



Bankstown City Centre Planning Proposal (Part A)

March 2022





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Introduction

Bankstown City Centre is the principal Strategic Centre of the Canterbury Bankstown LGA. The Greater Sydney Commission's, *South District Plan* identifies Bankstown as a Collaboration Area for a highly productive, economically vibrant and liveable centre. It provides job capacity target for Bankstown strategic centre 17,000 to 25,000 jobs by 2036. Infrastructure commitments (and potential projects) are underway to realise a health and education precinct, including the Sydney South West Metro and Western Sydney University Campus and potential public hospital.

The Greater Sydney Commission's *Collaboration Area Bankstown City Centre and Bankstown Airport Place Strategy* (the Place Strategy) aims to guide the area's transition from a suburban centre to a distinctive health, academic, research and training precinct by leveraging government and institutional investments and creating a place to innovate and test ideas. It reinforces the strategic objectives of the *South District Plan* in clustering health, knowledge and education uses in Bankstown, adopting a high performing ecologically sustainable city and creating well-designed built environment. The *Local Strategic Planning Statement 'Connective City 2036' (LSPS)* affirms Council's commitment to delivering on the housing and upper jobs targets set out in the South District Plan. It also commits to supporting up to 25,000 students in the City Centre by 2036. Council's *Local Housing Strategy* targets the delivery of an additional 12,500 dwellings in Bankstown by 2036. These dwellings will contribute to the City- wide target of 50,000 additional dwellings by 2036.

The *Bankstown City Centre Master Plan* (the Master Plan), adopted by Council in September 2021, is a growth strategy which seeks to take advantage of the opportunities provided by significant investment in infrastructure and services within the Bankstown City Centre. The Master Plan sets a 20-year vision for Bankstown and translates this vision into placed-based principles and actions. The Master Plan provides an evidence based approach to support the growth and change within the Bankstown City Centre envisaged by the South District Plan, Bankstown Collaboration Area Place Strategy and Council's LSPS.

The Master Plan is underpinned by a long-term strategic vision. This vision has then been translated through a series of "spatial moves" and "intensification" approaches, which have been used to guide the 10 Directions, outlined in detail below.

The Vision for the Bankstown City Centre is:

- *"Bankstown City Centre is the beating heart of Canterbury Bankstown and a destination for Greater Sydney.*
- *Walkable streets are framed by beautiful parks and great architecture. The city embraces environmentally sustainable living.*
- *Anchored by a prominent university, health institutions and a world-class metro, Bankstown is a leading centre for innovative jobs, housing choice and green transport.*



- *People are drawn to the City for its delicious food and vibrant art, culture, entertainment and nightlife.”*

The Master Plan is defined by the following 10 directions:

1. *A centre stimulated and supported by infrastructure*
2. *A centre for people*
3. *A centre that attracts investment and jobs*
4. *A well-designed centre*
5. *A centre that embraces nature*
6. *The heart of Connective City*
7. *A resilient and carbon neutral centre by 2050*
8. *A centre proud of its heritage and culture*
9. *A centre with housing for all*
10. *A centre with collaborative governance.*

These 10 directions ensure the approach to growth and change is holistic and considers the broader needs and aspirations of the city – from ensuring infrastructure aligns with growth, to building a strong night-time economy and ensuring adequate housing that is well designed and sustainable. This *Bankstown City Centre Planning Proposal* (Planning Proposal) will implement the Bankstown Master Plan and deliver a new planning framework through amendments to Council’s draft Consolidated Canterbury Bankstown Local Environmental Plan (draft CBLEP).

The draft CBLEP is the statutory planning framework that establishes land use zones and built form controls such as Floor Space Ratios (FSR) and building heights in the Canterbury Bankstown Local Government Area (LGA). This Planning Proposal proposes a range of amendments to the draft CBLEP to give effect to the objectives and actions of the Master Plan.

These LEP amendments expand and intensify commercial activities and support higher density mixed use and residential development. The amendments also increase the capacity for residential dwellings and affordable housing and incentivise community infrastructure. New controls are proposed to ensure certain types of new development achieve a high standard of environmentally sustainable performance.

The vision is for new buildings to define streets and public spaces to deliver a comfortable, functional and attractive public domain; while the towers above are tall and slender and are set back to allow daylight, views and circulation of air to the streets and public spaces below. The LEP amendments also increase the energy and water performance of buildings to contribute toward the Council’s targets of net zero carbon emissions, increased climate resilience and ecological sustainability outcomes. Supporting the delivery of these objectives will be a Development Control Plan that will be prepared by Council and exhibited concurrently with this Planning Proposal.



This Planning Proposal has been prepared in accordance with Section 3.31 of the Environmental Planning and Assessment Act 1979 (the Act), the Standard Instrument – Principal Local Environmental Plan (Standard Instrument) and guidelines published by the Department of Planning and Environment (DPE), including the *Local Environmental Plan Making Guideline (December 2021)*. This Planning Proposal explains the intent of, and justification for, the amendments to the draft CBLEP and is supported by a range of technical studies and documentation.

This planning proposal would enable the key moves and priority actions in the Master Plan, the *Bankstown Complete Streets CBD Transport and Place Plan*, Council's LSPS and the Place Strategy and will:

- Support employment growth by maintaining a minimum required FSR for employment uses, or equivalent to the existing employment use on the site, whichever is greater
- Establish building envelope controls that maintain adequate solar access to significant parks and public spaces in winter
- Require a proportion of new residential developments above a certain yield to deliver affordable housing
- Set controls which incentivise new developments to achieve energy and water efficiency performance over legislated targets
- Provide incentive height and Floor Space Ratio (FSR) bonuses to deliver community facilities on certain sites, 3-4% affordable housing or more than 50% of employment generating uses
- Require certain B4-Mixed Use sites to deliver a minimum of 50% employment generating uses
- Provide an FSR bonus of 0.25-0.5:1 to deliver higher performance residential and commercial buildings in relation to water and energy use.

As per the Department's publication '*Local Environmental Plan Making Guideline (December 2021)*', this Planning Proposal is comprised of the following components:

Part 1	A statement of the intended outcomes of this Planning Proposal. It is a statement of what is planned to be achieved, not how it is to be achieved.
Part 2	An explanation of the proposed changes to draft Consolidated CBLEP to achieve the intended outcomes.
Part 3	The justification for making the proposed changes to draft Consolidated CBLEP.
Part 4	Maps to identify the intended outcomes of this Planning Proposal.
Part 5	Details of the community consultation that is to be undertaken on this Planning Proposal.
Part 6	Outline the indicative project timeline.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to this Planning Proposal.

In accordance with the Local Environmental Plan Making Guideline, this Planning Proposal is classified as 'Complex'.



Figure 1: Planning Proposal Categories (Source: Local Environmental Plan Making Guideline, DPE 2021, p14)

Complex

A complex planning proposal refers to any one or more of the following proposed LEP amendment types, including an amendment:

- To change in the land use zone and/or the principal development standards of the LEP, which would result in a significant increase in demand for supporting local, regional or State infrastructure and would require infrastructure funding
- To respond to a new policy e.g. local character or new provision not in the standard instrument template
- That is inconsistent with a District/Regional Plan or council's endorsed LSPS
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends
- That is progressed under the Aboriginal Land SEPP
- Any other amendment or amendments that are not categorised as a principal LEP, standard or basic planning proposal



Background

Site Description

This Planning Proposal applies to the entire Bankstown City Centre as shown in the dashed black outline in Figure 2 below.

Figure 2: Bankstown City Centre Framework Map (Source: Master Plan, p26)





The Bankstown City Centre as defined in this Planning Proposal is bound by Stacey Street to the east, Hume Highway to the north, Avon Street, Cairds Avenue, Gordon Street, Winspear Avenue and Oxford Avenue to the west, and Chertsey Avenue and Dellwood Street to the south. The property at 53 De Witt Street, Bankstown is included in this Planning Proposal despite sitting outside of the Bankstown City Centre (refer to Part 2 below).

The total area encompassed by this Planning Proposal is approximately 220ha.

Site Context

The Bankstown City Centre is the primary urban centre of the Canterbury Bankstown LGA. It is recognised as a strategic centre and health and education precinct by the Greater Sydney Region Plan, and as a result has seen significant institutional and infrastructure investment in recent years.

Bankstown is located 22km southwest of the Sydney CBD and is currently accessible via the T3 train line, numerous bus services and arterial roads including Stacey Street, Canterbury Road and Hume Highway. The centre currently contains a mix of retail, hospitality, services and housing as well as significant civic spaces such as the Bankstown Library and Knowledge Centre, local courthouse and Bankstown Arts Centre.

The centre today is culturally and linguistically diverse with over half the community born overseas. This blend of cultures has shaped Bankstown into a distinctive and multicultural centre, evidenced by the diverse range of businesses in the centre and most strongly in Saigon Place, one of Greater Sydney's most important Vietnamese neighbourhoods. The centre contains several larger commercial anchors alongside smaller businesses, including Bankstown Central Shopping Centre, Bankstown Sports Club, and Canterbury Bankstown Council's corporate offices. The centre also contains Bankstown TAFE, a significant educational institution.

Bankstown City Centre is located with access to Bankstown Airport which is located 3km to the west, as well as the road, rail and freight network, Moorebank intermodal terminal and the Liverpool CBD and health and education precinct located 9km to the west. The centre has an important commercial role in the context of the surrounding employment and industrial lands in Chullora and Milperra.

Future Context

The Bankstown City Centre is on the cusp of transformation, with significant and unprecedented investment in committed and planned infrastructure. This includes the new Western Sydney University Campus, the construction of Sydney Metro City and Southwest services and a committed \$1.3 billion investment in a new public hospital likely to be within or near the Bankstown CBD. In addition, the NSW Government has been progressively upgrading Stacey Street, an important north-south arterial for Greater Sydney, whilst the private sector has committed to several large scale developments in and around Bankstown City Centre. These opportunities will strengthen Bankstown's role as an employment centre and destination.



This Planning Proposal is a growth strategy that leverages the opportunities provided by unprecedented investment in infrastructure and services and sets the foundations for revised planning controls to deliver on the established vision for Bankstown.

This Planning Proposal implements the Master Plan which has been developed in consultation and collaboration with community groups, land owners, student and worker focus groups, industry engagement, Aboriginal and Torres Strait Islander groups and government agencies. The Master Plan was exhibited for 11 weeks between March and June 2021. Council has considered the submissions received during public exhibition and has reflected revisions to the Master Plan in this Planning Proposal accordingly.

This Planning Proposal has been informed by the following supporting studies and information:

Appendix D	Bankstown City Centre Master Plan (Adopted version)
Appendix E	Bankstown City Centre Master Plan Phase 1 Report
Appendix H	Bankstown City Centre and Campsie Town Centre Economic And Land Use Study (SGS)
Appendix I	Bankstown Airspace Constraints Report (Rehbein)
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Part 1 – Objectives and Intended Outcomes

The objectives of this Planning Proposal are to:

- Support the growth of Bankstown City Centre into a health, academic, research and training precinct and fulfil its role as a regionally significant CBD and Strategic Centre
- Increase employment generating uses and floor space and retain existing employment land uses to support Council's higher LSPS target of 25,000 jobs by 2036 (an additional 14,000 jobs)
- Provide additional capacity in planning controls to support Council's LSPS target to deliver an additional 12,500 dwellings by 2036
- Achieve a higher benchmark for development in relation to energy and water efficiency to meet Council's target of net zero carbon emissions by 2050
- Ensure development in Bankstown City Centre commits to design excellence
- Encourage a high quality and activated public domain with good solar access
- Increase active and public transport use and reduce car dependence
- Increase longer term affordable housing provision to accommodate more very low, low and moderate-income households in the CBD
- Provide a diverse range of sizes and types of community infrastructure to promote community health, cohesion and well-being and make Bankstown an attractive place to work
- Unlock underutilised public land holdings within the City Centre for redevelopment, delivering new housing and employment floor space.

The intended outcomes of this Planning Proposal are:

- Protect existing employment floorspace by maintaining a minimum required FSR for employment uses, or equivalent to the existing employment use on the site, whichever is greater
- Establish building envelope controls that maintain adequate solar access to significant parks and public spaces in winter
- Require a proportion of new residential developments above a certain yield to deliver affordable housing
- Set controls which incentivise new developments to achieve energy and water efficiency performance over legislated targets
- Provide incentive height and FSR to deliver community facilities on certain sites, 3% affordable housing in the B4 Mixed Use Zone or 4% in the R4 High Density Residential Zone (phased in over three years) or more than 50% of employment generating uses
- Facilitate employment growth by requiring certain B4 Mixed Use Zoned sites to deliver a minimum of 50% employment generating uses and introduce a B3 Commercial Core zone.
- Provide an FSR bonus of 0.25-0.5:1 to deliver higher performance residential and commercial buildings in relation to water and energy.
- Facilitate and regulate the delivery of underground floor space in the City Centre core.



Part 2 – Explanation of Provisions

This Part of the Planning Proposal provides an explanation of the provisions that are to be included in the proposed LEP.

Strengthening Bankstown’s Strategic Centre Status and Employment Generating Role

This Planning Proposal is supported by Council’s *Employment Lands Strategy (2020) and Economic and Land Use Study (2021)* which recommends establishing a B3 Commercial Core in Bankstown to elevate Bankstown City Centre as a major Central Business District in South West Sydney and protect the area for the long-term supply of commercial floor space. Both studies detailed that the failure to protect land for commercial uses could result in the City Centre being dominated by strata titled residential development that locks out the potential for significant commercial floor space delivery in the future.

This Planning Proposal seeks to introduce a B3 Commercial Core Zone in the Bankstown City Centre to ensure that land is set aside for primarily non-residential uses and to safe-guard employment-generating floor space within the City Centre. The introduction of the B3 Zone will also facilitate health and education institutions, knowledge industries and supporting urban services, meeting the City’s goal for Bankstown to be a genuine a health and education precinct. The establishment of a Commercial Core within Bankstown is also a key action of Council’s LSPS – *“Evolution E3.1.54 Create a commercial core for premium commercial and civic development in Bankstown City Centre, anchored by university, public and private hospital and other institutional development.”*

The changes proposed in this Planning Proposal to achieve these intended outcomes are described below and include the following:

- Introduce the B3 Commercial Core Zone and Amending the Objectives of the B4 Mixed Use Zone
- Amend the Special Provisions Map with Minimum 50% non-residential floor space for certain sites
- Introduce a ‘no net loss of employment floor space’ clause
- Introduce an Underground Floor Space Ratio Exclusion Clause.

It is envisaged that these changes will help to support an increase of 14,000 jobs in the city centre to meet the City’s total 25,000 jobs target by 2036. This will be achieved by this Planning Proposal



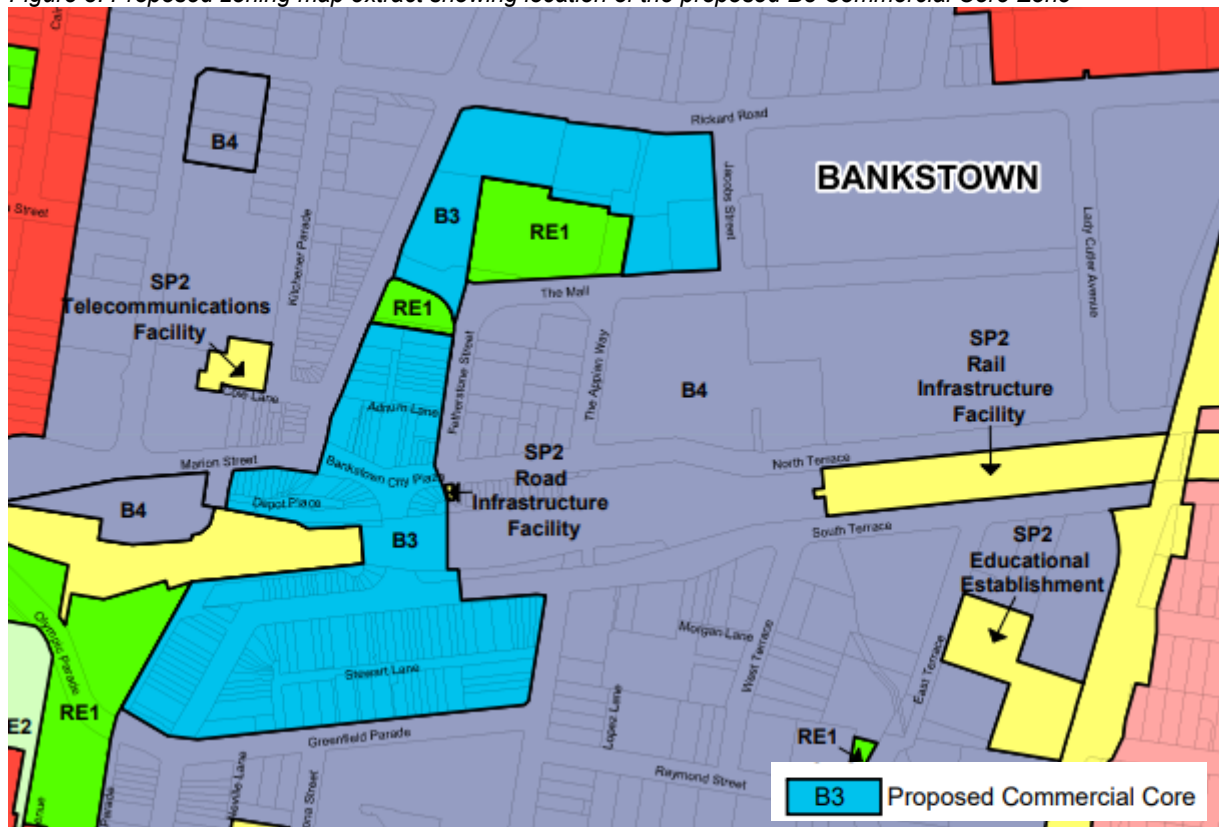
putting in place increased FSR and building height controls that will deliver up to 449,216m² of additional non-residential floor space to meet projected employment demand¹.

Introduce the B3 Commercial Core Zone and Amending the Objectives of the B4 Mixed Use Zone

This Planning Proposal amends the Land Use Table to recognise and strengthen Bankstown's role as the most strategically important employment centre for the Canterbury Bankstown LGA by introducing the B3 Commercial Core Zone in the centre of the CBD and amending the objectives of the B4 Mixed Use Zone with additional objectives and permissible uses to reflect the Strategic Centre status of Bankstown and encourage the delivery of jobs.

The proposed B3 Commercial Core Zone will apply to the land centred around the Bankstown Railway Station (and future Metro Station) and is bound by Chapel Road, Rickard Road, Jacob Street, The Mall/Featherstone Street, Restwell Street, Greenfield Parade, Griffith Park and Marion Street (refer to Figure 3).

Figure 3: Proposed zoning map extract showing location of the proposed B3 Commercial Core Zone



¹ Refer to page 31 and Appendix 6: Floorspace Analysis in the *Bankstown City Centre & Campsie Town Centre Economic and Land Use Study* (SGS Economics and Planning, 2021)



The properties that will be rezoned to B3 Zone within the Bankstown City Centre are detailed in the table below. A full list of all properties within the scope of this Planning Proposal is provided in a Microsoft Excel spreadsheet under separate cover.

