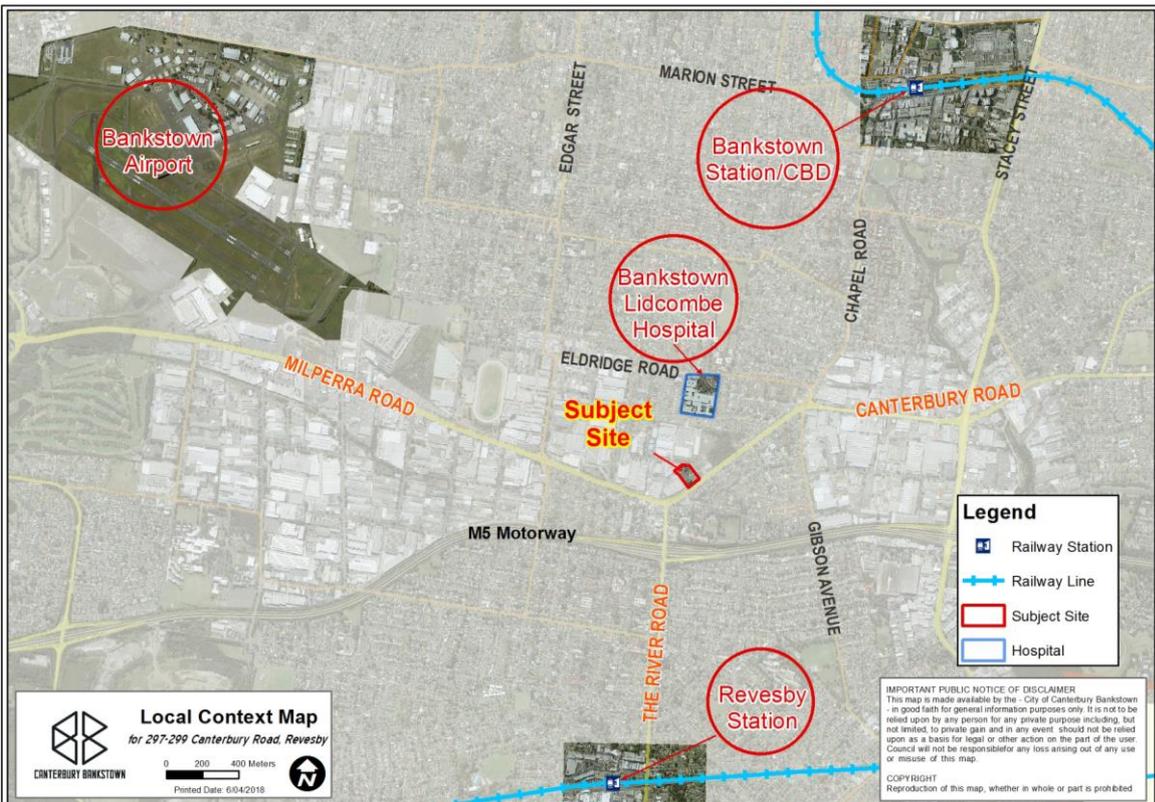


Figure 2: Locality Map

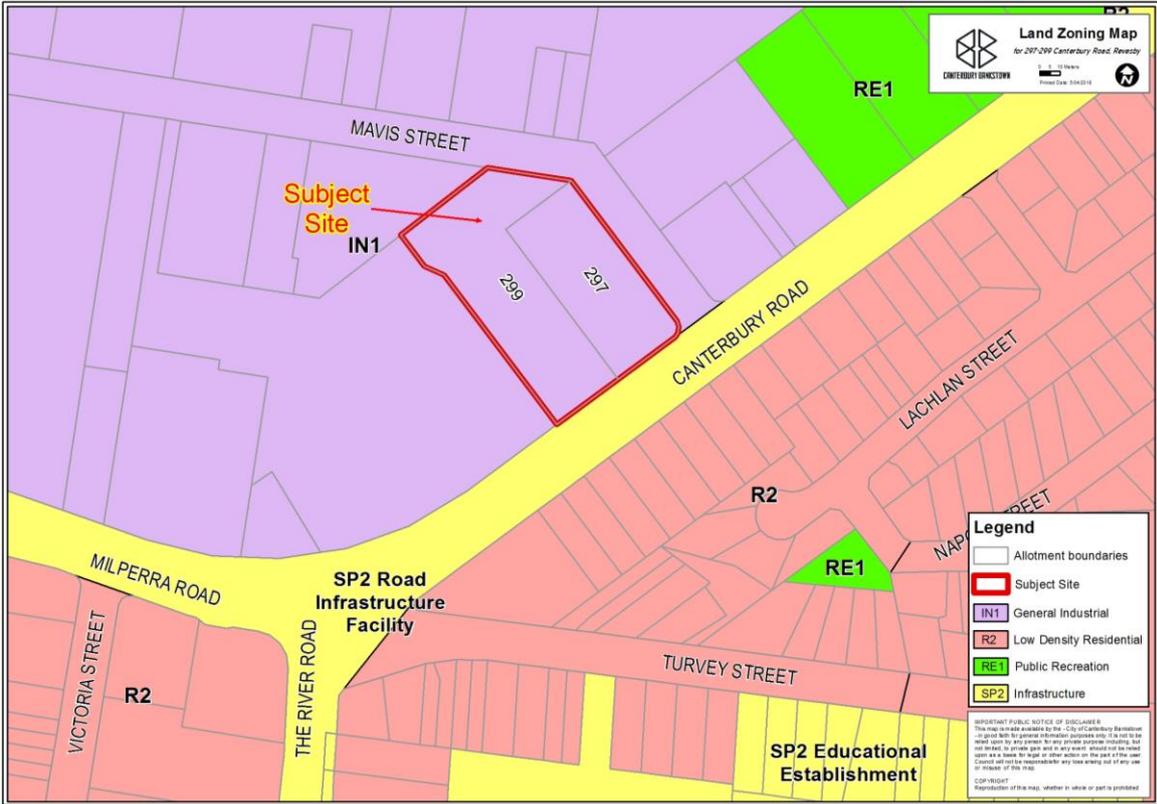


Figure 3: Current Land Zoning Map

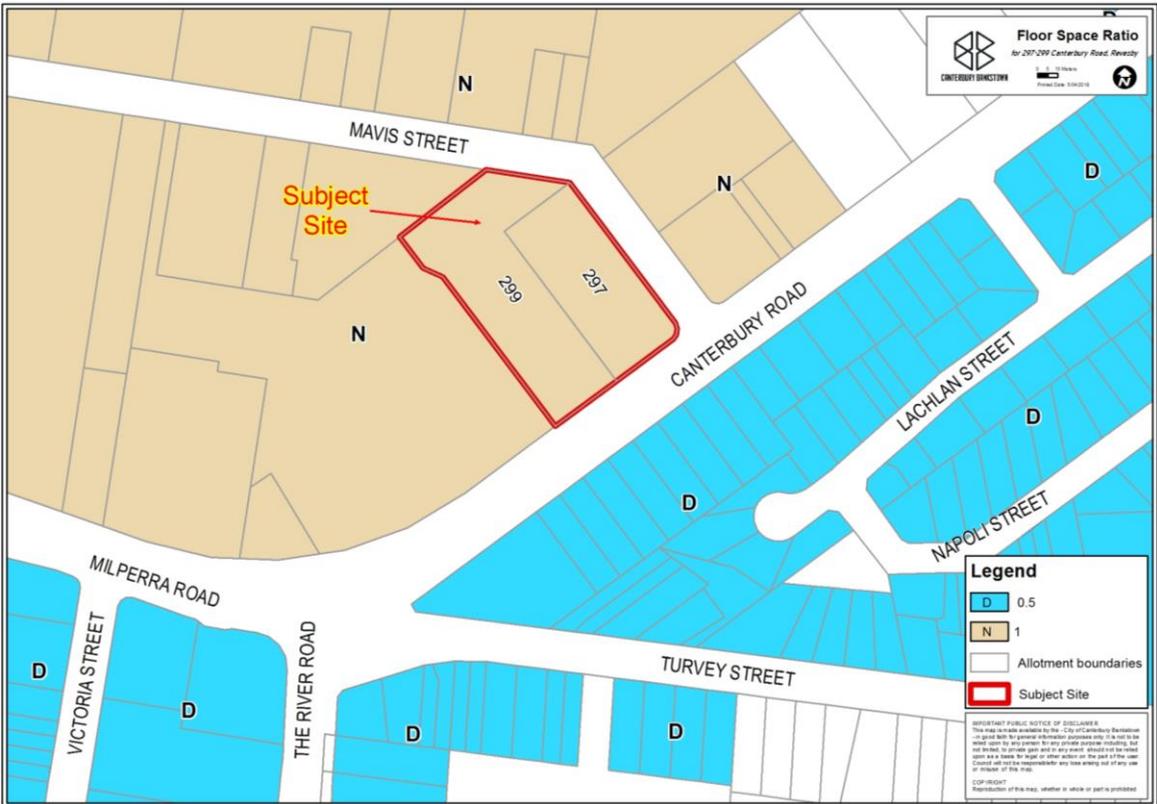


Figure 4: Current Floor Space Ratio Map

## PROPOSAL

In February 2018, Council received an application requesting to amend the Floor Space Ratio Map under Bankstown Local Environmental Plan 2015 as follows:

Property Address	Current FSR	Proposed FSR
297 Canterbury Road	1:1	2.9:1
299 Canterbury Road	1:1	2.9:1

According to the proponent, *'the planning proposal is to facilitate the redevelopment of the subject site to accommodate a new 251 bed private hospital. The proposal will include operating theatres, associated services and tenancies. The proposal will also include car parking for approximately 433 vehicles, located within three basement levels and landscaping along the street frontages to Canterbury Road and Mavis Street. The proposal will have a height of six storeys above ground level and will have an FSR of 2.73:1. Vehicle access to the car park is from Mavis Street'*.

In March 2018, the proponent further explained that the request for a 2.9:1 FSR is *'in the event changes are required to be made to the 2.73:1 scheme as a result of any further consultant design input'*.

The proponent submitted a planning proposal report (prepared by GSA Planning, dated February 2018) and associated studies in support of the application, these documents have been provided to the Canterbury Bankstown Local Planning Panel.

For comparison purposes, the proposed 251 bed private hospital is similar in size to the Canterbury Hospital, which contains 215 beds.

## CONSIDERATIONS

Based on the Environmental Planning & Assessment Act 1979 and the Department of Planning & Environment's guidelines, the following key policies are relevant:

- Metropolitan Plan (*A Plan for Growing Sydney*)
- Greater Sydney Region Plan
- South District Plan
- Council's Employment Lands Development Study
- Department of Planning and Environment's publications: *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

## SUMMARY

A key issue is managing the likely effects as a result of the proposal. An assessment identifies the need for additional information to determine whether the proposal should proceed to the Gateway. The additional information includes:

- A prescribed airspace study to determine the maximum building height for the purposes of FSR Testing.
- An appropriate mechanism to realise the supporting infrastructure that is required to meet the demands arising from the proposal. This may involve a planning agreement

to legally capture the public benefits. The proposal does not include a planning agreement.

- Additional traffic information requested by the Roads & Maritime Services to inform the supporting infrastructure requirements.

Should the proposal demonstrate strategic merit and Council decides to proceed with a planning proposal, the assessment also identifies the need for the following information post-Gateway:

- A detailed site investigation report (undertaken or approved by an accredited site auditor) to address the identified contamination hazards on the site.
- Consultation with the Department of Planning and Environment to identify a site specific mechanism which may allow a higher FSR to be applied to the site solely for the purposes of a hospital.