The proposed B3 Zone will permit the following uses in addition to the mandated uses under the Standard Instrument LEP Template (proposed changes to the Standard Instrument are in red):

*Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; **Health services facilities**; Hotel or motel accommodation; Information and education facilities; **Medical centres**; Oyster aquaculture; Passenger transport facilities; Public administration buildings, Recreation facilities (indoor); Registered clubs; Residential care facility, Respite day care centres; Restricted premises; **Tourist and Visitor Accommodation**, Tank-based aquaculture.*

To avoid duplication in the land use table, Council proposes to remove 'Medical Centres' as it is captured within the parent definition of 'Health Services Facilities'.

The area of the City Centre where the B3 Zone is proposed has been informed by the *Bankstown City Centre and Campsie Town Centre Economic and Land Use Study* prepared SGS Economics and Planning (the Economic and Land Use Study). The location, and quantum of land that has been proposed for the B3 Zone and its capacity to deliver employment generating floor space has been analysed as part of the SGS Economics report (refer to the Explanatory Note No. 1 - Bankstown City Centre and Campsie Town Centre Economic and Land Use Study Recommendations below).

Amend the Special Provisions Map with Minimum 50% non-residential floor space

This Planning Proposal will amend the Special Provisions Map to include three sites in the Bankstown City Centre that will be required to provide a minimum of 50% of floor space as non-residential uses. The purpose of this clause is to ensure the delivery and long-term protection of the employment-generating floor space to meet job targets for the Bankstown City Centre. The minimum 50% requirement was the outcome of the analysis provided within the Economic and Land Use Study which undertook feasibility testing and modelling on a range of floor space proportions and resolved to recommend the minimum 50% requirement on larger key sites in the B4- Mixed Use zone in conjunction with a 'no net loss' and a B3 Commercial Core zoning.

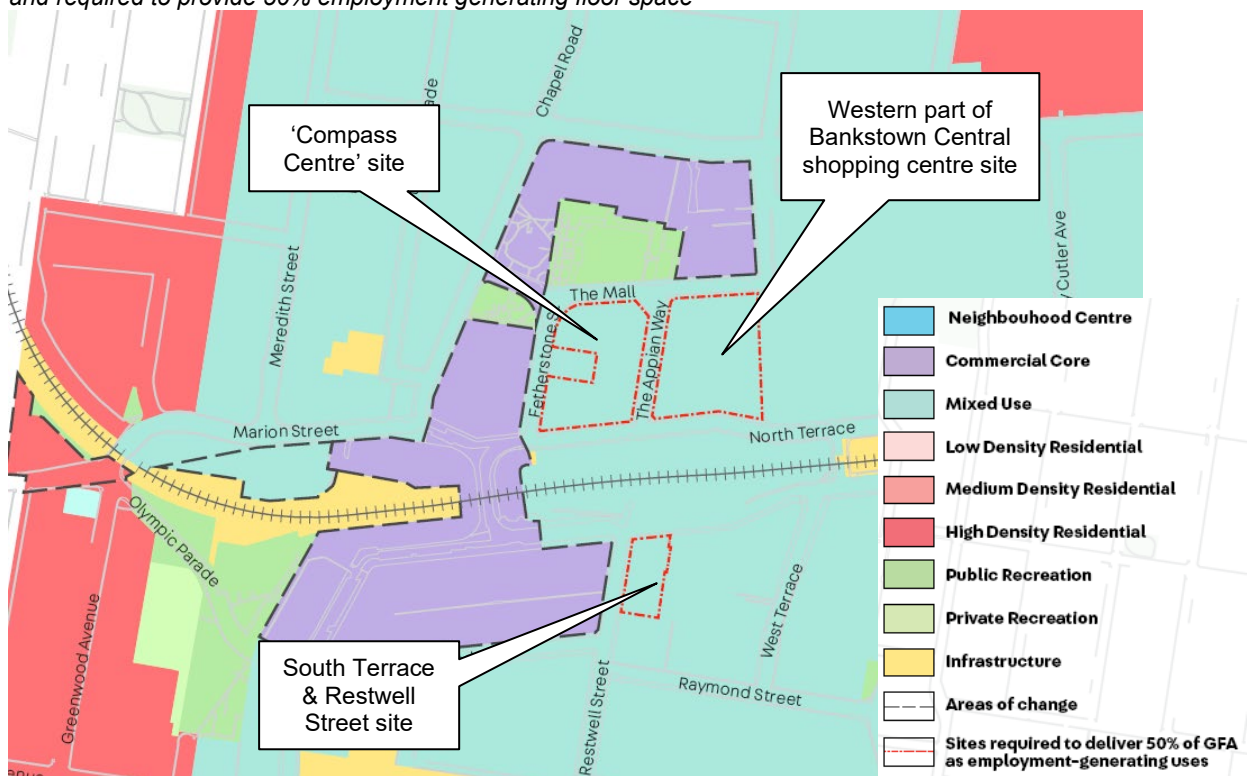
As per Objective 3.2 Bankstown City Centre Master Plan, employment generating uses will comprise, *centre-based child care facilities, commercial premises, community facilities, educational establishments, entertainment facilities, function centres, health services facilities, hotel or motel accommodation, information and education facilities, passenger transport facilities, public administration buildings, recreation facilities (indoor), residential aged care facilities, registered clubs, tourist and visitor accommodation.*



The development controls for the key sites will be included in the amended *Clause 6.12 - Restrictions on development in Zone B4 Mixed Use*. The three sites subject of this provision are:

- 83-99 North Terrace and 62 The Mall, Bankstown - Lots 19-20 DP 5541, Lot 18B DP412699, Lots 15-17, 21-24 and 27 DP5541, Lot 1 DP207810, Lot 1 DP507818 and Lot 9 DP777510 (known as the 'Compass Centre Site').
- 304 South Terrace and 12 Restwell Street, Bankstown – Lot 1 DP615638 and Lot 3 DP234101.
- The western part of 1 North Terrace, Bankstown (Bankstown Central shopping centre site) bound by The Mall, The Appian Way and North Terrace – Lot 11 DP 74620.

Figure 4: Key sites to be included in the amended *Clause 6.12 - Restrictions on development in Zone B4 Mixed Use* and required to provide 50% employment generating floor space



These three sites were chosen to provide a minimum 50% employment generating uses for the following reasons:

- The sites are large land-holdings and can accommodate separate commercial and residential towers. From an operational and market desirability perspective, this is an ideal design outcome for reasons relating to efficient operations, better amenity for residents and improved 'prestige' for commercial operators by having a sole-use commercial building rather than having a shared use residential/commercial building



- The sites are in close proximity to the future Bankstown Metro Station and proposed B3 – Commercial Core, which will attract employment uses due to accessibility to convenient transport options and complimentary land uses and services.

This approach has been tested by SGS Economics as part of the *Land Use and Economic Study* (2021).

The sites also have more than one street frontage which provides greater capacity for the sites to have flexibility in catering for pedestrian and car parking and service vehicle access.

As part of the site specific land owner submission review, an additional site at 34-38 Restwell Street Bankstown has been recommended by the Panel to be subject to the minimum 50% employment generating floor space requirement, in addition to the three sites noted above. Subject to receiving a Gateway determination, and prior to finalisation Council will consider the outcome of the exhibition and all submissions received prior to incorporating the site into the final LEP Amendment.

Introduce a ‘no net loss of employment floor space’ clause

This Planning Proposal seeks to amend *Clause 6.12* to introduce a ‘no net loss of employment floor space’ to apply to the Bankstown City Centre at the recommendation of the Economic and Land Use Study. For sites that have more than the minimum employment floor space requirement within existing development, any future redevelopment will be required to accommodate the equivalent quantum of employment floor space as a minimum. Whilst much of the existing employment floor space is commercial and retail and nature, it will not be necessary to have the equivalent floor space of the same land use. The equivalent floor space can be transferred to any other employment-generating uses (listed earlier in this report), allowing for market flexibility in providing a range of employment uses.

Explanatory Note 1 - Bankstown City Centre and Campsie Town Centre Economic and Land Use Study Recommendations

The key recommendations of the Economic and Land Use Study that are applicable to Bankstown City Centre are to:

1. Establish a modest commercial core.
2. Maintain a minimum provision of employment floor space in the ‘centre frame’ (for example, require ground floor and first floor for non-residential uses, as identified in the current LEP/DCP and/or no net loss of employment floor space).
3. Encourage the relocation of the hospital into the City Centre to create a cluster which includes TAFE, Western Sydney University.
4. Enhance the image of the centre with appropriate economic development and branding strategies.
5. Ensure large key sites located close to the future Metro station deliver a higher share of employment floor space (for example, at least 50 per cent of the total permissible floor space).

Based on forecast employment demand to 2036, the Economic and Land Use Study estimates there will be approximately 4,502 (‘Trend Scenario’) to 13,994 (‘Upper Target’) additional jobs created in Bankstown City Centre.



As detailed in the Economic and Land Use Study, multiplying the job estimates by a typical FSR of 30m² per job², it is anticipated that there will be demand for between 135,000m² to 419,000m² of for additional employment floor space to accommodate the estimated jobs demand.

Floor space analysis in the Economic and Land Use Study suggests if the 2036 upper job target is to be realised in Bankstown, there would be insufficient employment floor space capacity available. Under the first and second floor non-residential use only scenarios (as per the existing controls for B4 Zoned land in the Bankstown CBD under Clause 6.9 of the Bankstown LEP 2015), demand is far higher than available capacity, resulting in a shortfall of 182,173m². If the first three storeys were allocated to commercial uses only, the shortfall would be reduced to 41,305m² (refer to Section 4.1 of the Economic and Land Use Study).

In order to achieve the upper jobs target and thus the required floor space need, the Economic and Land Use Study recommends:

- A limited commercial core to protect employment floor space,
- Key sites which achieve a higher share of employment floor space, and
- Requirements that there is no net loss of employment floor space when redeveloped.

This Planning Proposal implements these recommendations. A summary of the rationale for these recommendations from the Economic and Land Use Study is discussed below.

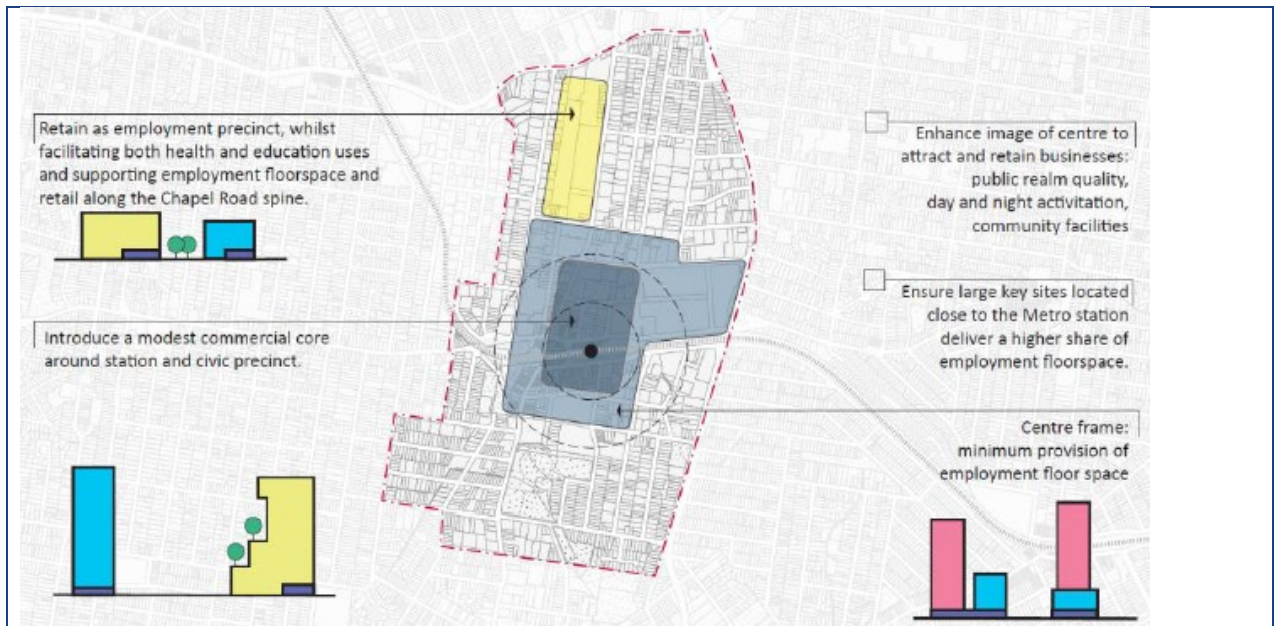
Introduce a B3 Commercial Core zone to protect employment floor space

The aim of applying a B3 Zoning of land in the Bankstown City Centre is to preserve land that permits employment uses and excludes housing. The rationale of this approach is to reduce competition between land uses by directing them to specific zones, and to a lesser extent, reduce the likelihood of land use conflicts.

This approach has the distinct advantage of providing absolute clarity to all stakeholders about the intended land use outcome. It also protects employment zoned land from the influence of residential land values (although not from pressure to rezone this land to allow housing). Council notes that the State Government-led housing planning reforms within the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) has resulted in certain residential accommodation, such as build to rent housing, being permissible in the B3 Zone as a mandated use that Council local planning controls are unable to override. Therefore, there is still the opportunity for limited residential housing to be delivered within the B3 Zone to contribute toward activity at night and on weekends.

Figure 5: Spatial Plan recommendations for Bankstown City Centre (Economic and Land Use Study, 2021)

² Based on previous SGS floorspace audit data. 30m² per job is used to account for health and education jobs which take in more floorspace than other professional services jobs.



Key sites which achieve a higher share of employment floor space

With the aim on delivering sufficient floor space capacity to meet the 'Upper Target' jobs growth for Bankstown City Centre it will be important to ensure planning mechanisms deliver employment floor space in Bankstown centre. The Economic and Land Use Study identified several large sites under single ownership and in close proximity to the new university campus, the Metro station, and Civic precinct that could deliver a higher share of employment floor space, possibly through the development of separate commercial and residential buildings on these larger sites.

The Economic and Land Use Study recommends that a minimum employment FSR or share of floor space should be used rather than imposing non-residential floor space or 'vertical zoning' requirements for buildings (e.g. building podiums to include non-residential uses with no restriction on the levels above). The Economic and Land Use Study reviewed minimum employment floor space requirements in other jurisdictions in Australia such as 10 and 25% in West Melbourne for example. The Economic and Land Use Study resolved to recommend a minimum provision of employment floor space on larger key sites of at least 50% of allowable floor space.

'No net loss' of commercial floor space

The recommendation for a 'no net loss' is included in *Recommendation 2 - Maintain a minimum provision of employment floor space in the 'centre frame'* and *Recommendation - 5 Ensure larger key sites located close to the future Metro station deliver a higher share of employment floor space* of the Economic and Land Use Study. The Council's LSPS also includes the recommendation in *Evolution E3.1.55 Implement controls for no net loss of employment floor space on sites within the Bankstown and Campsie centres*.

It is envisaged that a clause similar to *Clause 6.12 Development on certain land in Bondi Junction* in the Waverley LEP 2012 will be developed to apply to the Bankstown City Centre, with confirmation that the equivalent floor space can be transferred to one or a combination of any other employment-generating uses (listed above) to allow for flexibility and employment diversity.

By implementing the above mechanisms, the quantum of existing floor space will not be reduced. The Planning Proposal is consistent with the above recommendations of the Study.



In addition to the above, this Planning Proposal will support the draft CBLEP clause that will require a minimum provision of employment floor space delivery in the B4 Mixed Use Zone as per the current Bankstown LEP 2015 (i.e. deliver a minimum of two storeys of employment floor space at ground and first floor level) or provide a 1.4:1 of the development as employment floor space, whichever is lesser. This provision will broaden in application to the whole B4 Mixed Use Zone in Bankstown, rather than on limited sites only.

Introduce an Underground Floor Space Ratio Exclusion Clause

Due to the potential to develop limited uses in basement/underground settings on certain sites within the Bankstown CBD, this Planning Proposal will facilitate underground floor space in addition to the maximum Floor Space Ratio for land in the B3 and B4 Zones. This provision has the ability to facilitate larger floorplate uses such as supermarkets, parts of registered clubs and community facilities, to be located underground, allowing improved street activation by reducing large format uses at street level, and allow for greater ground floor permeability and encourage activity in the City Centre.

The intended outcome is to ensure public spaces and accessibility are not compromised but will work in concert. This would also assist in achieving the jobs target for Bankstown. The following factors will be considered in formulating the final drafting of the LEP clause:

- Objectives to ensure retaining an active and safe streetscape and public domain around the site
- Limitations on the type of uses (such as supermarkets, retail, theatres, community facilities, entertainment facilities, registered clubs and the like)
- Limitations on minimum lot size to which development can apply this clause
- Mandating minimum floor to ceiling heights for such uses of 3.7m and ensuring the upper most basement levels closest to the Ground Floor are used for underground floor space
- Application of this clause is to be in areas subject of car parking controls that impose 'maximums' rather than 'minimums'
- This clause will specify that underground floor space will be permitted in addition to the maximum FSR prescribed to a site on the Floor Space Ratio or Incentive Floor Space Ratio Maps.
- Consideration of flood impacts on a site.

Subject to the conditions of a Gateway determination, Council notes that the application of the clause may also require identification of areas to which this clause may apply on the Special Provisions Map or other map.

This approach is used in other Council LEPs. For example, the Sydney LEP 2012 contains similar clauses that allow additional equivalent GFA for particular uses, such as end of journey floor space, entertainment and club floor space amongst others. These additional floor space provisions are



contained at Clauses 6.4 to 6.9 of the Sydney LEP 2012, with Clause 6.7 specifically relating to underground space for club and entertainment uses.

Built Form Controls (Floor Space Ratio and Height of Building changes)

Changes to Floor Space Ratio

It is proposed to amend the Floor Space Ratio Maps to include changes to FSR across the Bankstown City Centre to reflect changes to residential and business zonings and to provide capacity for new jobs and housing. The proposed changes to the FSR maps have been informed by development feasibility and viability testing and urban design modelling to account for setbacks, likely future amalgamation patterns and solar access. This modelling has been prepared by Council and has been informed by the Canterbury Bankstown Tall Building Study prepared by Bates Smart (held at Appendix N and summary provided in the Explanatory Note No. 2 below).

The FSR Map is to be amended to reflect the FSRs based on the 'Proposed Floor Space Ratio Map' at Objective 9.1 of the Master Plan. It is noted that sites receiving a significant uplift in FSR will have FSR uplift reflected on the Incentive Floor Space Ratio Map (discussed further below) rather than the base FSR map. This Planning Proposal concentrates the higher FSRs generally within 400m of the Bankstown and future Metro railway station. FSRs range in this inner core of 4:1 to 8:1 inclusive of height incentives bonuses. Sites beyond 400m generally have a maximum FSR of up to 4:1.

The FSR clause is to also be amended to remove existing 'Area' based controls under the Bankstown LEP 2015 which restrict floor space to a reduced FSR from the FSR map if a minimum site frontage is not accommodated for the development. These provisions will be replaced by the proposed tall buildings provisions (discussed below).

The FSR maps will remove FSR from land that is proposed to be zoned RE1 Public Recreation and FSRs will be applied to sites that were previously zoned SP2 Infrastructure.