Based on the assessment, the proposal to amend the Floor Space Ratio Map is not supported as the higher FSR would apply to all land uses permitted in the zone, and would set an undesirable precedent for other sites within the Bankstown Industrial Precinct.

## ASSESSMENT

### Strategic Merit Test

In August 2016, the Department of Planning and Environment introduced the Strategic Merit Test to determine whether a proposal demonstrates strategic and site specific merit to proceed to the Gateway.

Based on the Strategic Merit Test as outlined in the Department's publication *A Guide to Preparing Local Environmental Plans*, the following issues are raised:

- 1. Is the proposal consistent with the relevant district plan within the Greater Sydney Region, or corridor / precinct plans applying to the site, including any draft regional, district or corridor / precinct plans released for public comment?**

The proposal is generally consistent with the Greater Sydney Region Plan and the South District Plan.

According to the Plans, Bankstown is a strategic centre comprising an emerging health and education precinct. The precinct contains the Bankstown-Lidcombe Hospital and the proposed Western Sydney University Campus. As the precinct grows and evolves, the principle is to ensure new hospitals are '*located within or directly adjacent to the precinct and ideally co-located with supporting transport infrastructure*'.

The site is located at the edge of the emerging health and education precinct, in proximity to the Bankstown-Lidcombe Hospital. Council's investigations identify the site as having the potential to support the emerging health and education precinct.

However, quality design and adequate infrastructure provision is critical if the proposal is to justify a higher FSR on the site. To this extent, the following information is required to demonstrate strategic merit:

(i) Prescribed airspace study

The site is affected by prescribed airspace restrictions due to the proximity to the Bankstown Airport. A prescribed airspace study is required to determine the maximum building height for the purposes of FSR Testing. This would occur in consultation with the Commonwealth Department of Infrastructure & Regional Development and Bankstown Airport.

(ii) Infrastructure delivery mechanism

Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):

- The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads & Maritime Services.
- The installation of new bus stops on Canterbury Road, adjacent to the site.
- The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.
- The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.

In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.

The Roads & Maritime Services also requested certain additional traffic information to inform the supporting infrastructure requirements.

**2. Is the proposal consistent with a relevant local strategy that has been endorsed by the Department?**

The proposal is consistent with Council's Employment Lands Development Study.

According to the study, the site is located within the Bankstown Industrial Precinct and is in proximity to the Bankstown–Lidcombe Hospital. The proposal has the potential to support the emerging health precinct surrounding the Bankstown–Lidcombe Hospital.

**3. Is the proposal responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?**

The proposal does not respond to a change in circumstances.

**OTHER CONSIDERATIONS**

In relation to other considerations, Council assessed the proposal based on the justification matters outlined in the Department of Planning & Environment's publication *A Guide to Preparing Planning Proposals*.

The intended outcome is to demonstrate whether there is justification for a proposal to proceed to the Gateway based on consistency with relevant state environmental planning policies and Ministerial Directions.

A key issue is managing the likely effects as a result of the proposal. The assessment identifies the need for additional information should Council decide to proceed with a planning proposal, namely:

- A detailed site investigation report (undertaken or approved by an accredited site auditor) to address the identified contamination hazards on the site.
- Consultation with the Department of Planning & Environment to identify a site specific mechanism which may allow a higher FSR to be applied to the site solely for the purposes of a hospital. Based on the assessment, the proposal to amend the Floor Space Ratio Map is not supported as the higher FSR would apply to all land uses permitted in the zone, and would set an undesirable precedent for other sites within the Bankstown Industrial Precinct.

Attachment A outlines the assessment findings.

## ATTACHMENT A–Assessment Findings

Attachment A outlines the assessment findings and is based on the justification matters as set out by the Department of Planning & Environment.

### 1. Strategic Merit Test

Section 1 assesses the proposal based on the Department of Planning & Environment’s Strategic Merit Test as outlined in the Department’s publication *A Guide to Preparing Local Environmental Plans*. The intended outcome is to determine whether a proposal demonstrates strategic and site specific merit to proceed to the Gateway. A proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test.

#### 1.1 Is the proposal consistent with the relevant district plan within the Greater Sydney Region, or corridor / precinct plans applying to the site, including any draft regional, district or corridor / precinct plans released for public comment?

##### 1.1.1 Greater Sydney Region Plan

	Consistent
<p><b>Proponent’s Submission:</b> The subject site is well located to optimise the use of existing infrastructure in accordance with Objective 4. This includes utilising the existing arterial road network in close proximity as well as the various public transport networks. The proposed private hospital will serve the community by providing high–quality health care. This is particularly important as the community ages and is consistent with Objective 6. The health–care services provided will also contribute to a healthier community and satisfy Objective 7.</p> <p>The Hospital will generate significant local employment which will contribute to creating a 30–minute city in accordance with Objective 14. This is also achieved through the integration of land use and transport by the site’s proximity to bus and rail public transport services. Objective 21 is met by providing high quality health care services in proximity to the existing Bankstown Lidcombe Hospital. These have the potential to form an internationally competitive health precinct with knowledge sharing and cluster economic benefits.</p>	<p>Yes, subject to additional information to address Objectives 22 and 37.</p>

**Council's Assessment:** The proposal is generally consistent with the Greater Sydney Region Plan subject to additional information to address the following objectives:

Objective 22: Investment and business activity in centres.

According to this objective, Bankstown is a strategic centre comprising an emerging health and education precinct. The precinct contains the Bankstown–Lidcombe Hospital and the proposed WSU Campus. As the precinct grows and evolves, the principle is to ensure new hospitals are '*located within or directly adjacent to the precinct and ideally co-located with supporting transport infrastructure*'.

The site is located at the edge of the emerging health and education precinct, in proximity to the Bankstown–Lidcombe Hospital. Council's investigations identify the site as having the potential to support the emerging health and education precinct.

However, quality design and adequate infrastructure provision is critical if the proposal is to justify a higher FSR on the site. To this extent, the following information is required:

(i) Prescribed airspace study

The site is subject to prescribed airspace restrictions due to the proximity to the Bankstown Airport.

To date, the submitted concept design shows the proposed building height at 54 metres (6 storeys). In April 2018, the proponent highlighted the findings of some preliminary work with their aviation consultant, which indicate the Obstacle Limitation Surface level is 51 metres AHD. This means, as a starting point, the proposed building height would need to be below 51 metres AHD.

A prescribed airspace study is therefore required to determine the maximum building height for the purposes of FSR Testing. This would occur in consultation with the Commonwealth Department of Infrastructure & Regional Development and Bankstown Airport.

(ii) Infrastructure delivery mechanism

Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):

- The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads & Maritime Services.
- The installation of new bus stops on Canterbury Road, adjacent to the site.
- The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.
- The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities. The image below illustrates the proposed footpath connection (refer to the orange line).



Figure 5: Aerial Perspective □ Subject Site

In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.

The Roads & Maritime Services also requested certain additional traffic information to inform the supporting infrastructure requirements.

*Objective 37: Exposure to natural and urban hazards is reduced.*

According to this objective, it is important to reduce the exposure of sensitive land uses to urban hazards such as contaminated land, noise and air pollution.

Should Council decide to proceed with a planning proposal, additional information would be required to address this objective, namely a detailed site investigation report (undertaken or approved by an accredited site auditor) to address the identified contamination hazards on the site.

### 1.1.2 South District Plan

	Consistent
<p><b>Proponent’s Submission:</b> The Canterbury Bankstown LGA falls within the South District, identified by the Draft Greater Sydney Region Plan. The proposal is consistent with a number of goals within the document, including ‘improving 30–minute access to jobs and services by providing additional employment within an area highly accessible by public transport’. In particular, the proposed hospital is consistent with Planning Priority S8 which states, inter alia: <i>Growing and investing in health and education precincts and Bankstown Airport trade gateway as economic catalysts for the District</i>. The proposal is in proximity to Bankstown–Lidcombe Public Hospital which will create knowledge sharing and cluster economic benefits. The proposed hospital will also provide significant local employment opportunities. Accordingly, the proposal will facilitate growth as an economic catalyst for the district.</p> <p><b>Council’s Assessment:</b> The proposal is generally consistent with the South District Plan subject to additional information to address the following planning priorities:</p> <p><u><i>Planning Priority S8: Growing and investing in health and education precincts and Bankstown Airport trade gateway as economic catalysts for the District and Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres.</i></u></p> <p>According to these planning priorities, Bankstown is a strategic centre comprising an emerging health and education precinct. The precinct contains the Bankstown–Lidcombe Hospital, the proposed WSU campus and Sydney Metro Line, TAFE Bankstown College and a range of allied health care providers and services.</p> <p>As the precinct grows and evolves, the actions are to create the conditions for the continued co–location of health / education facilities and to support links to the Bankstown–Lidcombe Hospital. The jobs target is 17,000–25,000 new jobs in Bankstown by 2036.</p> <p>The site is located at the edge of the emerging health and education precinct, in proximity to the Bankstown–Lidcombe Hospital. Council’s investigations identify the site as having the potential to support the emerging health and education precinct.</p>	<p>Yes, subject to additional information to address Planning Priorities S8, S9 and S18.</p>

However, quality design and adequate infrastructure provision is critical if the proposal is to justify a higher FSR on the site. To this extent, the following information is required:

(i) Prescribed airspace study

The site is affected by prescribed airspace restrictions due to the proximity to the Bankstown Airport.

To date, the submitted concept design shows the proposed building height at 54 metres (6 storeys). In April 2018, the proponent highlighted the findings of some preliminary work with their aviation consultant, which indicate the Obstacle Limitation Surface level is 51 metres AHD. This means, as a starting point, the proposed building height would need to be below 51 metres AHD.