Explanatory Note 2 – Development feasibility, tall building study and intensification strategy informing the location for proposed changes to height of buildings and FSR

The intensification strategy developed in the Master Plan locates the development densities (height and FSR) within 400m from Bankstown Station due to proximity of future residents, students and workers to sustainable public transport, open space, services and important social and cultural infrastructure (see Figure 6 below). Based on this strategy, it is considered appropriate to locate 18-25 storeys within a 400m radius from Bankstown Station as the sites can support these densities. These height ranges also account for the airspace constraints over the City Centre from Bankstown Airport, which limits maximum building heights to 108m AHD (approximately 22 to 25 storeys, depending on the location and land use of the site). Refer to the *Bankstown City Centre Airspace Constraints Study* prepared by Rehbein Airport Consulting at Appendix I for details.

The Economic and Land Use Study included a financial analysis to understand the feasibility of mixed-use development and commercial developments at two sites in Bankstown. The Economic and Land Use Study noted that of the two Bankstown sites tested, one was viable and the other not being feasible to develop either as a mixed use or commercial development despite increased FSR from 4.5:1 to 6.7:1. The key reason for the unviability of one

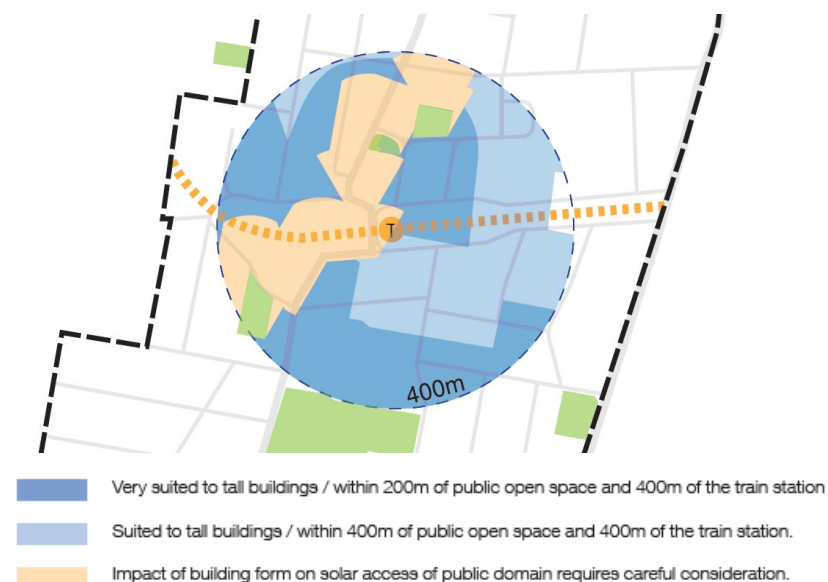


of the tested sites is the currently low revenues for retail and commercial floor space in Bankstown. The development scenario tested would be viable with a 20% increase in revenues (refer to Section 5.3 of the Economic and Land Use Study). The report stated that over time, higher revenues are likely in Bankstown with improvements in accessibility and amenity. The Economic and Land Use Study observations were that higher revenues or lower land values are required to make redevelopment of certain sites feasible. The introduction of the Metro in particular will provide a step- change in accessibility that should be reflected in the value of all land uses, but particularly for commercial development that is responsive to accessibility to labour markets, customers and other firms.

To assist with improving the market conditions and foster more viable and good quality development outcomes more broadly, strategic planning objectives for Bankstown should make a commitment to orderly development of genuine mixed-use centres, in line with growth forecasts and policy aspirations, to contribute to improved development feasibility in the longer term.

In tandem with the Economic and Land Use Study was the *Canterbury Bankstown Tall Building Study* (Tall Building Study) prepared by Bates Smart.

Figure 6: Optimum locations for tall buildings (50m+ in height) in Bankstown based on proximity to public transport, public open space and maintaining solar access to important public domain (Tall Building Study, 2021)



The findings of the Tall Building Study informed the development of the Intensification Strategic in the Master Plan and location of tower heights in the CBD proposed in this Planning Proposal. The Tall Building Study provides guidance on the most appropriate locations for tall buildings in the Bankstown City Centre and regarding how future tall buildings (buildings exceeding 50m) can meet Council's Master Plan Objectives relating to design excellence and sustainability. Bates Smart undertook specific design testing of two sites to inform recommendations on development standards for tall building developments in Bankstown City Centre. The key results of the testing were:

- Sites around 1,500m² can support tall residential buildings of more than 50m in height.
- Buildings taller than 50m can pose challenges relating to solar access and overshadowing adjoining properties.
- Floorplates of over 1,500m² will unlikely achieve good sky-view and airflow outcomes and measures are required to provide adequate space between tall buildings.
- A low scale podium with 6m landscaped setback allows tall buildings to integrate with the streetscape and will allow for a minimum 12m separation between towers of adjoining sites.



- 25% of the site as deep soil planning is achievable, however, would be under pressure with proponents seeking larger basement levels.

The Tall Building Study recommendations provide:

- Seven objectives promoting design excellence and sustainability in tall buildings at Bankstown and Campsie.
- Principles that support each objective.
- Design Guidance with recommended approaches or standards to inform tall building design.
- Notes that explain the justification and how the objectives, principles and design guidance should be applied to new tall building development.

The principles and design guidance will inform the preparation of the future Development Control Plan for the Bankstown City Centre.

Changes to Height of Buildings

In tandem with changes to the FSR, this Planning Proposal will amend the Height of Buildings Map to increase maximum building heights in key locations as set out by the Master Plan Intensification Strategy Map which generally includes land within 400m clustered around the Bankstown Railway Station and future Bankstown Metro Station.

The Proposed Building Heights Map and Intensification Strategy Map is shown at and Figure 7. The maximum building heights for Bankstown under this Planning Proposal is 83m inclusive of incentive height bonus.



Figure 7: Bankstown City Centre Master Plan Proposed Building Heights Map (page 121)

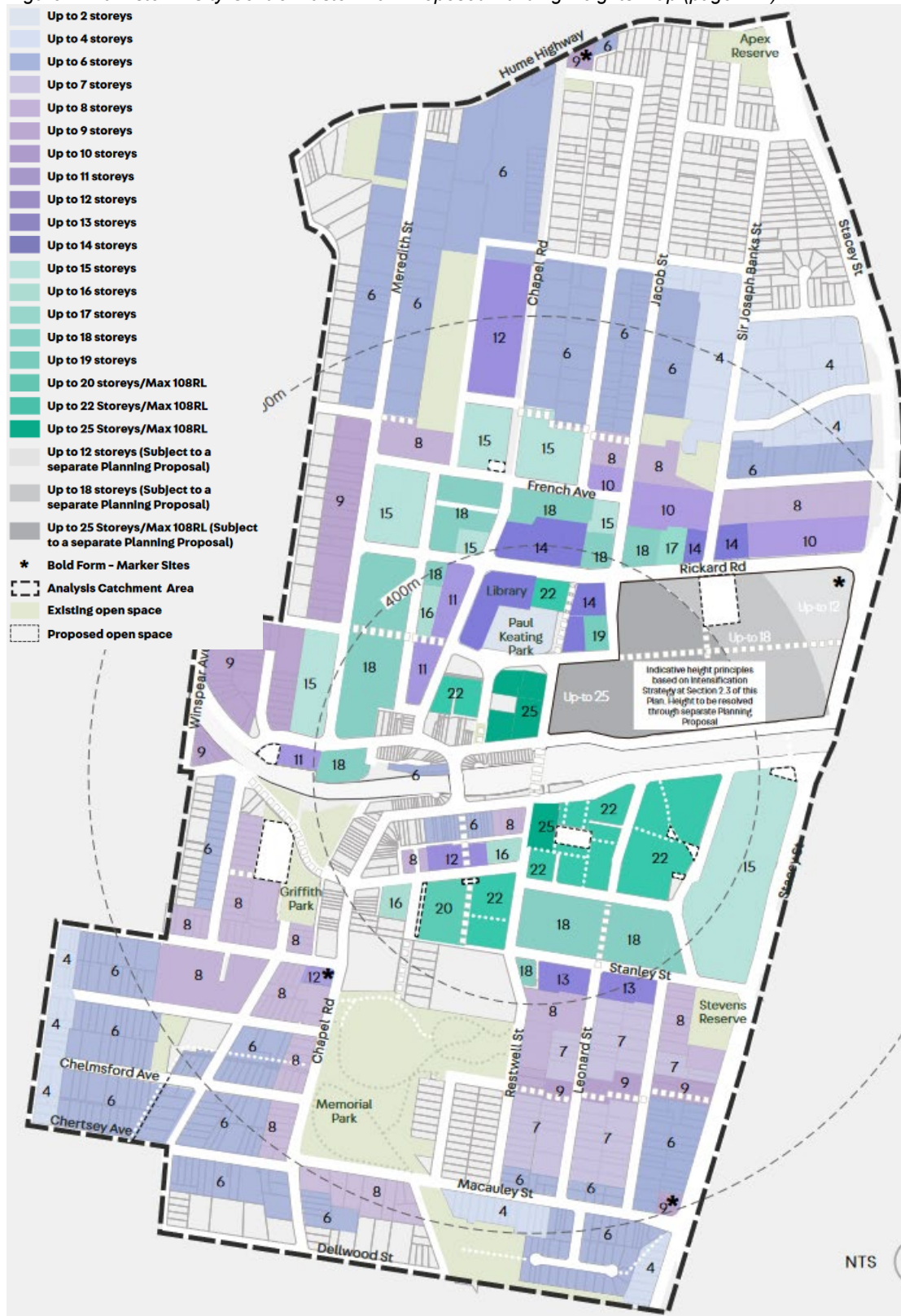
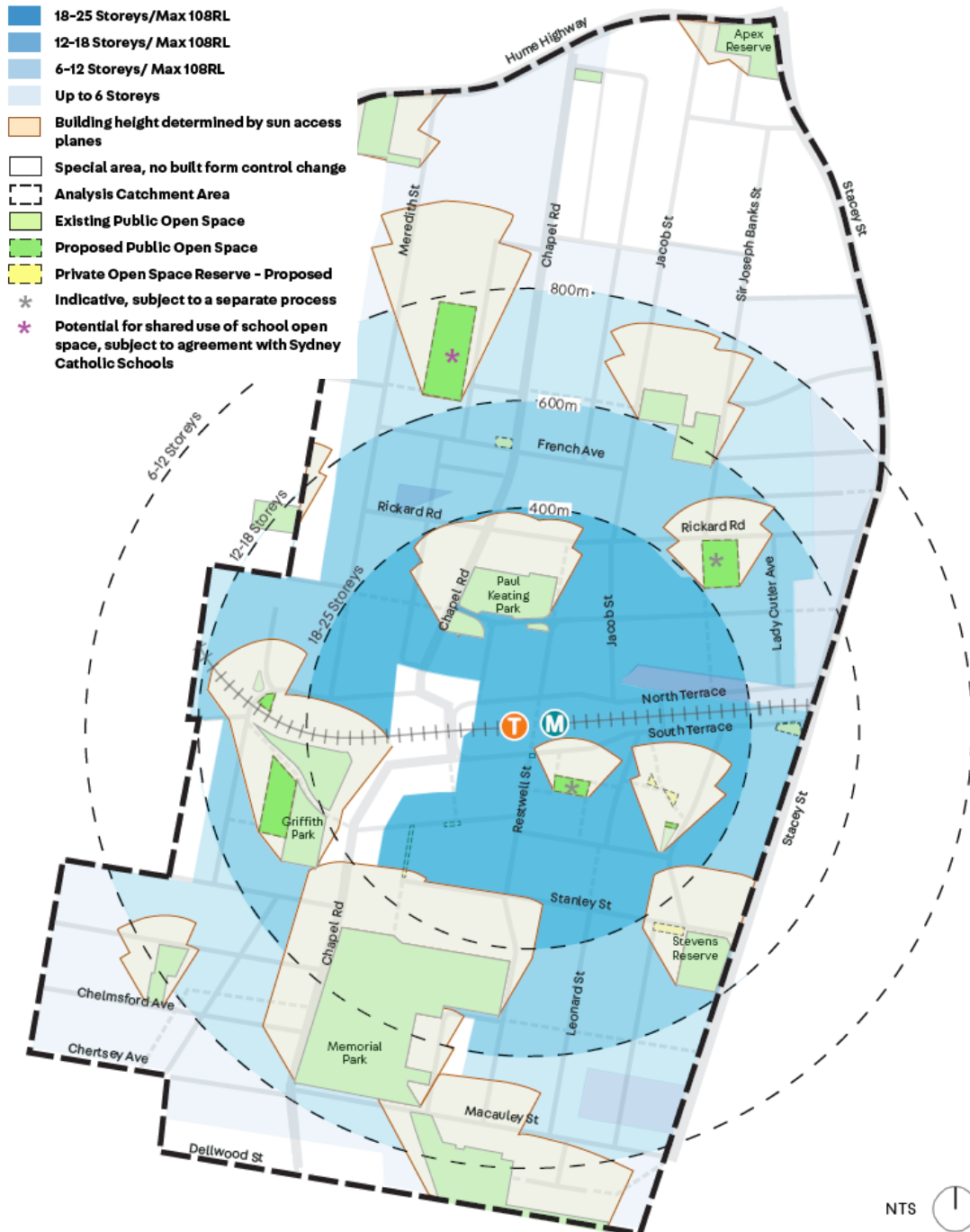




Figure 8: Bankstown City Centre Master Plan Intensification Strategy Map



The intended outcome of the changes to the Height of Buildings Map is to align maximum building heights with the maximum FSR achievable on the site and have been informed by testing and modelling undertaken by Council. Depending on the proposed level of uplift, the building heights proposed within Objective 9.1 'Increase residential capacity in Bankstown City Centre to meet our targeted population growth by 2036' of the Bankstown Master Plan will be reflected on the Height of Buildings Map, or the proposed Incentive Height of Buildings Map.



The height of buildings factors in the following height clearances:

- For mixed-use developments, 4.4m ground floor-to-floor heights and 3.7m first floor-to-floor heights and 3.1m floor-to-floor heights for the upper residential levels (consistent with the ADG requirements which sets minimum floor to ceiling heights with additional allowance for slabs and services, topographic change and roof articulation)
- For commercial developments, 4.4m ground floor-to-floor heights and 3.7m floor-to-floor heights for the upper commercial levels
- For residential flat buildings, 4.4m ground floor-to-floor heights and 3.1m floor-to-floor heights for the upper residential levels. The generous ground floor-to-floor heights enables flexibility in the accommodation of non-residential uses that are permitted in residential zones. It also enables on-site waste collection, which is an important objective of Council to minimise amenity and traffic impacts from on-street waste collections.
- 3m lift core for all uses

The Height of Building LEP clause should include an objective which requires developments to accommodate height clearances that allow good amenity, flexibility and functionality of non-residential uses and accommodate of on-site waste services. For guidance, the Bankstown City Centre specific DCP should outline the required heights as listed above.



Explanatory Note 3 – Solar Access modelling to key public open spaces

The height of buildings across the Bankstown City Centre in this Planning Proposal has been guided by solar access modelling impacts on key public domain areas undertaken by Council. Further, solar access to the public domain is a key consideration in the Tall Building Study. The Tall Building Study included the objective to maintain an appropriate level of solar access to public open space between key periods of high use (i.e. 10am-2pm in winter).

The building heights for all land across the Bankstown City Centre has been analysed and modelled by Council to achieve the minimum solar access sought under the Master Plan (Objective 5.3) for key public open space areas and key streets. A hierarchy of open space has been developed including District, Neighbourhood and Local Parks along with Key Streets that have minimum solar access requirements when measured on the Winter Solstice (refer to Figure 9). Where height controls are proposed to increase, these have been modelled to achieve the intended solar access.

Refer to Table 14 for further information on the modelling undertaken by Council in relation to the public open spaces in this Planning Proposal.

Figure 9: Proposed solar amenity controls from Objective 5.3 – Maximise solar access to open space from the Master Plan (p85)



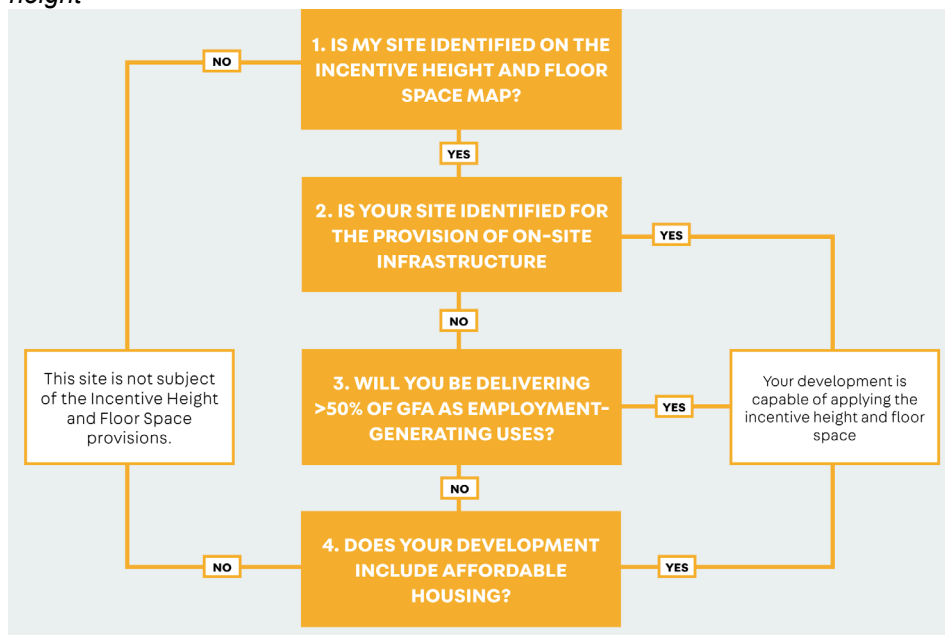
The properties that will be subject to amended Floor Space Ratio and building height controls are detailed in the Microsoft Excel spreadsheet submitted with this Planning Proposal.



Delivery of Community Infrastructure through Incentive Floor Space and Building Height

This Planning Proposal will introduce a Height and FSR incentive clause to incentivise the provision of on-site community infrastructure, affordable housing, and employment-generating uses as part of new development. **Figure 10** illustrates the delivery pathways for development to achieve incentive FSR and building height.