A prescribed airspace study is therefore required to determine the maximum building height for the purposes of FSR Testing. This would occur in consultation with the Commonwealth Department of Infrastructure & Regional Development and Bankstown Airport.

(ii) Infrastructure delivery mechanism

Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):

- The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads & Maritime Services.
- The installation of new bus stops on Canterbury Road, adjacent to the site.
- The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.
- The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.

In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.

*Planning Priority S18: Adapting to the impacts of urban and natural hazards and climate change.*

<p>According to this planning priority, it is important to reduce the exposure of sensitive land uses to urban hazards such as contaminated land, noise and air pollution.</p> <p>Should Council decide to proceed with a planning proposal, additional information would be required to address this objective, namely a detailed site investigation report (undertaken or approved by an accredited site auditor) to address the identified contamination hazards on the site.</p>	
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<p>This planning priority also suggests an urban tree canopy along busy roads to reduce exposure to noise and air pollution.</p>	
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**1.2 Is the proposal consistent with a relevant local strategy that has been endorsed by the Department?**

**1.2.1 Employment Lands Development Study**

	Consistent
<p><b>Proponent’s Submission:</b> Yes. Canterbury Bankstown Council has generated Local Area Plans for the majority of the LGA. The subject site appears to be located between the North Central and South East areas and, as such is not encapsulated by these plans. A Specialised Centre Plan is currently being prepared which applies to Bankstown Airport and the Milperra and Condell Park Industrial Precincts. This will likely include the subject site.</p> <p>However, Council has also undertaken strategic citywide studies including the Employment Lands Study which was formally adopted on 22 September 2009. This document refers to the Airport – Milperra Specialised Centre which includes the subject site. This area is recognised as being a key employment generator for the LGA with a focus on deepening its economic base. The proposed hospital will provide significant local employment with a different land-use which will increase the economic resilience of the area. Accordingly, the planning proposal is consistent with the Employment Lands Study.</p> <p><b>Council’s Assessment:</b> On 22 September 2009, the former Bankstown City Council adopted the Employment Lands Development Study. The intended outcome of the study is to provide recommendations for the renewal of key employment precincts.</p> <p>The site is located within the Bankstown Industrial Precinct and is in proximity to the Bankstown–Lidcombe Hospital.</p> <p>The study recognises the Bankstown–Lidcombe Hospital is relatively isolated from other activities. If the Bankstown–Lidcombe Hospital is to achieve long term success, it is important to improve the links to other activities. Action 9 of the study therefore recommends expanding the health and medical specialisations around the hospital precinct and to consider extending the precinct to the Bankstown CBD.</p>	<p>Yes</p>

Council's investigations identify the site as having the potential to support the emerging health precinct, in keeping with Action 9 of the study.	
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**1.3 Is the proposal responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?**

	Complies
<p><b>Proponent's Submission:</b> The proposed hospital is consistent with the 12 strategies priorities released by the NSW Premier as <i>NSW Making It Happen</i>. In particular, the hospital will invest in infrastructure and services and enhance the provision of medical services within the Sydney Metropolitan Area. This will generate additional local employment and has the potential to cut surgery waiting times.</p> <p><b>Council's Assessment:</b> The proposal does not respond to a change in circumstances.</p>	No

**1.4 Does the proposal have regard to the natural environment (including known significant environmental values, resources or hazards)?**

	Complies
<p><b>Proponent's Submission:</b> The proposal appropriately responds to the existing natural environment of the site, including suitable drainage and landscaping provisions and is subject to investigations that will render the site suitable for a hospital use, which is permissible in the zone.</p> <p><b>Council's Assessment:</b> The proposal has regard to the natural environment (including known significant environmental values and hazards).</p>	Yes

**1.5 Does the proposal have regard to the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?**

	<b>Complies</b>
<p><b>Proponent’s Submission:</b> The site is located near other health land uses which are likely to complement each other. As noted, the proposal is in proximity to arterial road networks and public transport in the form of buses and heavy rail stations. These facilities are available to meet the transport demands arising from the proposal, creating a more efficient use of existing infrastructure. Accordingly, the proposal is considered to have strategic merit.</p> <p><b>Council’s Assessment:</b> The proposal has regard to the existing and likely future uses of land in the vicinity of the land for the reasons outlined in section 1.1 of this attachment.</p>	<p>Yes, subject to prescribed airspace study.</p>

**1.6 Does the proposal have regard to the 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?**

	<b>Complies</b>
<p><b>Proponent’s Submission:</b> No comment.</p> <p><b>Council’s Assessment:</b> Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads &amp; Maritime Services.</li> <li>• The installation of new bus stops on Canterbury Road, adjacent to the site.</li> <li>• The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.</li> <li>• The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.</li> </ul>	<p>Yes, subject to mechanism to realise the infrastructure works in a timely manner.</p>

In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.	
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## 2. Planning Proposals–Justification Matters

Section 2 assesses the proposal based on the justification matters as outlined in the Department of Planning & Environment’s publication *A Guide to Preparing Planning Proposals*. The intended outcome is to demonstrate whether there is justification for a proposal to proceed to the Gateway.

### 2.1 Is the planning proposal a result of any strategic study or report?

	Complies
<p><b>Proponent’s Submission:</b> No. The planning proposal has resulted from a recommendation of the DP&amp;E as part of their SEARs response rather than any specific strategic study or report. However, the proposal is consistent with the principles outlined in ‘A Plan for Growing Sydney’ and the Draft South District Plan.</p> <p><b>Council’s Assessment:</b> The proposal is not the result of any strategic study or report.</p>	No

### 2.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

	Complies
<p><b>Proponent’s Submission:</b> Yes. The planning proposal facilitates the requested site-specific changes to planning controls for the purpose of developing a private hospital on the site without compromising the integrity of the Bankstown LEP 2015.</p> <p>An option of rezoning was considered. However, as hospitals are permissible in the IN1 zone, a rezoning would have disrupted the consistency of land zoning along this portion of Canterbury Road. A rezoning would also not provide Council with security that industrial-type uses would be provided on the site, which is what Council envisions in the locality.</p> <p>Following the SEARs issued by the DP&amp;E and advice from Council, an amendment to the LEP to increase the FSR for the site is the most appropriate means to enable the development of a hospital on the site. The current maximum FSR would not accommodate</p>	Yes, subject to consultation with the Department of Planning & Environment.

the extent of services required for a private hospital in the locality.

**Council's Assessment:** In October 2017, the proponent submitted a Concept Development Application to the Department of Planning & Environment to assess the proposal as state significant development.

The proposal is to construct a 6 storey hospital with a 2.67:1 FSR (251 beds and 433 parking spaces).

In March 2018, the Department issued the Secretary's Environmental Assessment Requirements. The SEARs recommends the planning proposal as the best means to achieve the intended outcome, and requires the proponent to *'provide justification for any contravention of the development standards, including the nature and timing for any proposed Local Environmental Plan amendments to facilitate the proposed development'*.

For this reason, the proponent submitted an application to Council with a request to amend the Floor Space Ratio Map by applying a maximum 2.9:1 FSR to the site. According to the proponent, the request for a 2.9:1 FSR is *'in the event changes are required to be made to the 2.73:1 scheme as a result of any further consultant design input'*.