Figure 10: Flowchart showing the delivery pathways for development to achieve incentive FSR and building height

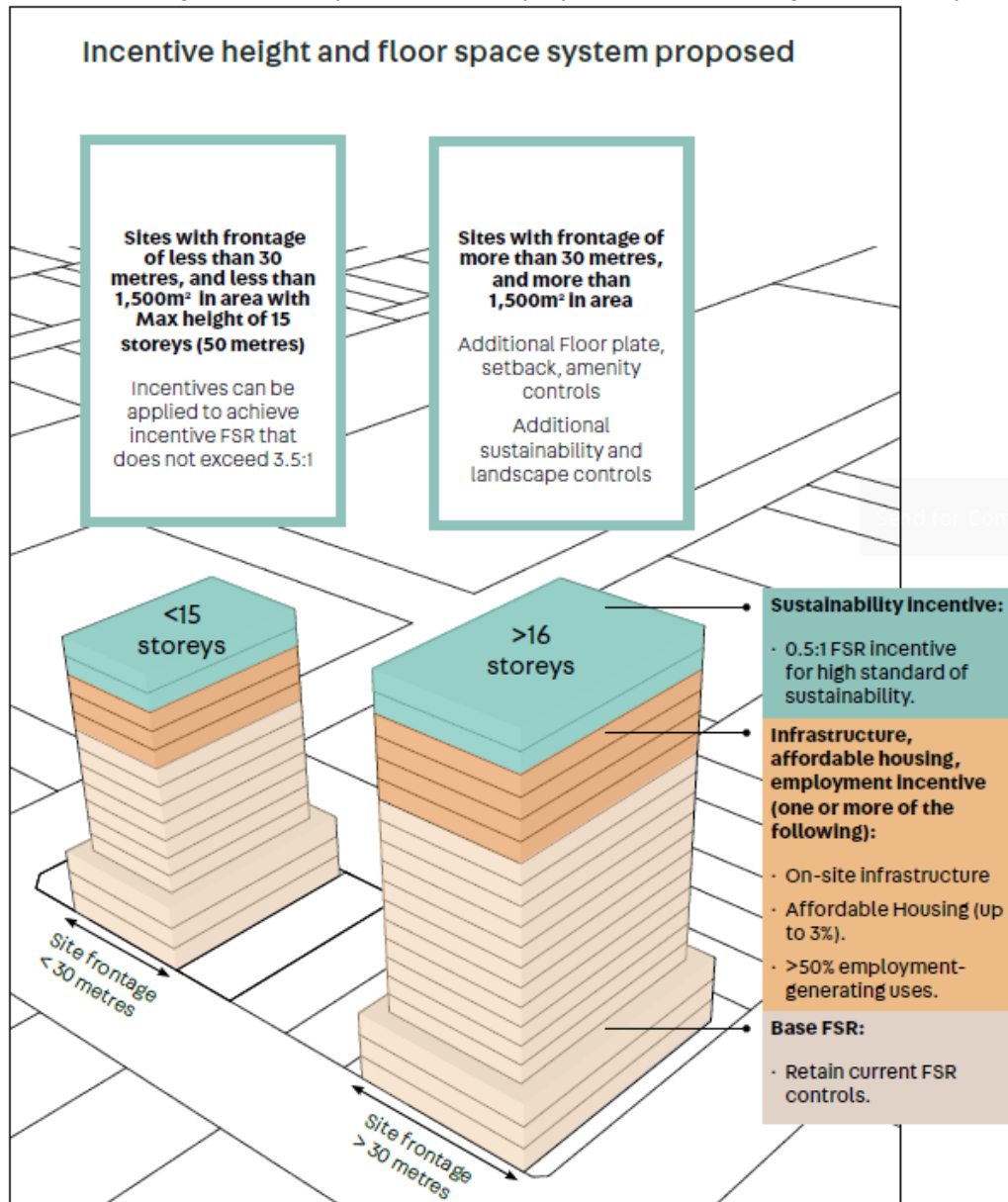


The intent of the new clause is to allow additional building height and additional floor space for development that:

- Provides on-site community infrastructure necessary for Bankstown City Centre and considers the nature and value of that infrastructure, or
- The provision of affordable housing that comprises up to 3% affordable housing the B4 Mixed Use Zone or 4% in the R4 High Density Residential Zone (phased in over three years), or
- 50% of the total Gross Floor Area is for employment generating uses, and where applicable, provides community infrastructure as noted above.



Figure 11: A diagrammatic explanation of the proposed incentive height and floor space system proposed



The provision of on-site infrastructure will be included in an adopted Council document (such as the DCP) and include maps showing the location of required infrastructure as identified by Council. Development that is located on sites that are identified by Council as required to provide on-site infrastructure will benefit from increased building height and FSR bonuses to offset the cost of providing the on-site infrastructure. In these instances, such sites would not be required to contribute to Affordable Housing. Refer to Part B of this Planning Proposal for details on the Affordable Housing Contributions Scheme and how it will apply to the Bankstown City Centre.

In addition, development that proposes more than 50% employment-generating uses, will also not be required to contribute to Affordable Housing. Employment-generating uses will include:



Centre-based child care facilities; commercial premises; community facilities; educational establishments; entertainment facilities; function centres; health services facilities; information and education facilities; passenger transport facilities; public administration buildings; recreation facilities (indoor); registered clubs; residential aged care facilities; tourist and visitor accommodation.

Supporting the new clause will be a new Incentive Floor Space Ratio Map and Incentive Height of Buildings Maps. These maps identify land that will be subject to the proposed 'Clause 6.XX – Incentive height of buildings and floor space in Bankstown and Campsie' and set out the maximum height and floor space for each site (excluding the sustainability bonus) that will be capable of accessing the incentive height and floor space scheme.

As specified in the previous section on height of buildings, the incentive heights factors in the desired floor-to-floor heights for mixed use, commercial and residential development for amenity, flexibility and functionality of uses and accommodation of on-site waste services. An objective should be included in the incentive LEP and height clause to support these desired building design outcomes.

Indicative Draft Clause - Clause 6.XX – 'Incentive height of buildings and floor space in Bankstown and Campsie'

- (1) *The objectives of this clause are as follows—*

 - (a) to allow greater building heights and densities at Bankstown City Centre where community infrastructure, substantial employment generating floor space or affordable housing is also provided,*
 - (b) to ensure that those greater building heights and densities reflect the desired character of the localities in which they are allowed and minimise adverse impacts on the amenity of those localities,*
 - (c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure and supports the provision of affordable housing,*
 - (d) to accommodate building height clearances to allow for good amenity, flexibility and functionality of future development and on-site waste collection*
- (2) *Despite clauses 4.3 and 4.4, the consent authority may consent to development on a site that results in additional building height or additional floor space, or both, in accordance with subclauses (3) or (4) if the development includes community infrastructure, substantial employment generating development or affordable housing on the site.*
- (3) *In deciding whether to grant development consent, the consent authority must be satisfied that the development is consistent with the objectives of this clause, and:*

 - (a) be satisfied that:*
 - (i) the community infrastructure has been identified by a Council-adopted document in Bankstown City Centre, and*
 - (ii) takes into account the nature of the community infrastructure and its value to Bankstown City Centre, or*
 - (b) If the site is not subject to (a), be satisfied that it provides affordable housing of:*
 - (i) 1% for development applications lodged within 12 months of gazettal of this clause [final LEP to specify dates]*
 - (ii) 2% for development applications lodged after 12 months but within 24 months of gazettal of this clause [final LEP to specify dates]*
 - (iii) 3% for developments in the B1 Neighbourhood Centre or B4 Mixed Use zones or 4% for developments in the R4 – High Density Residential Zone for development applications lodged after 24 months,*
 - (iv) If a site has been identified for the provision of community infrastructure in a Council-adopted document, that community infrastructure must be provided in lieu of affordable housing or*



(c) be satisfied that at least 50% of the total gross floor area of the development is for employment-generating uses, if the site is not subject to Clause (3)(a) of this clause.

(4) Under subclause (2), a building on land in any of the areas identified on—

(a) the Incentive Height Map—is eligible for an amount of additional building height determined by the consent authority but no more than that which may be achieved by applying the maximum height specified in relation to that area, and

(b) the Incentive Floor Space Ratio Map —is eligible for an amount of additional floor space determined by the consent authority by no more than that which may be achieved by applying the maximum floor space ratio specified in relation to that area.

(c)- This clause does not apply to land on which development to which State Environmental Planning Policy (Housing) 2021 applies

(6) In this clause—

community infrastructure means development for the purposes of community facilities, recreation areas, recreation facilities (indoor), recreation facilities (outdoor), public roads, public through-site links and laneway.

Affordable housing has the same meaning as the Act.

Employment-generating uses includes centre-based child care facilities; commercial premises; community facilities; educational establishments; entertainment facilities; function centres; group homes; health services facilities; hostels, hotel or motel accommodation; information and education facilities; passenger transport facilities; public administration buildings; recreation facilities (indoor); registered clubs; residential care facilities; tourist and visitor accommodation

This Planning Proposal also amends the Special Provisions Map to identify the Bankstown City Centre as 'Area XX' (number to be confirmed at LEP Amendment finalisation stage) to give effect to and reference new LEP clauses including delivery of a minimum amount of employment generating floor space, provision of infrastructure on individual sites in the form of open space or through site links and apply a sustainability incentive scheme which incentivises sustainability excellence in development. An extract of the Special Provisions Map is provided at

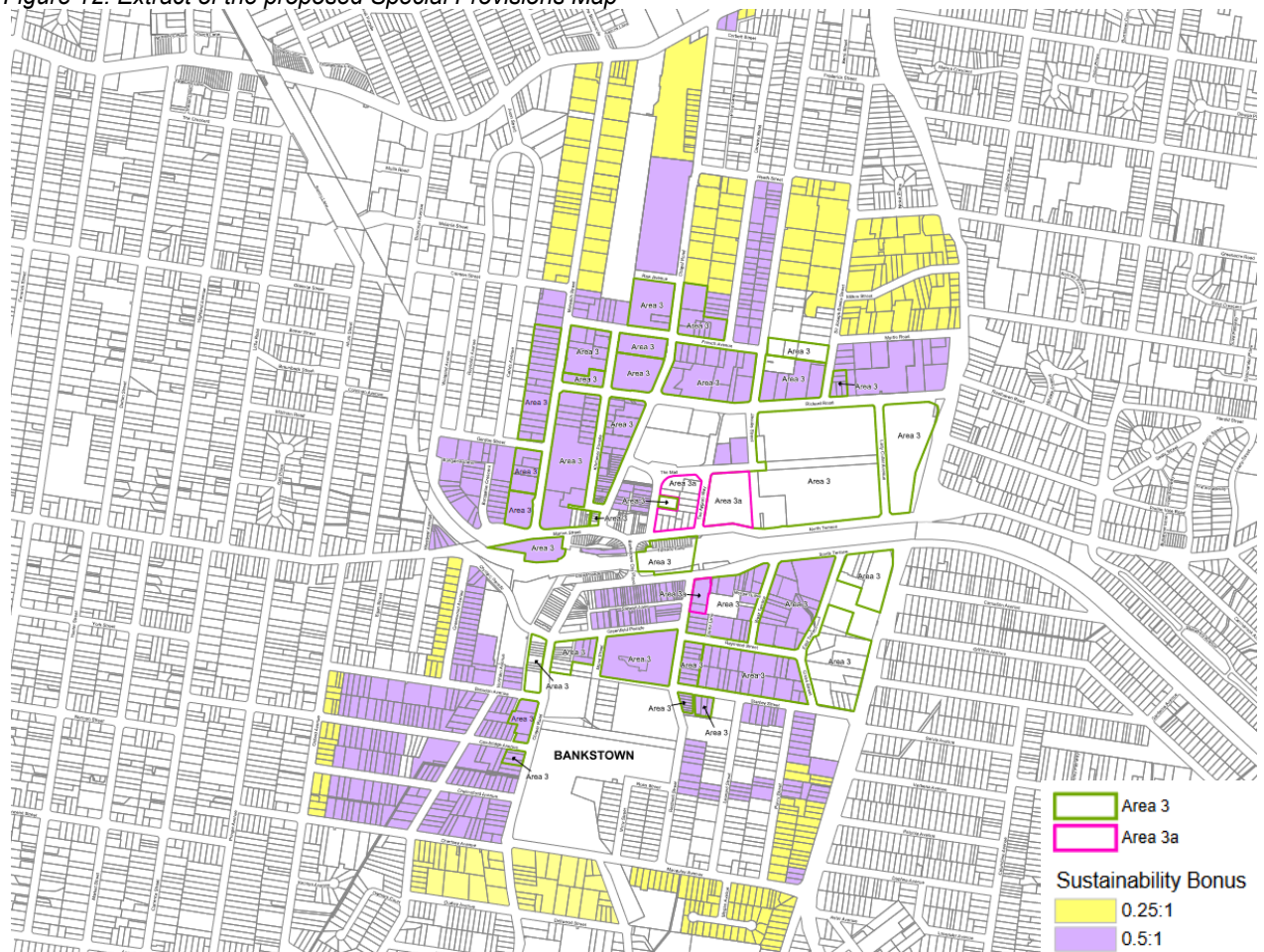


Figure 12.

Area 3 in the figure is the mapped extent of the LEP provision requiring the ground and first floors of development to be non-residential uses or provide a minimum non-residential floor space of 1.4:1 for the site, whichever is the lesser. Area 3a represents the sites that are required to provide a minimum 50% of total floor area as employment generating floor space. The shaded areas indicate the sites that are subject to the 0.25:1 or 0.5:1 sustainability bonus clause. This is further discussed in the next section.



Figure 12: Extract of the proposed Special Provisions Map



Improving Sustainability in Buildings

An existing sustainability bonus currently applies to certain development in the Bankstown City Centre under the Bankstown LEP 2015. The existing bonus scheme was independently reviewed through the Master Planning process by Sustainability Consultants Oculus which recommended a number of changes to better support achieving Council's net zero emissions target by 2050. One of the recommended changes was to broaden the application of the bonus across the Bankstown City Centre, rather than only to limited, large scale developments. The previous iteration of the draft Plan recommended a bonus of 0.5:1 be applied across the City Centre. This has been retained.

It is however proposed that the sustainability bonus be amended in terms of the quantum of bonus floor space that can be achieved. Given it is proposed to apply the sustainability bonus more broadly, a 0.5:1 FSR bonus for development achieving less than 1.5:1 is a substantial uplift that will result in poor built form outcomes. As such, for development with a proposed maximum FSR of less than 1.5:1, it is proposed that the Sustainability Bonus be reduced to 0.25:1 FSR to be more proportionate to the 'base' FSR applicable to the site.



On this basis, this Planning Proposal will amend Clause 4.4A to apply more broadly across the Bankstown City Centre as described above and update the clause to meet current best practice standards for supporting Council's objective of achieving net zero emissions by 2050.

The intended outcome of the updated clause is to incentivise new development in the Bankstown City Centre to achieve best practice sustainability outcomes and building efficiency measures by granting bonus FSR of up to 0.5:1 for development that meets the criteria outlined in the clause. This will be achieved through the following measures:

- Identifying land on the Special Provisions Map that will be subject to this clause.
- Apply the clause to a range of development types including residential flat buildings, commercial premises, tourist accommodation and mixed-use development.
- New development will not be connected to natural gas, include installation of a solar photovoltaic system and for residential development, achieve energy and water efficiency targets as set out in the draft Plan and supporting Sustainability Study.
- There will be specific energy, water and emissions controls for non-residential development including office premises, shopping centres/retail development or new hotels as set out in the draft Plan and supporting Sustainability Study.
- All other development not covered by the above criteria will be required to demonstrate exceeding the Section J 'Energy Efficiency' National Construction Code Building Code of Australia by 15%.
- Setting out the allowable bonus FSR, being up to an additional 0.25:1 if the total resultant FSR of development will be 1.25:1 or less, or 0.5:1 if the total resultant FSR of development will be more than 1.25:1. This bonus FSR may be applied above the maximum FSR permitted on the 'Maximum Floor Space Ratio' Map, or the 'Incentive Floor Space Ratio Map'.

Indicative Draft Clause - 4.4A Additional gross floor area for more sustainable development in Bankstown and Campsie (Note: Changes shown in red)

(1) *The objectives of this clause are as follows—*

- (a) *to encourage building design (namely the built form and layout) of ~~large-scale high density residential development~~, commercial development and mixed use development in ~~Bankstown City Centre~~ that minimises the consumption of energy and water,*
- (b) *To promote design excellence in delivering higher-performance buildings*
- (c) *To improve sustainability outcomes in the areas of greenhouse gas emissions, water and health.*
- (d) *to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity.*

(2) *This clause applies to development if –*

- (a) *the development is on land in B3- Commercial Core, B4 – Mixed Use or R4- High Density Residential zones ~~in Zone B4 Mixed Use~~, and*
- (b) *the lot on which the development will be sited is at least 18 metres wide at the front building line, and*
- (c) *the lot on which the development will be sited has a maximum floor space ratio of 3:1 as shown on ~~the Floor Space Ratio Map~~, and*
- (b) *the development includes the erection of one or more buildings for the purposes of a residential flat building, commercial premises, ~~tourist and visitor accommodation~~, health services facilities, educational establishment or a mixed use development.*



(3) Despite any other provision of this Plan, the consent authority may grant development consent to development to which this clause applies if the gross floor area of the buildings on the development site exceeds the gross floor area otherwise permitted by this Plan by:

- (i) no more than 0.25:1 if the site is identified on the SPV map, or
- (ii) No more than 0.5:1, if the site is identified on the SPV map.

(4) Before granting development consent to development under this clause, the consent authority must be satisfied that—

(a) Residential development, Commercial premises, Mixed Uses and Tourist and Visitor Accommodation will comply with the following standards –

- (i) not be connected to natural gas
- (ii) Install a solar PV system of no less capacity than:
 - a. A coverage area of solar panels of not less than 60% of the roof area does not occupy by cooling towers or communal open space, or
 - b. Sized to provide no less than 45 w/m² of total site area in year one AC maximum peak power deliverable after allowances for inverters and system losses.
 - c. Strata residential buildings of three storeys or less are to connect solar panels directly to the meters of individual units.

(b) all new residential development to achieve energy and water efficiency targets, as follows:

- (i) BASIX energy score of:
 - a. 65 for 3 storey residential flat buildings;
 - b. 55 for 4-5 storey residential flat buildings
 - c. 45 for 6 or more storey residential flat buildings
- (ii) BASIX water score of at least 50.

(c) The following development is required to achieve a greenhouse gas and water efficiency rating that are at least 15% improved upon the performance currently being achieved by the 15th percentile of best performing buildings within the same building class as at the date of DA receipt by the Consent Authority in accordance with Federal Government's NABERS registry as taken on 26 February 2020:

- (i) New development containing office premises with a net lettable area (NLA) of 1,000m² or more.
- (ii) New shopping centre/retail development with gross lettable area retail (GLAR) of 5,000m² or more.
- (iii) New hotels.

(d) All other development is required to exceed the requirements of Section J of the NCC BCA, current at the time of application, by 15% to be demonstrated using the JV3 method for combined envelope and services.

(5) This clause does not apply to land on which development to which clause 17 of State Environmental Planning Policy (Housing) 2021 applies is to be carried out.

(6) In this clause—

BASIX certificate has the same meaning as in the Environmental Planning and Assessment Regulation 2021

BASIX energy target score means the energy target score set out in a BASIX certificate.

BASIX water target score means the water target score set out in a BASIX certificate.

Mixed use development means a building or place comprising commercial premises and dwellings.

Achieving Building Design Excellence

This Planning Proposal will introduce a Tall Building Clause that will apply to 'tall buildings', being buildings over 50m in the Bankstown City Centre, that must have a minimum frontage of 30m and 1,500m² in total site area. The intended outcome of the clause is to encourage good building design outcomes of tall buildings including at the ground level by including clause objectives that will require the ground floor level of tall buildings to have active street frontages and the tower design



to be compatible with its context and not adversely affect the amenity of public places. It is also intended that taller buildings will have the site dimensions capable of accommodating on-site waste services to improve waste operation efficiencies, reduce kerbside use conflicts and protect place amenity.

The draft DCP amendment that will apply to this Planning Proposal area will include reference to the Tall Building clause and provide development controls to support the objectives and development standards which will have greater statutory weight to seek high design quality tall buildings than the DCP would be able to achieve alone.

The DCP controls generally seek to implement the recommendations of the Tall Buildings Study prepared by Bates Smart.