Based on the assessment, the proposal to amend the Floor Space Ratio Map is not supported as the higher FSR would apply to all land uses permitted in the zone, and would set an undesirable precedent for other sites within the Bankstown Industrial Precinct.

Should Council decide to proceed with a planning proposal, consultation with the Department would be required to identify a site specific mechanism which may allow a higher FSR to be applied to the site solely for the purposes of a hospital.

**2.3 Is the planning proposal consistent with the objectives and actions of the applicable regional, subregional or district plan or strategy (including any exhibited draft plans or strategies)?**

**2.3.1 Metropolitan Plan (*A Plan for Growing Sydney*)**

	Consistent
<p><b>Proponent's Submission:</b> Yes, the proposal is consistent with <i>A Plan for Growing Sydney</i>, the current Metropolitan Strategy released in 2014. The site is located within the West-Central Sub-Region under this plan. The proposal would facilitate consistency with Direction 1.10 of the Plan to meet the growing needs for education and health services. Action 1.10.3 identifies a plan to expand health facilities, such as hospitals and community health facilities, to service Sydney's growing population.</p> <p>As NSW is targeting Western Sydney as part of its Hospitals Growth Program, the proposed increased FSR for the site would facilitate the development of a private hospital that would complement the existing and emerging health care facilities and meet an identified demand. This will also provide an increase in future employment opportunities within an industrial zone and near the Bankstown Airport.</p> <p><b>Council's Assessment:</b> The proposal is consistent with the directions of the Metropolitan Plan, '<i>A Plan for Growing Sydney</i>', namely Direction 1.10 to plan for education and health services to meet Sydney's growing needs. The proposal supports the growth of complementary health activities in strategic centres.</p>	Yes

**2.3.2 Greater Sydney Region Plan**

	Consistent
<p><b>Proponent's Submission:</b> Refer to section 1.1 of this attachment.</p>	Yes, subject to additional information

<b>Council's Assessment:</b> The proposal is generally consistent with the Greater Sydney Region Plan for the reasons outlined in section 1.1 of this attachment.	to address Objectives 22 and 37.
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### 2.3.3 South District Plan

	<b>Consistent</b>
<p><b>Proponent's Submission:</b> Refer to section 1.1 of this attachment.</p> <p><b>Council's Assessment:</b> The proposal is generally consistent with the South District Plan for the reasons outlined in section 1.1 of this attachment.</p>	Yes, subject to additional information to address Planning Priorities S8, S9 and S18.

## 2.4 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

### 2.4.1 Draft CBCity 2028

	<b>Consistent</b>
<p><b>Proponent's Submission:</b> No comment.</p> <p><b>Council's Assessment:</b> The vision of the Draft Canterbury–Bankstown Community Plan 2028 is to have a city that is <i>'thriving, dynamic and real'</i>. The 'Prosperous &amp; Innovative' Direction will achieve this by promoting a smart and evolving city with exciting opportunities for investment and creativity. Council and other Government will work together to support private investment, employment and growth.</p> <p>The proposal is consistent with the Draft Community Plan.</p>	Yes

### 2.4.2 Employment Lands Development Study

	<b>Consistent</b>
<b>Proponent's Submission:</b> Refer to section 1.2 of this attachment.	Yes

<p><b>Council’s Assessment:</b> The proposal is consistent with the Employment Lands Development Study for the reasons outlined in section 1.2 of this attachment.</p>	
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**2.5 Is the planning proposal consistent with applicable State Environmental Planning Policies?**

	Consistent
<p><b>State Environment Planning Policy No. 55–Remediation of Land</b></p> <p><b>Proponent’s Submission:</b> A Phase 1 Preliminary Site Investigation was prepared by ADE Consulting Group and forms part of this submission. This report assesses the potential for contamination on the site, summarises the findings based on a site walkover and visual inspection, and provides discussion of the outcomes of this investigation. The report concludes, inter alia:</p> <p><i>Areas that may be impacted by potential contamination were identified on the basis of the available Site information and during the Site inspection. Based on the data and evidence collected, the potential for contamination to be present within the Site is considered Moderate to High. The information collected during the historical assessment and Site inspection indicate that the Site is generally suitable for the intended redevelopment as a private hospital subject to the following being addressed:</i></p> <ul style="list-style-type: none"> <li>• <i>A Phase II Detailed Site Investigation (DSI) is required to determine that the Site is suitable for the proposed development. The works should investigate for the following: o An intrusive subsurface investigation throughout the Site to target the fill materials / groundwater and determine the lateral and vertical extent (if any) of potential contaminants of concern (i.e. BTEX, Heavy metals, PAHs, TPHs, OCPs &amp; OPPs, PCBs, Cyanide, Ammonia, Nitrate, Acetone, Ethyl Methyl Ketone, Ethyl Glycol M Ether, Dibutyl Ether, pH and Asbestos), identified within as Potential Contamination Types (refer to section 5.1).</i></li> </ul> <p><b>Council’s Assessment:</b> This SEPP requires Council to consider land contamination where it is proposed to enable development for sensitive land uses such as hospitals. Part 7A of the EP&amp;A Act reinforces this direction.</p>	<p>No, subject to detailed site investigation.</p>

According to the preliminary site investigation report submitted with the application, a detailed site investigation is required to determine whether the site is suitable for the proposed development. Should Council decide to proceed with a planning proposal, a detailed site investigation report (undertaken or approved by an accredited site auditor) would be required to address this SEPP.

**State Environment Planning Policy (Infrastructure) 2007**

**Proponent's Submission:** A Traffic and Parking report has been prepared by TTPP Transport Planning and is submitted with this document. The report concludes, inter alia:

- *The planning proposal seeks to amend the current planning controls to permit a maximum FSR of 2.9:1 to provide a 251-bed private hospital and associated ancillary clinical facilities with a total gross floor area (GFA) of some 25,000m<sup>2</sup>.*
- *It is proposed to provide a basement car park, containing some 433 car parking spaces, with access off Mavis Street. This provision of parking satisfies the recommended car parking rates set out in the Roads and Maritime Guide, noting that Council does not specify any car parking rates for private hospital developments. Additionally, appropriate allocation of loading, drop-off/pick-up and bicycle facilities will be provided.*
- *The car park layout and associated elements are proposed to be designed in accordance with the design requirements as set out in the relevant Australian Standards. All vehicular access points are proposed to be provided off Mavis Street. The existing vehicle access on Canterbury Road will be removed as part of the proposed development.*
- *The proposed development is anticipated to generate up to 270 and 329 two-way vehicle movements in the morning and afternoon peak hours, respectively.*
- *At present, excessive delays are currently experienced for right-turn movements to/from Mavis Street during peak periods, which is not unusual for side streets located on a main road (i.e. Canterbury Road). However, delays are expected to be significantly increased in the future, irrespectively of the proposed development and as such, should be upgraded to improve movements to/from Mavis Street.*
- *Traffic modelling results indicated that the existing priority controlled, seagull Canterbury Road-Mavis Street intersection would need to be upgraded to provide an acceptable intersection performance in the future with traffic generated by the proposed private hospital.*

No, subject to mechanism to realise the infrastructure works in a timely manner.