Changes to SP2 Public Infrastructure Zoned Land

This Planning Proposal will rezone seven properties from SP2 Infrastructure to either B3 Commercial Core or B4 Mixed Use zone to facilitate redevelopment of these underutilised land parcels to align with the future vision of Bankstown as a place with increased jobs and housing and a more vibrant and active place at day and night. These properties include the following:

- 490 Chapel Road and 347Aa Hume Highway (Lot 1 DP 853675; Lot 202 DP 1231757, Lot 2 DP 109612, Lot 4 DP 132511, Lot 5 DP 132511, Lot 1 DP 1154975, Lot 2 DP 1154975, Lot 10 DP 132511 and Lot 11 DP 132511). (Bankstown TAFE Site): From SP2 Educational Establishment to permit hospital and ancillary health and accommodation facility uses to meet objectives of the South District Plan, LSPS and Bankstown Place Strategy for increasing health services facilities and incentivising the delivery of a public hospital within the Bankstown City Centre. Should this not selected as the location of a new public hospital, the addition of health services may assist in attracting investment in private and allied health, residential care facilities and other complementary health, academic, research and training uses.
- 40 Marion Street, Bankstown (Lot 21 DP 873506): From SP2 Road Infrastructure Facility to B4 Mixed Use Zone. These sites are located within in the B4- Mixed Use zone precinct. The Land Use and Economic Study identified these sites as forming part of the mixed-use core of Bankstown City Centre and contributing toward the City's employment floor space targets. The Complete Streets Master Plan (2019) recommends retaining this site as a car park. However, it is envisaged that any future redevelopment of the site could incorporate some component of publically accessible car parking as part of a mixed-use development. Complete Streets stated that single-use off-street parking complexes are an inefficient use of prime CBD land in their current format, with no employment/commercial uses, no street level activity and unattractive design. Public car parking sites like 40 Marion Street can accommodate a mix of higher and better uses more befitting to its location within the centre. Therefore, an exclusive SP2 zone for parking is not required.



- 33 Meredith Street, Bankstown (Lot 72 DP 710726): It is proposed to rezone this site from SP2 Emergency Services Facility (former ambulance centre no longer in operation) to B4 Mixed Use to facilitate redevelopment to provide employment floor space and jobs. It is noted that the site has been identified as being part of the Mixed Use core in the Land Use and Economic Study to contribute toward employment floor space and jobs.
- 27-31 Meredith Street, Bankstown (Lots 1-2 DP 302765 and Lot 27 DP655932): It is proposed to re-zone this multi-level car park site from SP2 Road Infrastructure to B4 Mixed Use to facilitate mixed use redevelopment and provide employment floor space and jobs as per the outcomes sought for 33 Meredith Street adjacent.
- 20 Featherstone Street (Lot B DP 432479) and 369 Chapel Road (Lot 10 DP 5541): It is proposed to rezone this site from SP2 Public Administration to B3 Commercial Core zone to enable complimentary ancillary uses on the current Bankstown Courthouse site (such as a café).

Additional Permitted Uses – Amendments to Schedule 1

This Planning Proposal will add ‘restaurants and cafes’ and ‘takeaway food or drink premises’ uses as Additional Permitted Uses to 2 Percy Street, Bankstown (Lot 1 DP 166768), to allow for activation of the site’s frontage to Stanley Street and its interface to Stevens Reserve. Additionally, it is proposed to introduce a new active street frontages map to reflect the intended activation of Stanley Street and Stevens Reserve. The active frontage will be along the street and park-facing property boundaries of 2 Percy Street, Bankstown. Refer to the Active Street Frontage Map at Appendix C.

Exempt Development Provisions – Amendments to Schedule 2

It is proposed to add a new subclause in Schedule 2 – Exempt Development to allow extended operating hours, including late night operation, in the B3 Commercial Core and B4 Mixed Use Zone for certain business premises and retail premises without requiring development consent of Council. The amendment to Schedule 2 will specify the types of uses that will be subject to this clause (refer to the indicative draft clause wording below). It is intended to allow certain business and retail premises the subject of this new clause to operate between 6.00am and 11.00pm, Monday to Thursday, Sunday and public holidays and between 6.00am to 12.00am, Fridays and Saturdays within the B3 Commercial Core and B4 Mixed Use Zones.

The intended outcome is a reduction in regulatory approval processes for operating hours which will encourage and enable certain existing and new businesses and retail premises to operate extended hours, in particular into the night time within a precinct-wide area to trade later, without development consent, whilst also providing certainty to the residential community over areas that will have increased night time activity. This will also help complement the growing health and



education function of Bankstown City Centre, whilst will generate significantly more activity outside of core business hours.

A draft clause is provided below.

Indicative Draft Clause - Trading Hours – Certain Retail and Business Uses

1. *The operation of business premises or certain retail premises between 6.00am and 11.00pm, Monday to Thursday, Sunday and public holidays and between 6.00am to 12.00am, Fridays and Saturdays, is development specified for this code if—*
 - a. *The premises are defined as a shop or business premises, and*
 - b. *Is located in the B3 – Commercial Core or B4 – Mixed Use Zone*
2. *The operation of certain retail premises between 6.00am to 11.00pm, Fridays and Saturdays, is development specified for this code if—*
 - a. *The retail premises are defined as a market, restaurant or café, take away food and drink premises or mobile food and drink outlets, and*
 - b. *Is located in the B3 – Commercial Core or B4 – Mixed Use Zone*
3. *The standards specified for that development are that the development must—*
 - a. *be for the operation of premises that are the subject of a development consent and comply with all conditions of the consent for the use of the premises, with the exception of operating hours*
 - b. *not, as a result of the exempt development, contravene any existing condition of any active development consent that applies to the premises relating to noise, car parking, loading or waste management, and*
 - c. *must comply with the provisions of the Liquor Act 2007 and not contravene any licenses pertaining to the business under this Act.*

Refer to Section 6.11 for further details.

Miscellaneous Amendments

53 De Witt Street, Bankstown

The Land Reservation Acquisition Map will be amended to include part of 53 De Witt Street, Bankstown. Council received written correspondence from the land owner of 53 De Witt Street, Bankstown, and while the site is located outside of the draft Plan boundary, Council considers on review of the submission that there is merit in proceeding with rezoning of a portion of the site to IN2 Light Industrial to reflect its current use, as there are no other immediate or short term plans to review land use controls within this precinct.

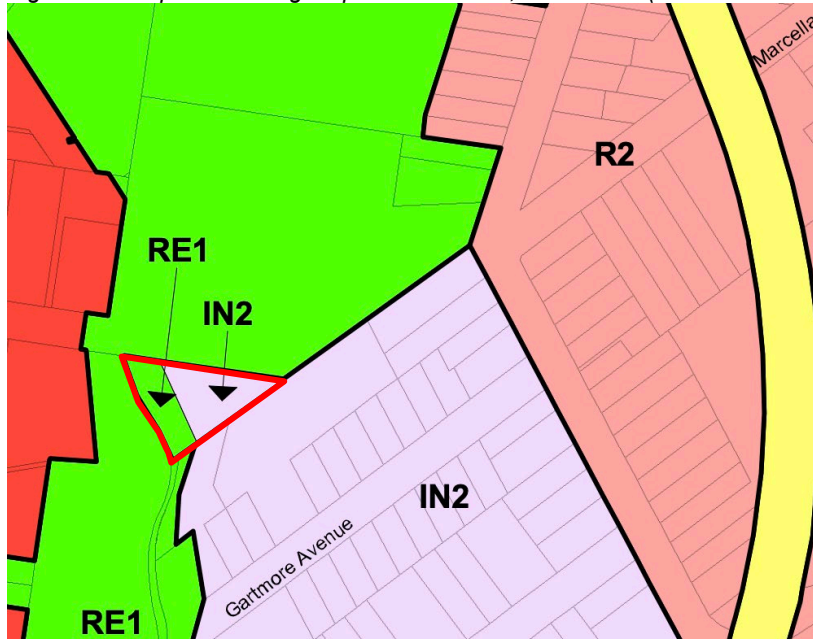
As per the Master Plan, it is proposed to maintain part of the site as RE1 Public Recreation to formalise existing public access through the site (known as the Salt Pan Cycleway) and to retain an open space and retain a buffer corridor along the banks of Salt Pan Creek for future potential recreation access and biodiversity naturalisation. The full extent of the site is not required for open space needs given the adjacent public park to the north, the industrial uses in the vicinity and



relatively high provision of public open space in the area. It is therefore proposed to return the remaining eastern part of the site to IN2 Light Industrial to reflect its current use.

The Land Acquisition Map is to be amended as part of this Planning Proposal to reflect this.

Figure 13: Proposed zoning map for 53 De Witt, Bankstown (site outlined in red)



83-99 North Terrace and 62 The Mall, Bankstown ('Compass Centre Site')

It is proposed to amend *Clause 6.19 (3)(b) - Design excellence at certain sites at Bankstown* relevant to the 'Compass Centre Site' located at 83-99 North Terrace and 62 The Mall - Lots 19-20 DP 5541, Lot 18B DP412699, Lots 15-17, 21-24 and 27 DP5541, Lot 1 DP207810, Lot 1 DP507818 and Lot 9 DP777510.



Figure 14: Proposed FSR Map showing the location of the Compass Site



The 'Compass Centre Site' is proposed to be a 'Key Site' under *Clause 6.12 - Restrictions on development in Zone B4 Mixed Use* which is required to provide a minimum 50% of floor space for employment-generating uses. The inclusion of this new provision will require an increased maximum FSR of 5.3:1 (from 5:1) that recognises that the increase in commercial floor space required under this proposed clause results in increased Gross Floor Area (GFA) when compared to equivalent residential built form due to greater efficiencies in a commercial development.

The proposed change in the maximum FSR is not expected to result in an increase in the number of buildings, their form or overall scale of development on the site beyond what is available under the current LEP controls given the change is a relatively minor 6% increase.

The intent of the clause is that the FSR for the site is to be updated from 5:1 to 5.3:1. The sustainability clause bonus of 0.5:1 will also be applicable to this site, in addition to the prescribed maximum FSR of 5.3:1 under this clause, resulting in a total maximum FSR on the site of 5.8:1.

15 Jacobs Street, Bankstown (adjacent to RM Campbell Reserve)

The Land Reservation Acquisition Map will be amended to include the eastern part of 15 Jacobs Street, Bankstown (SP 33078) to provide a wider pedestrian link between the western and eastern parts of RM Campbell Reserve and increase the total area of the Reserve. This inclusion of this additional land as part of the Reserve will provide opportunities for an overall improved visitor experience and assist with increased visitation and use of the Reserve.



Figure 15: Extract of proposed Land Reservation Acquisition Map at RM Campbell Reserve (circled in red)



Removal of Site Frontage Restrictions

It is proposed to amend *Clause 4.4 – Floor Space Ratio* by removing the current site frontage restrictions and replaced with the proposed tall buildings clause which requires buildings of 16 storeys and above to be located on a site with a minimum 1,500m² and 30m frontage to encourage lot consolidation and the delivery of functional and efficient floorplates in the Bankstown City Centre.

Maps

This Planning Proposal seeks to amend some maps and create new maps as part of the draft CBLEP. The proposed LEP Maps are provided at Appendix C. The following broadly summarises the key changes and additions:

- Map 1 – Proposed Amended Land Zoning Map
- Map 2 – Proposed Amended Floor Space Ratio Map
- Map 3 – Proposed Amended Height of Buildings Map
- Map 4 – Proposed Amended Special Provisions and Sustainability Bonus Map
- Map 5 – Proposed New Incentive Floor Space Ratio Map
- Map 6 – Proposed New Incentive Height of Buildings Map
- Map 7 – Proposed Amended Additional Permitted Use Map
- Map 8 – Proposed Amended Land Reservation Acquisition Map (North)
- Map 9 – Proposed Amended Land Reservation Acquisition Map (South)
- Map 10 – Proposed New Active Street Frontages.

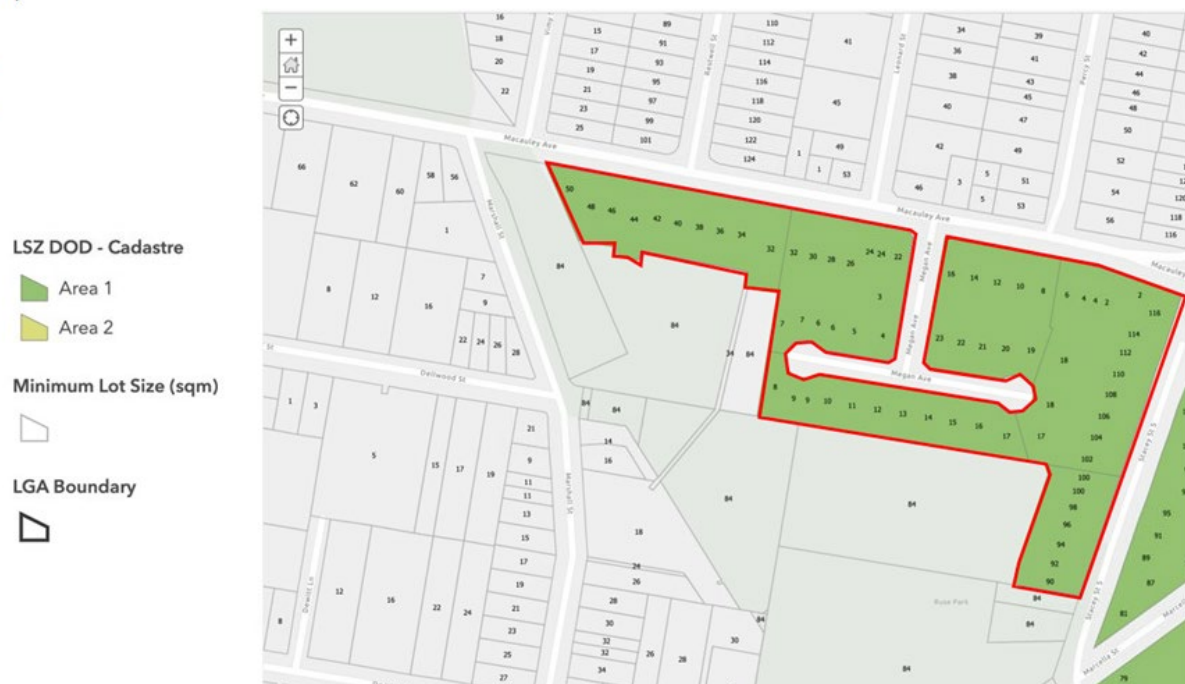


The draft Consolidated CBLEP proposes to include amendments to Clause '4.1A Minimum lot sizes and special provisions for dual occupancies' to introduce a minimum lot size map for dual occupancy development with the map show different areas in the LGA subject to different lot size requirements depending on whether the proposed dual occupancy is detached or attached dual occupancy development.

In the event the draft Consolidated CBLEP proposes to include the amendments to Clause 4.1A noted above and introduce a minimum lot size map for dual occupancy development map in the final LEP Amendment, a change will be required to that map as part of this Planning Proposal to removing the properties bound by Macauley Avenue, Megan Avenue and Stacey Street from that map. This change to the map would be required on the basis those properties are being rezoned from R2 Low Density Residential to R4 High Density Residential and thereby prohibiting dual occupancy development.

Figure 16: Proposed minimum lot size map for dual occupancy development (draft Consolidated CBLEP)

Key



Amend Canterbury Bankstown Development Control Plan 2021

Council intends to prepare a comprehensive set of DCP amendments to the adopted consolidated Canterbury Bankstown DCP 2021 (CBDCP 2021) to support this Planning Proposal. The draft DCP will include specific controls relating to built form, design and materiality, local character, setbacks, landscaping and tree canopy, sustainability, building performance, open space and design quality and a range of other controls identified in the Master Plan and supporting studies. It will also illustrate the location and typology of on-site infrastructure that is required to be provided as part of the incentive height and FSR scheme, such as through site links, open space for dedication to Council and multi-purpose facilities.



Council intends to place the draft DCP on public exhibition concurrently with this Planning Proposal, should the proposal receive a Gateway determination.

Site-specific Land owner Submission Review

On 9 and 10 September 2021, the Master Plan was reported to Council's Local Planning Panel (LPP). During the LPP, a number of land owners requested variations to proposed planning controls in the then draft exhibited Master Plan. The LPP advised that Council should formally assess these variations prior to post-gateway exhibition of this Planning Proposal due to the complex nature of the issues discussed.

Having considered this advice, Council adopted the Master Plan on 28 September 2022 and resolved to review these site-specific land owner submissions prior to submitting this Planning Proposal for Gateway determination. Following the Council Meeting, land owners of the following properties were invited to provide formal submissions that respond to the 10 guiding objectives outlined in the brief prepared by Council:

- 1A Gordon Street and 30-36 Meredith Street, Bankstown
- 34-38 Restwell Street, Bankstown
- 8-10 West Terrace, Bankstown
- 457 Chapel Road, Bankstown
- 67-69 Rickard Road, Bankstown
- 2-10 Leonard Street, Bankstown.

The 10 guiding objectives of the brief are:

1. Create outstanding planning and urban design outcomes for the sites and Bankstown City Centre and achieve the vision and objectives outlined in the 10 directions for the Master Plan
2. Deliver high quality residential amenity in accordance with the Apartment Design Guide
3. Adhere to the 6 Intensification Principles that guide the Master Plan
4. Align with the strategic directions of the Tall Buildings Study (Bates Smart), Bankstown and Campsie Landscape Controls (Oculus), which are technical studies that supported the Bankstown and Campsie Master Plans
5. Protect and improve the amenity, built form/public domain quality, heritage, and natural environment of Bankstown City Centre
6. Achieve a high standard of architectural and urban design for the site and surrounding streetscape
7. Protect solar access to the public parks as detailed in Objective 5.3 of the Master Plan (where applicable)
8. Achieve a suitable built form transition to neighbouring properties when factoring existing context and future built form controls and likelihood of neighbouring properties to be redeveloped
9. Ensure sites are not isolated for redevelopment



10. Deliver on-site infrastructure, affordable housing or employment generating uses (where applicable) in accordance with Direction 1 of the Master Plan.

Council limited the review to the particular sites listed in Council Meeting resolution of 28 September 2021 prior to the Gateway process of the Bankstown City Centre Planning Proposal.

A Panel comprising an independent Town Planner and Urban Designer (LFA and More Urban) was engaged by Council to assess the merits of the land owner submissions. Council received submissions from the land owners and separate presentations held between the land owners and the Panel and Council's probity observer. The Panel has prepared a report containing their assessment findings and recommendation for each site having regard to the land owner submissions and the associated presentations by the land owners and their consultants and Council's urban design review of the submissions. The Panel's report is included with this Planning Proposal and is intended to be exhibited alongside this Planning Proposal post-Gateway.

A summary of the Panel's FSR and building height recommendations for each site is provided in the table below. Details of the analysis undertaken and justification for the Panel's recommendations is provided in the Panel's report at Appendix S.

Should DPE decide to support the Planning Proposal proceeding, it is requested that the Gateway determination requires the outcomes of the site-specific reviews to be incorporated into the Planning Proposal prior to exhibition.