- *The Roads and Maritime warrants for traffic signals will be satisfied with the traffic generated by the proposed private development.*
- *The proposed signalisation of the Canterbury Road-Mavis Street intersection would result in the intersection performing at LoS A and D in the morning and evening peak, respectively, in Year 2027 with traffic generated by the proposed development. Furthermore, the proposal would improve access to/from Mavis Street and pedestrian crossing opportunities.*
- *The traffic modelling will be further refined as part of the EIS Transport and Accessibility Report submission, with additional traffic surveys undertaken, including at the existing site, other surrounding intersections and at a comparably private hospital site, to update the traffic model and assessment accordingly.*
- *Overall, it is concluded that the traffic and parking aspects of the proposed development could be satisfactorily accommodated on the surrounding road network.*

Accordingly, in our opinion, the proposed design for a private hospital is appropriate from a traffic and parking point of view.

**Council's Assessment:** This SEPP identifies matters for consideration in relation to development adjacent to classified roads, such as Canterbury Road.

According to the traffic report submitted with the application, 81% of trips to and from the proposed hospital will be by car. This equates to a daily traffic generation of 1,939–2,303 vehicles.

The issues are the Canterbury Road / Mavis Street intersection currently experiences excessive traffic delays; B–Double trucks use Canterbury Road and Mavis Street to access industrial sites; public transport is limited to bus services; and there is limited walking and cycling facilities within the vicinity of the site.

Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):

- The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads & Maritime Services.
- The installation of new bus stops on Canterbury Road, adjacent to the site.
- The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.

<ul style="list-style-type: none"> <li>• The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.</li> </ul> <p>In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.</p>	
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**2.6 Is the planning proposal consistent with applicable Ministerial Directions?**

	Consistent
<p><b>Direction 1.1–Business and Industrial Zones</b></p> <p><b>Proponent’s Submission:</b> The proposal demonstrates there will be no reductions in business land; instead the potential floor space for employment uses will be increased. The proposal is permissible in the industrial zone and will not reduce the total potential floor space for industrial uses. The planning proposal has considered the amended planning controls against relevant state and local planning strategies and has determined it to be consistent with the relevant aims and objectives. In summary, the proposal is consistent with this direction.</p> <p><b>Council’s Assessment:</b> The objectives of this direction are to encourage employment growth in suitable locations, and to protect employment land in business and industrial zones.</p> <p>The proposal is consistent with this direction as it retains the existing industrial zone, and does not reduce the total potential floor space area for industrial zones.</p>	Yes
<p><b>Direction 3.4–Integrating Land Use and Transport</b></p> <p><b>Proponent’s Submission:</b> The proposal is consistent with the objectives of Direction 3.4 due to the site’s close proximity to public transport. As indicated, there are a number of bus routes running along Canterbury Road adjacent to the subject site. These routes include Nos. 922, 923, 924, 926 and 962 providing access to and from Bankstown, Revesby, East Hills and Menai. The site is also within 2km of Revesby Railway Station and 3km of Bankstown Railway Station. The site’s accessibility to a variety of public transport options satisfies the objectives of the direction as it reduces the dependence on cars. In addition, the provision of business lands will improve access to jobs and services through the maximisation of public transport use. Accordingly, the proposal is consistent with this direction.</p>	No, subject to mechanism to realise the infrastructure works in a timely manner.

<p><b>Council’s Assessment:</b> The objective of this direction is to ensure building forms improve access to jobs and services by walking, cycling and public transport.</p> <p>To date, the proposal is inconsistent with this direction, in particular the accessible development principles as outlined in the publication <i>‘Improving Transport Choice – Guidelines for planning and development’</i>.</p> <p>Given the size of the proposed hospital, the assessment identifies the need for supporting traffic and transport infrastructure works to improve the walking and cycling access arrangements in the vicinity of the site, and to improve connections to public transport services. The infrastructure works include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads &amp; Maritime Services.</li> <li>• The installation of new bus stops on Canterbury Road, adjacent to the site.</li> <li>• The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.</li> <li>• The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.</li> </ul> <p>In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.</p>	
<p><b>Direction 3.5–Development Near Licensed Aerodromes</b></p> <p><b>Proponent’s Submission:</b> The proposed private hospital is considered a compatible use with the operation of the aerodrome. The built form will unlikely create an obstruction or flying hazard. This will be confirmed in an airspace assessment that will form part of the future SSD Application to the DP&amp;E. In addition, the site is not proposed for residential purposes. In any event, Bankstown Airport is unlikely to result in significant aural impacts on the development. Any aural impacts that may arise can be addressed in an Acoustic assessment report that will form part of the future SSD Application.</p> <p>While the DP&amp;E have undertaken some consultation with Sydney Metro Airports (operator of Bankstown Airport), it is expected that Council will further consult the Commonwealth Department of</p>	<p>No, subject to prescribed airspace study.</p>

<p>Infrastructure and Regional Development as well as Sydney Metro Airports.</p> <p>Bankstown Airport Limited has advised that a maximum OLS height of AHD 51 applies to the Inner Horizontal Surface which the site falls within, and other air services bodies may have varied protected airspace height requirements. The proposed hospital has been designed to minimise impacts on the airspace. However, a separate assessment will be undertaken as part of the SSD Application to ensure that the proposed private hospital will not have an adverse impact on the OLS.</p> <p>There is no existing height development standard relevant to the subject site. The proposal is designed with consideration to the OLS and will be assessed as part of a future SSD Application. The proposed hospital is permissible in the zone and is considered compatible with the operation of the aerodrome. Accordingly, the proposal is consistent with the objectives and considerations of this direction.</p> <p><b>Council’s Assessment:</b> The objectives of this direction are to ensure the effective and safe operation of airports, and to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity.</p> <p>The site is subject to prescribed airspace restrictions due to the proximity to the Bankstown Airport.</p> <p>To date, the proposal is inconsistent with this direction, namely clause 4(d) which requires Council to obtain permission from the Commonwealth Government (or delegate) if a planning proposal is to allow (as permissible with consent) development that encroaches above the Obstacle Limitation Surface.</p> <p>A prescribed airspace study is therefore required to determine the maximum building height consistent with this direction. This would occur in consultation with the Commonwealth Department of Infrastructure &amp; Regional Development and Bankstown Airport.</p>	
<p><b>Direction 4.3–Flood Prone Land</b></p> <p><b>Proponent’s Submission:</b> A Flood Risk Assessment and Stormwater Management Report has been prepared by Northrop and forms part of this submission. The report assesses the flood risks on the site and includes recommendations to mitigate potential flood impacts on the site and neighbouring development. The report also outlines</p>	<p>Yes</p>

a stormwater management strategy for the proposed development. The report concludes, inter alia:

*Northrop has been engaged by Canterbury Bankstown Private Hospital Pty Ltd to prepare a flood risk assessment and stormwater management plan in support of a Planning Proposal submission to the City of Canterbury Bankstown Council for the proposed development at 297- 299 Canterbury Road, Revesby.*