Table 1: Summary of Panel recommendations – site-specific land owner submission review

Site	FSR (in Master Plan)	FSR (Panel recommendation)	Height (in Master Plan)	Height (Panel recommendation)
1A Gordon Street and 30-36 Meredith Street Bankstown	2.5:1	3:1	9 storeys	12 storeys
34-38 Restwell Street Bankstown	5:1	7.2:1	18 storeys	22 storeys
8-14 West Terrace Bankstown	4.75:1	4.75:1	22 storeys	22 storeys
457 Chapel Road, Bankstown	3.5:1	5.5:1 (only achievable through amalgamation)	18 storeys	18 storeys (through amalgamation)
67-69 Rickard Road Bankstown	3.5:1	4:1	14 storeys	18 storeys
2-10 Leonard Street Bankstown	2:1	2:1	7 storeys	7 storeys

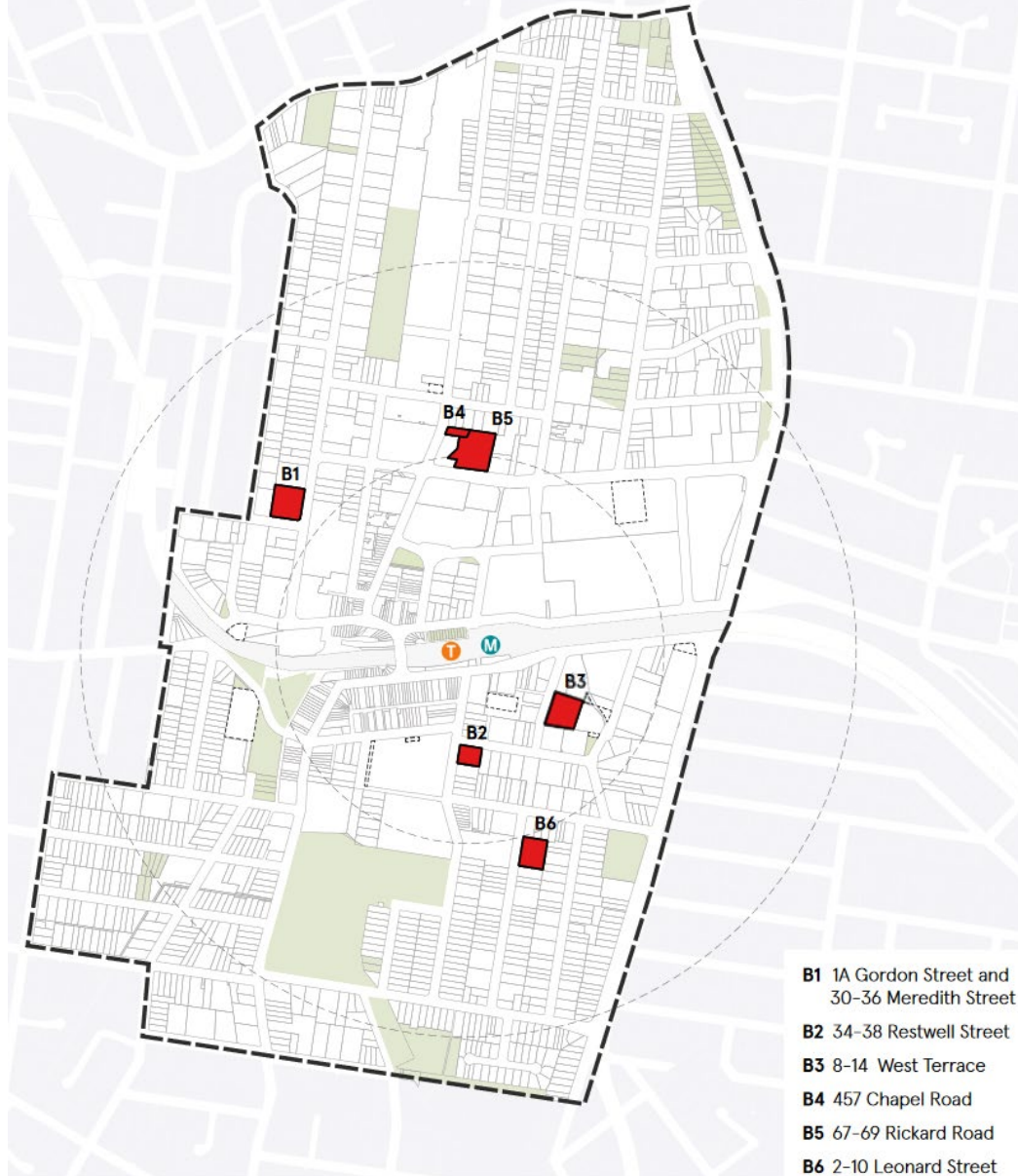
As part of the site specific land owner submission review, the site at 34-38 Restwell Street Bankstown has been recommended by the Panel to be subject to the minimum 50% employment generating floor space requirement, in addition to the three sites noted above being 83-99 North Terrace and 62 The Mall, Bankstown (known as the 'Compass Centre Site'), 304 South Terrace and 12 Restwell Street, Bankstown and the western part of 1 North Terrace, Bankstown (Bankstown Central shopping centre site) bound by The Mall, The Appian Way and North Terrace.



Subject to receiving a Gateway determination, and prior to exhibition Council intends to amend the Planning Proposal to incorporate the site at 34-38 Reswell Street, Bankstown as a site required to provide a minimum 50% employment generating floor space as per the recommendation of the Panel noted above.



Figure 17: Map showing the location of the five sites subject to the site-specific land owner submission review (p6)





Part 3 – Justification of strategic and site-specific merit

This section of the Planning Proposal provides the rationale for the amendment of the draft CBLEP and responds to questions set out in the document, ‘*Local Environmental Plan Making Guideline*’ (Department of Planning and Environment, 2021).

Section A–Need for this Planning Proposal

1. *Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?*

Yes. This Planning Proposal implements the key principles and priorities set out in the Master Plan which in itself is in response to Action E3.3.65 of the LSPS which requires Council to ‘*Prepare master plans for Bankstown and Campsie, reinforcing their strategic centre functions*’ and Action E6.2.114 ‘*Confirm the role of Bankstown as a strategic centre through master planning that facilitates housing diversity*’. This Planning Proposal has been informed by technical studies which are summarised further below in Part 3 and included in the technical appendices of this Planning Proposal.

A brief summary of the supporting studies that informed the preparation of this Planning Proposal is provided in the table below.

Table 2: Supporting studies that informed the preparation of this Planning Proposal

Appendix	Study	Summary
D	Master Plan	Master Plan document, provides a spatial framework, principles and actions to guide growth and change in Bankstown.
E	Bankstown City Centre Master Plan Phase 1 Report	The Phase 1 report collates the findings of the technical studies to identify the vision, aims and principles for the Bankstown City Centre. The Phase 1 Report provides the evidence base framework and analysis that informed the preparation of the Master Plan. A detailed open space analysis is provided in Section 4.5 (pp70-97) of the Report.
H	Bankstown City Centre and Campsie Town Centre Economic And Land Use Study (SGS)	Analysis of employment trends and drivers, floor space demand, supply and capacity, feasibility analysis and planning options to support employment in Bankstown.
I	Bankstown Airspace Constraints Study	Informs the maximum potential building heights and relevant development considerations for tall buildings to protect aircraft operations.
J	Student and Worker Needs Study	Provides research and recommendations for the delivery of social infrastructure to support existing and future workers and students in Bankstown and Campsie.



K	Off-street Parking and Servicing/Loading Study	Identifies constraints within the current framework for parking and servicing within Bankstown and Campsie. Recommends opportunities to improve parking and servicing provisions in line with best practice for comparable centres in Sydney and NSW.
L	Sustainability Studies: Phase One, Two and Three	Investigates an understanding of the environmental impacts of existing development and established baseline environmental impacts for future development within Bankstown and Campsie. Recommends site-wide and development-specific sustainability controls.
M	Landscape Controls	Makes recommendations on principles, objectives and controls for landscaping and tree canopy for the Bankstown and Campsie centres. Informs future LEP and DCP controls.
N	Tall Buildings Study	Provides guidance on how future tall buildings can satisfy Council's objectives regarding design excellence and sustainability.
O	Infrastructure Funding Study	Identifies the proposed infrastructure needed to support the implementation of the Master Plans for Bankstown and Campsie. Reviews the opportunities and constraints of funding mechanisms and made recommendations for ways in which Council could address any funding gaps.
P	Aboriginal and Cultural Heritage Study	Provides information on Aboriginal heritage values and knowledge within the Bankstown and Campsie study areas. Made recommendations on strategies and actions Council could undertake to protect Aboriginal heritage and enhanced Aboriginal values within both centres.
Q	Urban tree Canopy Master Plan	Outlines strategies and actions for achieving a higher standard of urban greening and landscaping with the Bankstown and Campsie centres.
S	Bankstown Master Plan Site-specific Review Joint Panel Report (LFA and More Urban)	A Panel comprising an independent Town Planner and Urban Designer (LFA and More Urban) was engaged by Council to assess the merits of the land owner submissions. The Panel's report is included with this Planning Proposal and is intended to be exhibited alongside this Planning Proposal post-Gateway. It is proposed that the planning controls recommended by the Panel will be included as pre-exhibition changes to this Planning Proposal.
T	Bankstown City Centre Flood Planning Assessment (Stantec)	An independent consultant review of the flooding implications in Bankstown City Centre against the Local Planning Direction for flooding.
N/A	Feasibility Study <i>(Note: not included for public exhibition, commercial in confidence reasons)</i>	Provides guidance on the feasibility of development under the proposed controls within Bankstown and Campsie, including the feasibility of incentive height and FSRs, affordable housing contributions and sustainability measures. <i>Note: this report is provided to DPE for the purposes of assessment of this Planning Proposal. Council requests that this Study is not made publically available.</i>



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

Yes, a Planning Proposal is the only legal way under the Act to amend the planning controls necessary to achieve the objectives and planning outcomes of this Planning Proposal.

A single Planning Proposal that applies to Bankstown City Centre is the most rational and orderly means to implement the Master Plan and achieve the intended outcomes for employment, dwellings, social infrastructure, urban design and sustainability.

An alternative method, such as relying on individual site-specific and ad hoc planning proposals submitted in accordance with the Master Plan, will be the most inefficient means of achieving the objectives of the South District Plan and Local Strategic Planning Statement as it will derogate from Council's ability to co-ordinate and accommodate development and supporting infrastructure that achieves great place outcomes.

Section B—Relationship to the strategic planning framework

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

3.1 Greater Sydney Region Plan 'A Metropolis of Three Cities'

The Greater Sydney Region Plan was released by the GSC in March 2018. It provides a 40-year vision for the Greater Sydney region and is designed to inform district and local plans and the assessment of planning proposals.

The Greater Sydney Region Plan identifies several key objectives around the need to ensure communities are healthy, resilient and socially connected; and improving housing supply to all groups in the community. The planning proposal is consistent with several planning objectives in the GSRP as outlined in Table 3.

Table 3: Greater Sydney Region Plan Relevant Objectives – Assessment against relevant objectives

Objective	Consistent / Rationale
Infrastructure and Collaboration	Consistent – The Planning Proposal will implement the actions identified within the Master Plan to enable growth in housing and employment growth in close proximity to the new Metro Station at Bankstown (operational from 2024). The Sydney Metro South West Upgrade from Sydenham to Bankstown, progressive Stacey Street upgrades and the potential relocation of the Bankstown Hospital to the CBD (yet to be confirmed by NSW Health) represents a significant infrastructure investment by the NSW Government. In addition to private industry investment, including the following:
Objective 1: Infrastructure supports the three cities	<ul style="list-style-type: none">Relocation of the Western Sydney University campus to the Bankstown CBD from Milperra.
Objective 2: Infrastructure aligns with forecast growth-growth infrastructure compact	
Objective 4: Infrastructure use optimised	



Objective 5: Benefits of growth realised by collaboration of governments, community and business

- Redevelopment of the Bankstown Central Regional Shopping Centre by Vicinity (subject of a separate Planning Proposal and Development Assessment already underway).
- Recent and planned investment in premium commercial and tourist accommodation facilities at Bankstown Sports Club and Bankstown RSL.
- Large scale mixed use developments such as Spring Square.

The introduction of an incentive FSR and Height on certain sites will increase the opportunity for provision of community facilities that are co-located with employment and residential uses. The incentive provisions have been developed through an evidence based approach undertaken by Council in preparation of the Master Plan and informed by supporting studies (appended to this Planning Proposal). These studies have augmented the existing Council policies and strategies including but not limited to:

- Affordable Housing Strategy
- Bankstown Complete Streets
- Employment Lands Strategy
- Housing Strategy
- CBCity 2028 Community Strategic Plan
- Playgrounds and Play Spaces Strategic Plan
- Creative City Strategic Plan.

This Planning Proposal implements the adopted Master Plan and is the culmination of extensive analysis and assessment carried out by Council and includes community and stakeholder input.

The Planning Proposal has developed proposed new controls to encourage new housing and jobs growth and deliver the required public infrastructure to support this growth. Council has aimed to ensure the proposed new planning controls are able to deliver the housing and jobs targets under the District Plan. While prevailing market forces have been considered and viability testing has been undertaken in the *Land Use and Economic Study*, a Planning Proposal is not able to direct market demand or mandate private investment in certain types of development. To this end, given the multitude of potential market outcomes, it is not instructive to speculate on hypothetical 'worst case scenarios' where community infrastructure, affordable housing or employment generating floor space may be favoured at different rates for market reasons.

The intent of the Master Plan is to encourage increased public and active transport usage for daily activities by focusing density around the future Metro station in accordance with the Intensification Strategy developed for the Master Plan. This intent is consistent with objectives 1, 2 & 4 of the Greater Sydney Region Plan (GSRP) to facilitate future growth in places supported by city-shaping infrastructure that is connected to the 'three cities'.

The Planning Proposal is generally consistent with Objective 3 of the GSRP as it seeks to deliver improved sustainability outcomes for future developments within the Bankstown City Centre. These improved sustainability outcomes include increased electricity and water efficiencies to minimise impacts on existing infrastructure in addition to controls which promote allowances within apartment blocks for electric vehicles charging. Car parking requirements will also be



addressed in amendments to the CBDCP 2021 to place ‘maximums’ on car parking provision to minimise the quantum of car parking provided in future developments and change behaviour towards public or active transport options.

The Planning Proposal has been developed in consultation and collaboration with a range of key government, institutional and private stakeholder groups including the Greater Sydney Commission (GSC), DPE, Sydney Water, Health Infrastructure, Transport for NSW (TfNSW), Western Sydney University, Schools Infrastructure NSW, Bankstown Airport and the Southwestern Sydney Local Health District. This builds on the Bankstown and Bankstown Airport Place Strategy and Collaboration Area process of which the outcomes have informed the Master Plan. A copy of the agency responses received during consultation is at Appendix R.

Consultation with the community has been between March and June 2021. Feedback from this public exhibition has been incorporated into the final version of the Master Plan and is reflected in this Planning Proposal.

Liveability

Objective 6: Services and infrastructure meet communities’ changing needs

Consistent – This Planning Proposal seeks to make amendments to the LEP to provide capacity for the additional dwellings anticipated within the Master Plan. The proposed amendments include, but are not limited to, changes to Zoning, Floor FSR and height of building (HOB) planning controls as identified in the LEP maps (Appendix C).

Objective 7: Communities are healthy, resilient and socially connected

This Planning Proposal has anticipated capacity for around 10,300 dwellings within Bankstown by 2036 which will be supported by the South West Metro, improvements to pedestrian and cycling infrastructure and significant private investment in retail and tertiary education sectors. In conjunction with the Bankstown Central shopping centre Planning Proposal, there will be a total capacity of 12,300 dwellings provided in the Bankstown City Centre. It is noted that since 2016/2017, 997 dwellings have been delivered and it is therefore likely Canterbury Bankstown will meet its dwelling target for the LGA by 2036.

Objective 8: Greater Sydney’s communities are culturally rich with diverse neighbourhoods

Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation

Three approaches have been applied within the Master Plan to accommodate this greater housing supply which is more affordable and diverse than the existing stock:

Objective 10: Greater Housing Supply

- Introduction of a B3 Commercial Core zoning into the existing Bankstown CBD which can facilitate built-to-rent housing under the Housing SEPP, along with residential care facilities and tourist accommodation,

Objective 11: Housing is more diverse and affordable

- Upzoning of existing residential precincts with increased HOB and FSR controls.

Objective 12: Great places that bring people together

- Introduction of an incentive clause that would allow for increased HOB and FSR controls where the following is provided:
 - Community infrastructure required by Council,
 - Minimum amounts of non-residential floor space to generate employment opportunities, or
 - Affordable Housing Contributions.

Objective 13: Environmental Heritage is identified, conserved and enhanced

The incentive clause referred above ensures that any significant increases in development opportunities will contribute to improving the local community. These planning incentive mechanisms in tandem with the significant new and future public infrastructure investment in Bankstown, and State-led changes to permit build to rent development, will provide opportunities for new and diverse housing



development. This Planning Proposal will be able to support housing diversity as referred in the 'Liveability' chapter of the Greater Sydney Region Plan (p72) by enabling the following housing:

- Small scale owner-developer apartment projects
- Institutionally delivered and management rental accommodation in purpose designed rental buildings (build to rent)
- Innovative purchase and rental models in accordance with the housing types permitted under the Housing SEPP including boarding houses, co-living housing (including 'off-campus' student housing), seniors housing and short-term rental accommodation.

With regard to delivery housing supply, Council proposes increases in allowable FSR and height to provide capacity to delivery an additional 12,500 dwellings by 2036., which is consistent with its Local Housing Strategy.

In regard to the delivery of affordable housing, Council is progressing an Affordable Housing Contribution Scheme and will submit the associated Planning Proposal concurrently with this Planning Proposal. The Economic and Land Use Study Feasibility Study prepared to inform this Planning Proposal included testing for provision of affordable housing within the Bankstown City Centre as part of new development. The study identified that not all sites could support feasibility for affordable housing contributions, even at the proposed 1-4% contribution rate when the Council's Housing Strategy seeks an affordable housing delivery rate of 5-10% of new dwellings. Feasibility testing for affordable housing contributions was undertaken as per the NSW Guideline for Developing an Affordable Housing Contribution Scheme. Refer to Section 4.3 of this Planning Proposal for further details.

The introduction of a B3 Commercial Core Zone into the existing commercial core will support the Council's vision in the LSPS and specifically Evolution E3.1.54 to '*Create a commercial core for premium commercial and civic development in Bankstown City Centre, anchored by university, public and private hospital and other institutional development*'.

The introduction of a Design Quality clause to the draft CBLEP will encourage improved design outcomes for future development in the Bankstown City Centre which will assist with making 'great places'. This clause will be introduced once the consolidated Canterbury Bankstown LEP is gazetted.

This Planning Proposal has not provided FSR or height of building uplift to any heritage listed sites. In developing the building heights and FSR for this Planning Proposal, Council and treated Heritage Conservation Areas sensitively to ensure any increased density was reflective of the heritage values and significance.

The Master Plan considered existing and potential heritage items that have been identified within the study area. Council is progressing a separate Planning Proposal based on an LGA-wide review of potential heritage items. This study is underway and will be publicly exhibited upon completion.