*The department of planning has issued a SEARs (Secretary's Environmental Assessment Requirements) for the development. The Council requires a flood risk assessment management report to be submitted for review as part of a planning proposal prior to progression to EIS (Environmental Impact Statement).*

*The flood risk assessment has been undertaken in accordance with Council's Stormwater System Report (flood information), Council's Salt Pan Creek Catchments Floodplain Risk Management Study & Plan (December 2013), Bankstown Development Control Plan 2015 – Part B12 Schedule 5 and NSW Floodplain Development Manual. The report finds that the site is affected by overland flow through the existing stormwater easement. The flood risk management strategies and controls are recommended to mitigate potential flood impact on the site and on the neighbouring property.*

*The stormwater management strategy including On-Site Detention, stormwater quality targets and stormwater drainage are to be designed in accordance with Bankstown Council's Development Engineering Standards and AS3500.3. This report has commented on the anticipated stormwater management strategy, so to illustrate that the future EIS stormwater can readily meet requirements.*

**Council's Assessment:** The objective of this direction is to ensure the provisions of a LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The site is affected by the medium stormwater flood risk precinct. According to Bankstown Development Control Plan 2015–Part B12, the medium flood risk precinct is defined as '*land below the 100-year flood that is not subject to a high hydraulic hazard and where there are no significant evacuation difficulties. There would still be a significant risk of flood damage in this precinct. However, these damages can be minimised by the application of appropriate development controls*'.

<p>To date, the proposal is inconsistent with clause 6 of this direction as it permits a significant increase in the development of the site.</p> <p>However in accordance with clause 9(b), the proposal may be inconsistent as any risks resulting from the future redevelopment of the site may be satisfactorily addressed by applying the provisions of Bankstown Development Control Plan 2015–Part B12 as part of the development application process.</p>	
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<p><b>Direction 6.3–Site Specific Provisions</b></p> <p><b>Proponent’s Submission:</b> Direction 6.3 aims to discourage unnecessarily restrictive site specific planning controls and relate primarily to land use. The proposal only aims to rezone to a more appropriate land use consistent with adjoining properties, and increase the density and height to capitalise on its accessible location, contribute to housing supply, and benefit from agglomeration effects of existing and future mixed use development in the area. The use of a site area framework for increasing density on the site serves to promote orderly and economic development on the site and incentivise coordinated redevelopment and the avoidance of isolated sites. Given the size of the site it is likely the proposal will require referral to the RMS under the SEPP (Infrastructure) 2007.</p> <p><b>Council’s Assessment:</b> The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>The application requests an amendment to the Floor Space Ratio Map by applying a maximum 2.9:1 FSR to the site.</p> <p>Based on the assessment, the proposal to amend the Floor Space Ratio Map is not supported as the higher FSR would apply to all land uses permitted in the zone, and would set an undesirable precedent for other sites within the Bankstown Industrial Precinct.</p> <p>Should Council decide to proceed with a planning proposal, consultation with the Department would be required to identify a site specific mechanism which may allow a higher FSR to be applied to the site solely for the purposes of a hospital.</p> <p>It is noted this scenario may be inconsistent with clause 4 of this direction as it proposes to impose a site specific provision in</p>	<p>Yes, subject to consultation with the Department of Planning &amp; Environment.</p>
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addition to the current provisions of Bankstown Local Environmental Plan 2015.	
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<p><b>Direction 7.1–Implementation of A Plan for Growing Sydney</b></p> <p><b>Proponent’s Submission:</b> Yes, the proposal is consistent with <i>A Plan for Growing Sydney</i>, the current Metropolitan Strategy released in 2014. The site is located within the West-Central Sub-Region under this plan. The proposal would facilitate consistency with Direction 1.10 of the Plan to meet the growing needs for education and health services. Action 1.10.3 identifies a plan to expand health facilities such as hospitals and community health facilities to service Sydney’s growing population.</p> <p>As NSW is targeting Western Sydney as part of its Hospitals Growth Program, the proposed increased FSR for the site would facilitate the development of a private hospital that would complement the existing and emerging health care facilities and meet an identified demand. This will also provide an increase in future employment opportunities within an industrial zone and near the Bankstown Airport.</p> <p><b>Council’s Assessment:</b> The proposal is consistent with the directions of the Metropolitan Plan, ‘<i>A Plan for Growing Sydney</i>’, namely Direction 1.10 to plan for education and health services to meet Sydney’s growing needs. The proposal supports the growth of complementary health activities in strategic centres.</p>	Yes
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**2.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

	Consistent
<p><b>Proponent’s Submission:</b> No. The subject site is within an established industrial zone and urban area that is not identified as having any ecological significance. An assessment of the</p>	Yes

<p>environmental impacts of any future development of the site would be undertaken as part of an EIS.</p> <p><b>Council's Assessment:</b> The proposal is consistent with the Ministerial Direction 2.1 as it does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.</p>	
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**2.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

	<b>Consistent</b>
<p><b>Proponent's Submission:</b> No. The planning proposal is unlikely to result in any adverse environmental impacts. Any impacts associated with the future redevelopment of the site would be considered as part of a more detailed EIS submission. Documents including a Traffic Report, Stage 1 Environmental Investigation and a Flood Report have been prepared in support of the Planning Proposal and this is outlined in Section 6.0 of this report.</p> <p><b>Council's Assessment:</b> The proposal has regard to the natural environment (including known significant environmental values and hazards).</p>	Yes

**2.9 Has the planning proposal adequately addressed any social and economic effects?**

	<b>Consistent</b>
<p><b>Proponent's Submission:</b> Yes. It is our opinion that the planning proposal would have a positive social and economic impact. As outlined, a higher FSR would allow for its orderly development in accordance with the provisions of the EP&amp;A 1979 as well as relevant Local and State planning policies and strategies. The planning proposal will facilitate the development of a 251-bed private hospital and associated facilities which will be accessible to the local and wider community. Importantly, the proposal will provide local employment and has the potential to generate economic multipliers.</p>	Yes, subject to additional information to address Objectives 22 and 37, and Planning Priorities S8, S9 and S18.

<p><b>Council’s Assessment:</b> In relation to social and economic effects, the proposal is consistent with the Greater Sydney Region Plan and South District Plan for the reasons outlined in section 1.1 of this attachment.</p>	
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**2.10 Is there adequate public infrastructure for the planning proposal?**

	Consistent
<p><b>Proponent’s Submission:</b> Yes. The subject site is located within an established urban area which is currently serviced with adequate water, sewer and electricity infrastructure which can be upgraded for future development. Furthermore, the proposal is located in proximity of a variety of public transport connections including the bus network operating along Canterbury Road and nearby train stations. These would increase the transport sustainability of the proposal. Further details of traffic, transport and associated recommendations are outlined in the Traffic and Parking Report which forms part of this submission.</p> <p><b>Council’s Assessment:</b> Given the size of the proposed private hospital, the assessment identifies the need for supporting traffic and transport infrastructure to meet the demands arising from the proposal. The infrastructure works include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• The installation of traffic signals and slip lanes at the intersection of Canterbury Road and Mavis Street, in consultation with the Roads &amp; Maritime Services.</li> <li>• The installation of new bus stops on Canterbury Road, adjacent to the site.</li> <li>• The embellishment of Mavis Street to improve the public domain, street lighting and other safety measures.</li> <li>• The construction of new footpaths between the site and the Bankstown–Lidcombe Hospital (via Claribel Road) given that the proposal is looking to share resources and knowledge between the two facilities.</li> </ul>	<p>No, subject to mechanism to realise the infrastructure works in a timely manner.</p>