<p>Productivity</p> <p>Objective 14: Integrated land use and transport creates walkable and 30-minute cities</p> <p>Objective 22: Investment and business activity in centre</p> <p>Objective 24: Economic sectors are targeted for success</p>	<p>Consistent – This Planning Proposal is focused on integrating the proposed increases in residential and commercial density with planned improvements to the transport network. The future Sydney Metro line is anticipating a 28 minute travel time to the Eastern Harbour City (Central Station) from Bankstown Station making the centre well positioned to accommodate increased density and contribute toward a 30-minute city. The Planning Proposal will implement these changes by applying the three approaches mentioned in the previous Liveability section to accommodate greater housing supply which is more affordable and diverse than the existing stock.</p> <p>The amendments to the FSR, zoning and height provisions in the LEP, as well as clauses to require a minimum 50% of employment generating floor space on certain sites, creating a B3 Commercial Core Zone and maintain existing commercial floor space when existing sites are redeveloped will deliver an additional capacity of for employment floor space to cater for the expected demand. The increased commercial floor space requirements will facilitate a clustering of research and allied health uses around the university and potential public hospital in the northern part of the City Centre.</p> <p>The introduction of an exempt provision clause for extended operating hours (including late night trading) will encourage certain business and retail premises to operate longer hours which would lead to a more diverse night time economy.</p> <p>Based on the above, this Planning Proposal is consistent with objectives 14, 22 and 24 of the GSRP.</p>
<p>Sustainability</p> <p>Objective 25: The coast and waterways are protected and healthier</p> <p>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>Objective 28: Scenic and cultural landscapes are protected</p> <p>Objective 30: Urban tree canopy cover is increased</p> <p>Objective 31: Public open space is accessible, protected and enhanced</p> <p>Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p>	<p>Consistent – This Planning Proposal has sought to focus higher density development close to the future Bankstown Metro Station and bus interchange/layover and enabling university, public and private hospital and other institutional development in a compact city footprint. By increasing housing and employment capacity within the walking catchment of existing and future public transport infrastructure the proposal will place downward pressure on car dependency, increase the attractiveness and convenience of active transport modes (i.e. walking and cycling) and therefore broadly improve environmental and sustainability outcomes for Bankstown and the LGA.</p> <p>An objective of this Planning Proposal is to reduce urban heat and improve water health across Bankstown through increased tree canopy and water sensitive urban design in the public domain and new private development. Bankstown’s tree canopy is currently at 14% with large areas less than 10%, the targets established in this Planning Proposal (as per the Master Plan) are:</p> <ul style="list-style-type: none">• 15% for commercial centres, and• 25% for urban residential areas. <p>To achieve these targets, this Planning Proposal will be supported by a DCP that includes controls for the establishment of deep soil zones, tree canopy on ground and tree canopy on structure where practical.</p> <p>Other land proposed to be reserved for public purposes is generally for future parklands to support the increased densities proposed in the Master Plan. Refer to the proposed land reservation map for more details. The Planning Proposal has been developed to ensure residents are within a 200m to 400m walking catchment</p>



Objective 34: Energy and water flows are captured, used and re-used

Objective 36: People and places adapt to climate change and future shocks and stresses

Objective 37: Exposure to natural and urban hazards is reduced

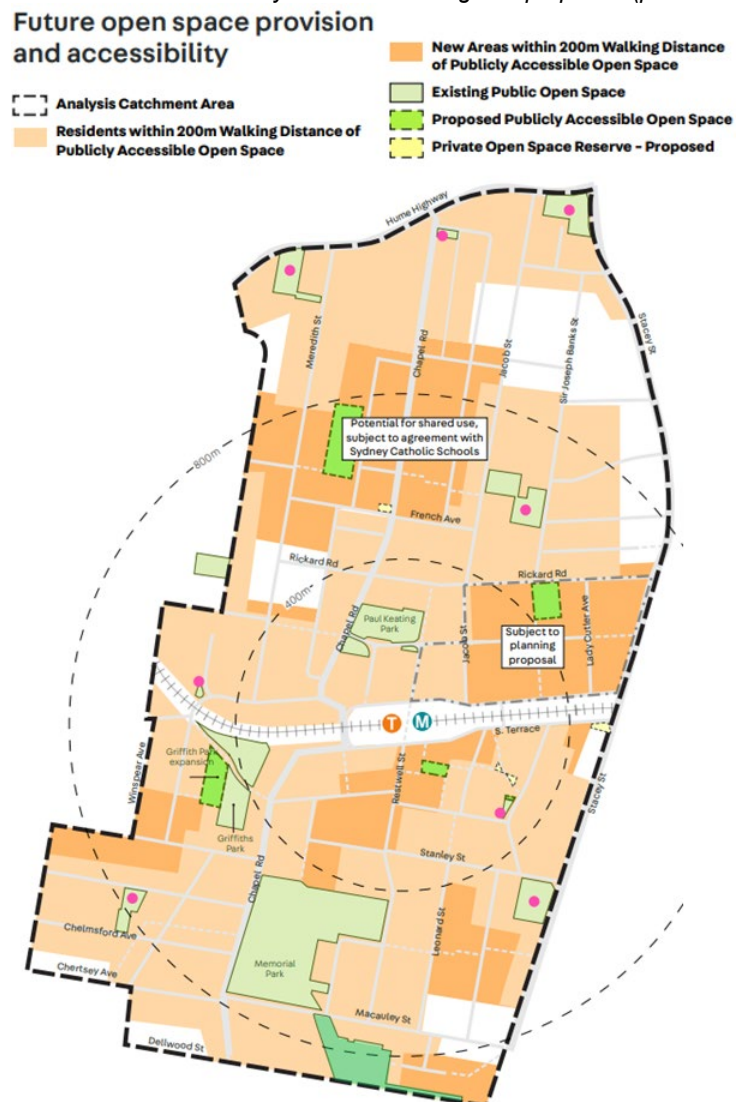
Objective 38: Heatwaves and extreme heat are managed

of a green open space by introducing new parks and/or new pedestrian links to green open spaces or providing new open space. Refer to the figure below.

This Planning Proposal also proposes amendments to the existing sustainability bonus clause (Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core' of the Bankstown LEP 2015) to incentivise the achievement of energy and water efficiency outcomes, reducing dependency on fossil fuel consumption and contributing towards a climate resilient and net zero city centre. Higher energy and water targets are required for larger commercial office and retail developments.

The Planning Proposal is consistent with the relevant objectives of 25, 27, 28, 30-34 and 36-38 of the Greater Sydney Region Plan.

Figure 18: Areas well served and underserved by publicly accessible open space within the Bankstown City Centre – existing and proposed (p79 of the Master Plan)





3.2 South District Plan

The GSC released the South District Plan on 18 March 2018 to give effect to the Greater Sydney Region Plan. The District Plan contains priorities and actions to guide the development and planning of the south district while improving the district's social, economic and environmental assets. The Planning Proposal addresses the priorities of the South District Plan as follows:

Table 3: South District Plan Relevant Objectives - Assessment

Objective	Consistent / Rationale
<p>Infrastructure and Collaboration</p> <p>Planning Priority S1: Planning for a city supported by infrastructure</p> <p>Planning Priority S2: Working through collaboration</p>	<p>Consistent – The Planning Proposal is consistent is with both Planning Priorities S1 & S2.</p> <p>The Planning Proposal will facilitate increased numbers of residents and workers within close proximity to the new Sydney Metro Station at Bankstown, encouraging increased public transport usage for daily activities. Advocacy for State infrastructure is proposed in relation to schools and transport infrastructure, and local infrastructure improvements are identified.</p> <p>The development of this Planning Proposal was in consultation and collaboration with key governmental, institutional and private stakeholder groups within the Bankstown Collaboration Area, including GSC, DPE, Southwestern Sydney Local Health District, Health Infrastructure and Sydney Water.</p>
<p>Liveability</p> <p>Planning Priority S3: Providing services and social infrastructure to meet people's changing needs</p> <p>Planning Priority S4: Fostering healthy, creative, culturally rich and socially connected communities</p> <p>Planning Priority S5: Planning housing supply, choice and affordability, with access to jobs, services and public transport</p> <p>Planning Priority S6: Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>Consistent – The Planning Proposal is generally consistent with Planning Priorities S3 to S6.</p> <p>The proposed amendments to zoning, FSR and height of building provisions will provide an additional capacity for around 18,700 dwellings which contributes to the South District Plan's 83,500 dwelling target for the region by 2036. The GSC set a target of 58,000 additional dwellings for the Canterbury Bankstown LGA by 2036 in the South District Plan. Council's Housing Strategy found that 50,000 dwellings could be created in the LGA to ensure dwellings are in appropriate locations and supported with infrastructure.</p> <p>Increased housing will be supported by the future South West Metro and improvements to pedestrian and cycling infrastructure outlined in the Bankstown Complete Streets CBD Transport and Place Plan (Complete Streets), including segregated and shared bike lanes, creating pedestrian focussed areas and public domain improvements throughout the centre to encourage a more active lifestyle. The introduction of a B3 - Commercial Core Zone across the 'Saigon Place' precinct to the south of the Bankstown railway station will encourage the retention of existing fine grain retail businesses that contribute to the human-scale and cultural character of the area.</p> <p>The retention of the B4 Mixed Use Zone within the existing Bankstown centre will allow for a greater mix and variety of land uses, increasing the diversity of businesses and services in the Bankstown City Centre The introduction of an incentive height and FSR clause will encourage the provision of community infrastructure, employment generating uses and affordable housing.</p> <p>This Planning Proposal, and the Master Plan, was informed by the following reports which identified housing, infrastructure and community needs that would be required to support the development of Bankstown as a strategic centre:</p>



- Economic and Land Use Study.
- Student and Worker Needs Study.
- Infrastructure Funding Study.
- Aboriginal and Cultural Heritage Study.

Productivity

The Planning Proposal is generally consistent with Planning Priorities S8, S9, S11 and S12.

Planning Priority S8: Growing and investing in health and education precincts and Bankstown Airport trade gateway as economic catalysts for the District

The amendments to the FSR, zoning and height provisions in the LEP will deliver an additional capacity for employment floor space, meeting the additional 14,000 jobs required to meet the total employment target established in the South District plan (SDP) of 25,000 jobs in Bankstown by 2036. This is delivered specifically by:

Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres

- Introducing a clause that requires no net loss of existing commercial floor space
- Introducing a B3 – Commercial core zone in select sites that can accommodate larger floor plates for commercial and institutional functions
- Introducing requirements for a minimum of 50% commercial floor space on certain sites
- The increased commercial floor space capacity to encourage a clustering of research and allied health uses around the university and potential public hospital in the northern part of the City Centre.
- Increase in housing and employment within 800m of the current Bankstown Station and future South West Metro Station will reduce travel time for residents to places of work and services and contribute toward a 30-minute city.
- The introduction of an exempt provision clause for extended operating hours (including late night trading) to facilitate a more diverse night time economy.

Planning Priority S11: Supporting the Growth of targeted industry centres

Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city

Sustainability

The Planning Proposal is generally consistent with Planning Priorities S13 to S18.

Planning Priority S13: Protecting and improving the health and enjoyment of the District's waterways

Increasing housing an employment capacity within the walking catchment of existing and future public transport infrastructure decreases car dependency and improves environmental and sustainability outcomes.

Planning Priority S15: Increasing urban tree canopy cover and delivering Green Grid connections

The Planning Proposal will include a sustainability bonus clause to incentivise energy and water efficiency outcomes, reducing fossil fuel dependency and contributing towards a climate resilient and net zero centre. Amendments to design quality provisions (as part of the consolidated Canterbury Bankstown LEP, once gazetted) will ensure high-quality urban design outcomes, including enhanced canopy cover and Green Grid connections within the Bankstown City Centre.

Planning Priority S16: Delivering high quality open space

The planning proposal will deliver enhanced green spaces and pedestrian/cycle access along the Salt Pan Creek corridor through land acquisition of land at 53 De Witt Street, Bankstown.

Planning Priority S17: Reducing carbon emissions and managing energy, water and waste efficiently

Planning Priority S18: Adapting to the impacts of



urban and natural hazards and
climate change

4. Is this Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

4.1 Community Strategic Plan ‘CBCity 2028’

CBCity 2028 is Council’s 10–year plan to guide the City of Canterbury Bankstown on its journey to be a thriving and dynamic city. The planning proposal is consistent with the identified “destinations” in CBCity 2028 as discussed below :

- *Clean and Green* – This Planning Proposal introduces new energy and water saving measures and encourages best practice sustainability outcomes in future development.
- *Prosperous and Innovative* – This Planning Proposal will facilitate the transformation of the Bankstown City Centre into a health and education cluster and provides for additional employment opportunities within the city centre through new LEP clauses that will facilitate delivery of employment generating floor space.
- *Moving and Integrated* – This Planning Proposal will enable housing and employment growth in close proximity to existing public transport services and the future City and Southwest Metro station.
- *Liveable and Distinctive* – This Planning Proposal supports the culturally rich and distinct local identity of the Bankstown City Centre. For instance, Places of special and fine grain character such as Saigon Place and City Plaza, will be largely maintained as per the current controls so as to encourage the maintenance of their fine grain, active character.

4.2 Local Strategic Planning Statement ‘Connective City 2036’

The LSPS is the consolidated vision for Canterbury Bankstown to guide growth. Connective City is underpinned by five Metropolitan Directions that focus on the role of the City in Greater Sydney and five City Directions that focus on how the City can support 500,000 people by 2036. Ten theme-based evolutions identify the challenges and opportunities for the City with indicators and actions to drive change.

The plan responds to the directions of the Greater Sydney Region Plan, the planning principles of the South District Plan, Future Transport 2056 and the Community Strategic Plan, CB City 2028. The plan was informed by consultant studies in community infrastructure need, sustainability, housing and employment studies, transport and movement and open space.

The LSPS and Local Housing Strategy sets a target to deliver 50,000 new homes. This revised target balances projected housing demand undertaken by Council’s own Local Housing Strategy



(approximately 39,000) whilst attempting to work toward the aspiration of the South District Plan (58,000).

Figure 19: LSPS centres map extract showing Bankstown and surrounding centres (LSPS, page 26). Bankstown City Centre Planning Proposal area in dashed red outline

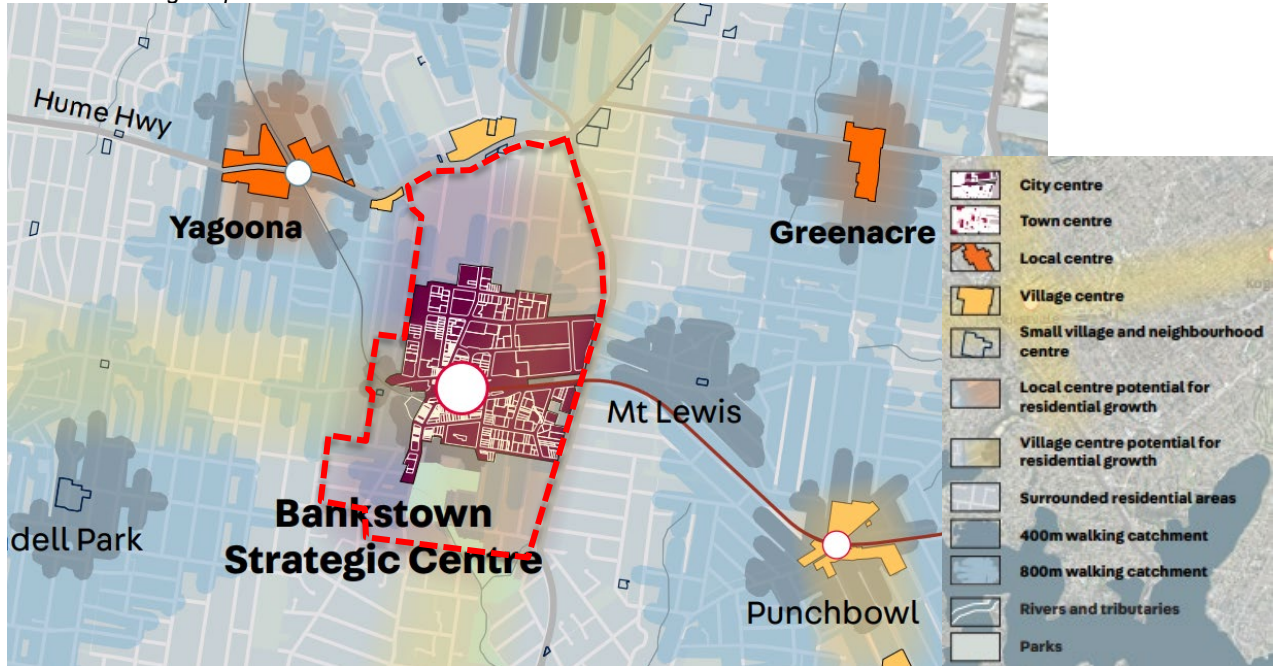


Table 4 below provides a consistency assessment against the Evolution Priorities within the LSPS. Where partial or full consistency is achieved by this Planning Proposal against the Evolution 'Indicators', the table provides a 'Yes' response recognising that this Planning Proposal is assisting in Council achieving this Indicator.

Table 4: LSPS Consistency Assessment Matrix against Evolution Priorities

Evolutions and Associated Indicators	Consistent?		
	Yes	No	N/A
Evolution 1 - Coordination, Community, Collaboration and Context Priorities			
Connective City 2036 priorities guide decision making	Yes	No	N/A
Increased collaboration with State agencies to deliver Connective City 2036 outcomes	Yes	No	N/A
NSW infrastructure spending in Canterbury- Bankstown unlocks local potential	Yes	No	N/A
Hospitals anchor medical precincts	Yes	No	N/A
Evolution 2 - Movement for Commerce and Place			
30% Car use (journey to work)	Yes	No	N/A
30% Heavy Rail/mass transit/train journey (journey to work)	Yes	No	N/A
8% Buses and light rail (journey to work)	Yes	No	N/A
7% Walking (journey to work)	Yes	No	N/A
4% Cycling (journey to work)	Yes	No	N/A
Evolution 3 - Places for Commerce and Jobs			
17,925 Jobs in manufacturing	No	No	Yes
19,251 Jobs in health care and social assistance	Yes	No	N/A
15,649 Jobs in retail	Yes	No	N/A
14,845 Jobs in construction	Yes	No	N/A



14,042 Jobs in education	■
25,000 Students in Bankstown City Centre	■
32,500 Jobs in Bankstown and Campsie	■
Evolution 4 - Blue Web	
50% Accessible waterways foreshore	■
10 Access points to the river for water sports and boating	■
B-C grade Water quality rating for aquatic flora and fauna habitats	■
2 Wadable sites in waterways	■
Evolution 5 – Green Web	
20% Proportion of LGA (include private domain) that will have natural habitat and trees	■
25% Access to school grounds	■
90% Increased naturalisation of river edges	■
10 Biodiversity stewardships sites	■
100km Length of active transport routes	■
Evolution 6 – Urban and Suburban Places, Housing the City	
500,000 Residents	■
160,669 Total dwellings	■
80% Dwellings in centres	■
20% Dwellings in suburbs	■
15% Proportion of dwellings for small households	■
7% Proportion of households in housing stress	■
Evolution 7 – Cultural Places and Spaces	
60% Proportion of cultural places and spaces that are multi-purpose, accessible and meet community needs	■
100% Community infrastructure reflects placed-based need and planning	■
Evolution 8 – Design Quality	
100% New buildings in centres go through agreed design quality processes	■
38 Strategic precincts and centres that have place-led, design-based Master Plans	■
Evolution 9 – Sustainable and Resilient Places	
40% Suburban Areas, 25% Medium-High Density, 15% Commercial Centres Canopy cover	■
50% Proportion of single dwellings with solar PV installations	■
1.7 million Tonnes CO2 per year (from 2.5 million)	■
205kl/yr Average water consumption per dwelling	■
50% Energy derived from renewables (Council)	■
20% Waste to landfill	■
200kg Waste generation per person per year	■
All new buildings Exceed BASIX water efficiency requirements	■
Evolution 10 – Governance and Funding	
100% Social infrastructure assessments conducted during Master Planning for all renewal precincts	■
100% Infrastructure funding plans are developed and endorsed by funding bodies during Master Planning for all renewal precincts	■

The table below provides a discussion on the consistency of the matters addressed in the table above.