<p>In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits. The proposal does not include a planning agreement.</p>	
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**2.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

	Complies
<p><b>Proponent's Submission:</b> Preliminary consultation has been undertaken as part of the Planning Proposal. The proposal will be referred to relevant public authorities as part of the Gateway assessment. It is our opinion that the proposal will not adversely impact on the interest of any State or Commonwealth authority.</p> <p><b>Council's Assessment:</b> The proposal has not been the subject of consultation with State and Commonwealth public authorities. This would be undertaken, should Council decide to proceed with a planning proposal.</p>	<p>Yes</p>

**CITY OF CANTERBURY BANKSTOWN**

**MINUTES OF THE**

**CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING**

**HELD IN THE COUNCIL CHAMBERS  
BANKSTOWN**

**ON 7 MAY 2018**

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**PANEL MEMBERS**

**PRESENT:** Mr Anthony Hudson - Chairperson  
Ms Barbara Perry - Expert member  
Mr Richard Thorp AM - Expert member  
Mr Allan Winterbottom - Community Representative Bankstown  
Mr Ian Stromborg OAM - Community Representative Revesby

**STAFF IN**

**ATTENDANCE:** Ms Chauntelle Mitchell (Local Planning Panel Administration Officer)  
Mr Ian Woodward (Manager Development, not present for the closed session)  
Mr Mitchell Noble (Manager Spatial Planning, not present for the closed session)  
Mr Stephen Arnold (Coordinator Planning - West, not present for the closed session)  
Mr Lia Chinnery (Coordinator Governance - Information and Committees, not present for the closed session)  
Ms Kristy Bova (Executive Planner, not present for the closed session)  
Ms Amita Maharjan (Strategic Planner, not present for the closed session)  
Ms Casandra Gibbons (Senior Planner, not present for the closed session)

**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.00 PM.**

**INTRODUCTION**

The Chairperson welcomed all those present and explained the functions of the Canterbury Bankstown Local Planning Panel and that the Panel would be considering the reports and the recommendation from the Council staff and the submissions made by objectors and the applicant and/or the applicant's representative(s) and determining the development applications.

**DECLARATIONS OF INTEREST**

The Chairperson asked the Panel if any member needed to declare a pecuniary interest in any of the items on the agenda. There were no declarations of interest.

**DECISION**

**1 297-299 CANTERBURY ROAD, REVESBY: APPLICATION TO AMEND BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015: 297-299 CANTERBURY ROAD IN REVESBY**

**Site Visit**

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

### **Public Addresses**

The following people addressed the meeting in relation to this item:

- Mr George Karavanas (Planner representing applicant)
- Ms Katherine Davies (Architect representing applicant)
- Mr Wayne Johnson (Traffic Engineer representing applicant)

### **Panel Assessment**

Mr Ian Stromborg was the community panel member present for the deliberation and voting for this matter.

The Panel agrees that the proposed hospital, for the reasons set out in the report, is a suitable use for this site.

The Panel understands that the applicant initially approached the Department of Planning with the development application. The Department then indicated that the changes to the FSR and height should be determined through a planning proposal process with the Council and this is the reason why the matter is before the Panel.

This matter has now been referred to the Panel to obtain guidance on how any site specific rezoning should proceed. The proposal is for a private hospital and the Planning Proposal would be for a site specific change to allow for a specific height and FSR for a hospital (noting that hospitals are already permissible with consent in this zone).

The Panel is of the opinion that the principal issue to determine is the height of the development, in conjunction with Bankstown Airport.

Following this, Council could then consider the urban design context so that an overall height could be established for the site.

The applicant stated that their consultant has had initial discussions with the airport. However, the Panel is of the opinion there is not sufficient certainty from the airport to establish what the appropriate height should be having regard to operational procedures for the airport.

Establishment of the height control for the site would then assist in determining the appropriate FSR for the site.

The Panel also agrees with the suggestion in the Council report that the infrastructure delivery mechanisms for the various traffic proposals, which the applicant agrees to, should be determined and the Panel agrees that this could be a Voluntary Planning Agreement. At this stage all that is necessary is for the applicant to provide a letter of offer to the Council indicating what will be proposed through the VPA mechanism. It would not be necessary for the VPA to be entered into and finalised at this time.

Further support for requesting the further height study and information arises from relevant Section 117 Ministerial Directions (now section 9.1 of the Act) to demonstrate to the Department that the application meets strategic merits for a gateway determination.

In this case consultation is required with relevant authorities (Bankstown Airport for height matters, and RMS for infrastructure matters) to demonstrate concurrence with the following S117 Directions prior to Gateway Determination:

- Direction 3.5 Development near Licensed Aerodromes
- Direction 3.4 Integrating Land Use & Transport

In accordance with these directions, Council must satisfy itself that the proposal for the site is appropriate in the context of its very close proximity to Bankstown Airport and associated aircraft movements. Given the importance of this issue when considering the merits of the proposal, it is essential that a prescribed airspace study be prepared to provide clarity about this issue early in the process. Confirmation from Bankstown Airport on the maximum height for the site will allow Council to determine the max. FSR for the site.

The Panel is of the opinion that the height should now be determined with Bankstown Airport Limited, together with the VPA offer so that the matter can then proceed to Gateway determination with the Department.

#### **CBLPP Recommendation**

The Panel is of the opinion that the applicant should now:

- (a) carry out the required airspace study in conjunction with Bankstown Airport Limited so that a height limit can be determined for the site;
- (b) provide a Voluntary Planning Agreement (VPA) offer to the Council, outlining the traffic and pedestrian matters that would be included in the VPA.

Further, the Panel agrees that any planning proposal would be a site specific proposal for a hospital, and that any new FSR and height controls would relate only to a hospital use on this site, to avoid any undesirable precedents for other sites.

Upon the submission of this information to the satisfaction of the Council, the matter could then proceed to a Gateway determination.

**Vote: 4 – 0 in favour**

## **DECISION**

- 2 280 CHAPEL ROAD, BANKSTOWN: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A THREE STOREY MIXED COMMERCIAL-RESIDENTIAL DEVELOPMENT, COMPRISING TWO RESTAURANTS AND CAR PARKING AT GROUND FLOOR LEVEL, WITH SIX COMMERCIAL TENANCIES AT FIRST FLOOR LEVEL AND THREE RESIDENTIAL UNITS AT SECOND FLOOR LEVEL**

#### **Site Visit**

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

#### **Public Addresses**

The following people addressed the meeting in relation to this item:

- Mr Colin De Lore (applicant/architect)
- Mr Paul Lam (representing owner)

#### **Panel Assessment**

Mr Allan Winterbottom was the community panel member present for the deliberation and voting for this matter.

The Panel agrees with the recommendation, subject to some changes to the conditions.

The Panel raised questions with regard to BCA compliance, in relation to exiting through the fire stairs, past the kitchen and down the right of way.