Table 5: LSPS Relevant Actions - Assessment

Actions	Consistent / Rationale
Metropolitan Directions	
1. Support Greater Sydney's evolution into a Metropolis of Three Cities	The LSPS establishes a hierarchy of centres within the LGA and seeks to focus new development within and around existing centres. This



Actions	Consistent / Rationale
<p>2. Allocate metropolitan serving roads while optimising Canterbury Bankstown as a freight and distribution powerhouse</p> <p>3. Fulfil the aspiration for an interconnected mass transit system;</p> <p>4. Connect the Cooks, Georges and Parramatta River catchments through the Greater Sydney Green and Blue Grids; and</p> <p>5. Support a growing Sydney by creating a hierarchy of great places and dynamic urban centres.</p>	<p>Planning Proposal gives effect to the LSPS and Master Plan by concentrating significant dwelling and jobs growth within Bankstown City Centre which is consistent with the LSPS aspiration for Bankstown to become the most significant Strategic Centre for the Canterbury Bankstown LGA by 2036. More jobs and dwelling growth is planned in the Bankstown City Centre than any other centre in the LGA.</p> <p>The LSPS sets a housing target of 50,000 more dwellings accommodating 80% of increased housing supply in centres along the Sydenham to Bankstown Metro line and sustainable growth in local village and small village centres. The Bankstown City Centre Planning Proposal directly supports the LSPS Direction to realise the 'Metropolis of Three Cities' vision and facilitate a true 30-minute city.</p> <p>Bankstown's existing canopy cover is currently only 14%. This means there is a significant gap that needs to be addressed to meet the State Government targets and Council's LSPS vision. This Planning Proposal has been informed by the <i>Bankstown and Campsie Landscape Controls</i> and the <i>Urban Tree Canopy Master Plan</i> both prepared by Oculus. The LSPS and Government Architect NSW (GANSW) Greener Places document set clear targets for canopy cover in urban areas, including:</p> <p>25% target for Medium - High Density areas; and 15% target for Commercial Centres.</p> <p>In considering the land uses within these more generalised zones, the Urban Tree Canopy Master Plan breaks these targets down into the adjacent targets for open space, streets and private land as follows (from Section 3.2 'Targets', page 28):</p> <p>Targets by Land Use</p> <ul style="list-style-type: none"> 40% target for open space 40% target for streets 20% target for private land outside of commercial centres 5% target for private land within commercial centres <p>The Urban Tree Canopy Master Plan analysis provides indicative open space and road reserve concept designs showing how the canopy targets in the LSPS could be achieved.</p>
City Directions	
<p>1. Chapel Road Precinct, Connective City's heart – from Chullora to Bankstown;</p> <p>2. Eastern Lifestyle and Medical Precinct -Campsie to Kingsgrove;</p> <p>3. Bankstown Aviation and Technology Precinct;</p>	<p>The LSPS plan responds to the directions of the Greater Sydney Region Plan, the planning principles of the South District Plan, Future Transport 2056 and the Community Strategic Plan, CB City 2028 by providing new LEP planning controls to encourage and enable higher density development in a location that is best suited to cater for such growth. This Planning Proposal directly addresses the 'opportunities plan' for the Bankstown City Centre as part of the 'Chapel Road Precinct':</p>



Actions	Consistent / Rationale
<p>4. 34 centres and their surrounding suburbs;</p> <p>5. Canterbury-Bankstown's river systems and tributaries.</p>	<p><i>"Bankstown can include taller, high density commercial and residential towers, with commercial uses along most streets, subject to working with Bankstown Airport and within aviation safety parameters for height in the Bankstown City Centre."</i></p> <p>The LSPS was informed by independent specialist studies in community infrastructure need, sustainability, housing and employment studies, transport and movement, aviation safety and open space. Improved connections with Salt Pan Creek (a tributary of Georges River) through land reservation at 53 De Witt Street is proposed as part of this Planning Proposal.</p>
Evolution Actions	
Evolution 1 – Coordination, Community, Collaboration and Context	
<p>E1.3.11 Collaborate with Sydney Metro to promote and deliver well designed integrated station developments at Bankstown, Campsie, Padstow and Kingsgrove.</p>	<p>Consistent – Council obtained comment from Sydney Metro during the exhibition of the Master Plan. Sydney Metro broadly supported the Master Plan and included the following comments in its written submission to Council:</p> <ul style="list-style-type: none"> • Sydney Metro supports the objective of a more accessible centre through an enhanced network of through site links and public open space. • Sydney Metro supports higher density residential and employment generating floor space within the CBD in close proximity to transport hubs, encouraging increased utilisation of public transport and reducing the impacts of private vehicles in the CBD. • Sydney Metro encourages transit-oriented development (TOD) around the new Metro station, which will create an improved and interactive interface with the new transport interchange resulting from Metro services to the city centre. <p>A copy of the Sydney Metro submission is provided at Appendix R.</p>
Evolution 2 – Movement for Commerce and Place	
<p>E2.4.34 Prepare a list of local infrastructure improvements for all Master Plans.</p> <p>E2.8.46 Develop Master Plans that aim to calm traffic in centres and divert through traffic, and advocate for these solutions to Transport for NSW</p>	<p>Consistent – The <i>Bankstown Complete Streets CBD Transport and Place Plan</i> adopted by Council in October 2019 includes an 'Action Plan' (Section 8, p266) which is a prioritised list of all the recommendations set out in Complete Streets and is envisaged to be implemented progressively over the next 20 years. Complete Streets is an integrated and holistic approach to prioritise pedestrian and cycle movements, flexible shared zones with a pedestrian focus, slower vehicle traffic speeds (10km/hr design speed) and traffic calming and safe design. Complete Streets includes concept drawings for the Bankstown CBD and long term opportunities for enhancement of the CBD and provide a guide for the detailed design of each street. Building upon Complete Streets is the Infrastructure Funding Study prepared by GLN Planning to support this Planning Proposal identifies key local infrastructure items required in Bankstown including:</p> <ul style="list-style-type: none"> • Consolidation of community facilities • Conversion of car parks to open space • Open space embellishments at Griffith Park and Paul Keating Park



Actions	Consistent / Rationale
	<ul style="list-style-type: none"> • Road and public domain works identified in the Complete Streets program • Green Grid corridor embellishments • Multi-purpose sports courts • Through site links and linear connections between street blocks to improve permeability. <p>Pedestrian safety enhancements at key intersections.</p> <p>The Infrastructure Funding Study includes <i>Appendix A: Preliminary infrastructure schedule</i> – which contains an indicative/preliminary list of local and state infrastructure needed to support the Master Plan implementation. The Appendix includes open space, public domain, community facilities, land dedication and opportunities for infrastructure advocacy by Council.</p>
Evolution 3 – Places for Commerce and Jobs	
E3.1.53 Provide capacity for 25,000 jobs and 25,000 students in Bankstown City Centre by 2036	Consistent – This Planning Proposal facilitates an estimated ‘upper target’ to meet the minimum required 419,820m ² of additional employment generating floor space which will generate an additional 14,000 jobs by 2036. Refer to the Land Use and Economic Study at Appendix H – pages 143 to 156 for details of the floor space analysis. This Planning Proposal adopts recommendations within the Land Use and Economic Study on this basis.
E3.1.54 Create a commercial core for premium commercial and civic development in Bankstown City Centre, anchored by university, public and private hospital and other institutional development. Ensure a minimum two floors of commercial development in the mixed use zone in Bankstown City Centre development in the mixed use zone in Bankstown City Centre	Consistent – A B3 Commercial Core Zone is proposed in this Planning Proposal. Based on the findings and recommendations of the Bankstown City Centre and Campsie Town Centre Economic and Land Use Study, a range measures including the aforementioned B3 zoning, minimum 50% employment generating floor space on certain key sites and a new clause requiring no loss of existing non-residential floor space will be proposed. The existing requirement for ground and first floor level for non-residential uses is not proposed to be changed in this Planning Proposal.
E3.2.59 Plan for significant increase in education, knowledge intensive and cultural jobs in Bankstown City Centre, focused along the Chapel Road Precinct	Consistent – Controls are proposed to permit health services facilities in the SP2 zone on the site of the current Bankstown TAFE NSW to encourage a health and education precinct. The proposed B3 Zone and existing B4 Zone will permit a range of commercial and educational uses.
E3.2.61 Encourage over-station development above the Bankstown Metro Station to increase job capacity and attractiveness of the City Centre	Not applicable – This Planning Proposal does not propose any development controls to facilitate over station development above the Bankstown Metro Station. This falls outside the scope of this Planning Proposal.
E3.2.63 Plan capacity for tourist and visitor accommodation; event, conferencing and meeting space; and arts and cultural facilities that support Bankstown’s health, education and commercial role	Consistent - The proposed B3 Zone and existing B4 Zone will permit visitor and tourist accommodation. This Planning Proposal includes permitting health services facilities on the Bankstown TAFE NSW site and will provide suitable business zonings to accommodate new education, arts and cultural facilities.
E3.3.65 Prepare Master Plans for Bankstown and Campsie, reinforcing their strategic centre functions	Consistent – the Master Plan was adopted by Council in October 2021. This Planning Proposal implements the Master Plan.



Actions	Consistent / Rationale
E3.5.68 Encourage student housing in Bankstown City Centre to support the growing education role of Bankstown City Centre and Bankstown Aviation and Technology Precinct	Consistent – Whilst not separately defined, off-campus student housing (falling under the ‘co-living housing’ provisions in Part 3 of the Housing SEPP) will be permitted wherever residential flat buildings or shop top housing is permitted within the Bankstown CBD. This includes the B4 Mixed Use Zone, R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential Zones within the area covered by this Planning Proposal.
E3.7.75 Provide housing typologies that support the employment role of Bankstown, Campsie	Consistent – As noted above, this Planning Proposal will permit a range of housing types permitted under the Housing SEPP including boarding houses, co-living housing (including ‘off-campus’ student housing), seniors housing and short-term rental accommodation. This is in addition to residential flat buildings, multi dwelling housing, attached dwellings, dual occupancies, secondary dwellings and detached dwelling houses.
Evolution 6 – Urban and Suburban Place, Housing the City	
E6.2.114 Confirm the role of Bankstown as a strategic centre through Master Planning that facilitates housing diversity	Consistent – addressed above.
E6.10.135 Allow student housing in Bankstown to support its health and education function	Consistent – addressed above.
E7.1.142 Investigate feasibility and location of a new cultural facility in the Bankstown City Centre as part of the Bankstown CBD and Bankstown Aviation and Technology Precinct Place Strategy	<p>Consistent – The Master Plan includes new and improved cultural facilities to be delivered by Council including a new multi-purpose community centre with program space for meetings, gatherings and studying at Griffiths Park, including the expansion of the park to the existing Bowling Club site (Action 1.1.1, p32) and an upgrade of the Bankstown Arts Centre including larger exhibition and events space, increased studio space, flexible rooms for community-based arts activities (pottery, dance classes) (Action 1.1.2, p32).</p> <p>This Planning Proposal does not impact the ability for these actions to be realised and will encourage greater use of cultural facilities in Bankstown by virtue of an increased population. Funding of these infrastructure and other community/public infrastructure identified in the Master Plan and its supporting reports will be a combination of developer, external funding sources such as State Government grants and the like and Section 7.11/7.12 Development Contributions.</p> <p>Council made a submission to DPE opposing the proposed implementation of a Regional Infrastructure Contribution (RIC) system. Council considers the issue of a RIC is an LGA-wide issue and should be addressed on this broader scale and not necessarily addressed on City Centre or Town Centre case by case basis. Notwithstanding, the Infrastructure Funding Study prepared by GLN Planning (Appendix O) included a preliminary investigation into the implications of RICs. For the purposes of this initial stage it is assumed that 25% of the total revenue anticipated from total regional contributions collected from new dwellings in the Canterbury Bankstown LGA will be available for regional scale infrastructure identified in this study. This estimate, although considered conservative, will need to be tested and refined.</p>
Evolution 8 – Design Quality	



Actions	Consistent / Rationale
E8.2.161 Prepare place-based design-led Master Plans for Bankstown City Centre, Chullora, Chapel Road Precinct, the Eastern Lifestyle and Medical Precinct and Bankstown Aviation and Technology Precinct.	Consistent – addressed above.
E8.2.162 Deliver Bankstown Complete Streets Transport and Place Plan. Prepare Complete Streets for other key centres	Consistent – addressed above.
E8.3.166 Introduce a design quality and sustainability clause in the local environmental plan.	Consistent – The draft Consolidated Canterbury Bankstown LEP (with the Department for finalisation) will include a Design Quality clause that will apply to the LGA. The DCP will give reference to the Design Quality LEP clause and certain types of future Development Applications within the area covered by this Planning Proposal will be subject to the Design Quality clause.
E8.3.168 Review the development control plan with regard to urban quality, design quality and sustainability.	<p>Consistent – This Planning Proposal and associated DCP amendments will together form the basis for Council to achieve its vision for Bankstown as a health and education precinct with a cluster of knowledge intensive and population servicing sectors and an evolving strategic centre as outlined in the LSPS. The Master Plan and its supporting documents and public exhibition and stakeholder engagement have informed the preparation of this Planning Proposal and have provided a robust evidence base.</p> <p>The consolidated draft CBLEP will include a design quality clause which will apply to the entire LGA and include certain development types that will be subject to a design quality process including involvement of a Design Review Panel. The DCP will include reference to the design quality clause and process, as well as environmental sustainability objectives and controls, to drive improved design outcomes in the Bankstown City Centre.</p>
Evolution 9: Sustainable and Resilient Place	
E9.5.177 Include measures to facilitate low-emission forms of transport (public transport, cycling, walking) in place-based transport planning.	Consistent – Finer grain development controls and objectives will be included within the DCP that will be prepared by Council and exhibited concurrently with this Planning Proposal, subject to requirements of a Gateway determination. With specific reference to EVs, the <i>Bankstown and Campsie Parking, Loading and Servicing Study</i> includes the following recommendations (p49-50) that can be incorporated into the DCP:
E9.6.181 Support the use of water-efficient technology across households and business.	
E9.7.182 Include planning controls requiring the installation of Electric Vehicle (EV) chargers in high density development, and encourage their installation in other development.	<ul style="list-style-type: none"> • Provide for private EV connection parking spaces and charging infrastructure as a set ratio of the total amount of parking spaces supplied in a development • Requirements for EV charging to include fast or rapid charging for commercial developments • Include EV charging futureproofing requirements • Adopt open charging standards for EV charging • No specific intervention is required for the maintenance and supply of electricity for EV charging in private developments.



Actions	Consistent / Rationale
E9.11.189 Implement new planning controls that maximise opportunities for water sensitive urban design to reduce impervious surfaces, improve water quality, reduce urban run-off and re-use captured water where possible.	Consistent – environmental sustainability requirements for new development will be included as part of the DCP.
Evolution 10 – Governance and Funding	
E10.2.192 Support all place led plans, strategies or major planning proposals with an evidence-based infrastructure needs analysis	Consistent – an Infrastructure Funding Study prepared by GLN Planning (at Appendix O), in conjunction with Council prepared studies and strategies and Council's own assessment, provide an evidence-base to inform the infrastructure needs to be considered in this Planning Proposal.
E10.6.196 Prepare a value-capture based strategy for the funding of infrastructure in growth centres and update the contributions plan.	<p>Council is in the process of preparing a draft Consolidated Canterbury Bankstown Development Contributions Plan and it is considered that progressing this Planning Proposal concurrently with the draft Consolidated Development Contributions Plan is a logical and efficient way to address public infrastructure delivery across the LGA in a comprehensive and holistic way, rather than a narrow focus on the Bankstown City Centre alone. The Master Plan and this Planning Proposal have been prepared with consultation with the project delivery team preparing the Council's consolidated LGA-wide Development Contributions plan to ensure infrastructure needs generated by this Planning Proposal are incorporated into that document. As part of the preparation of the new draft Development Contributions Plan, Council has ensured the proposed required infrastructure identified in the Infrastructure Funding Study will be addressed within the LGA-wide Development Contributions Plan.</p> <p>In accordance with the DPE <i>Planning Agreements Practice Note (February 2021)</i>, the use of 'value capture' as a concept is discouraged by DPE and therefore the Council's preparation of the draft Consolidated Canterbury Bankstown Development Contributions Plan is considered an appropriate approach to funding new public infrastructure.</p>

4.3 Canterbury Bankstown Affordable Housing Strategy

In the Canterbury Bankstown LGA, the overall proportion of households experiencing housing stress at the 2016 Census was higher than the average for Greater Sydney (11.8%), with 18.6% of households earning in the lowest 40% paying rent or housing repayments greater than 30% of their household income.

In Bankstown CBD 29% of households are in housing stress, with a significantly higher proportion of households in rental stress than mortgage stress. Increasing affordable housing supply in the study areas is a key consideration for this Planning Proposal.



Council’s Affordable Housing Strategy (adopted June 2020) identifies a range of mechanisms to deliver affordable housing. The potential for affordable housing varies across the centre depending on the attributes of sites such as proximity to transport, community infrastructure and centres and the potential for specific sale prices to be achieved. The Strategy outlines the situations where a requirement to provide affordable housing applies in Planning Proposals:

“In relation to planning proposals, it is proposed to amend the Planning Agreement Policy to conform with the Ministerial Direction (March 2019) and include a requirement for a 5% affordable housing contribution for planning proposals resulting in uplift or more than 1,000 sqm of residential floor space, unless otherwise agreed with Council.”

“An alternative rate may be negotiated subject to feasibility testing and/or where other types of public benefits are warranted. Feasibility testing provided by a proponent is to be the subject of independent verification. Other types of public benefits are to be considered as part of the broader Planning Agreement Policy on a case by case basis, including consideration of prioritisation of other community infrastructure.”

In the Bankstown test case for affordable housing, the following scenarios were examined:

- Base Case 1 - A hypothetical development scheme based on current planning controls under the Bankstown LEP 2015 and Bankstown DCP 2015. This is on the assumption that an Affordable housing clause will be introduced in two years (‘transition period’) that specifies a provision for 2% of residential GFA to be dedicated to Council. This Scenario uses the FSR of 3:1 on a 1,606m², B4 Mixed Use Zoned site.
- Uplift scenario - An additional hypothetical development scheme will assume a variation to the Affordable housing clause in 5 years to increase the provision of affordable housing to 5% of residential GFA to be dedicated to the Council on the assumption that the FSR in the CBD is increased to 4:1 on a 1,606m², B4 Mixed Use Zoned site.

The results of the viability testing are provided below:

Table 6: Affordable Housing Feasibility Analysis Bankstown CBD (Source: Hill PDA)

Site Area/Zone	No. of units	Site Option	Development	FSR	Affordable Housing Contribution	No. of Affordable Units	Viability
1,606m ² / B4 Mixed Use	40	Base Case	9 storey mixed use	3:1	2%	1 unit	Marginal
		Uplift	11 storey mixed use	4:1	5%	2 units	Viable

The LSPS recommends testing the viability of affordable housing up to 15% across the LGA (. Based on the above analysis, the affordable housing target range from 5% (under Hill PDA analysis) and 15% (based on the LSPS) is provided below:



Table 7: Affordable Housing Target Range - Bankstown City Centre

	Lower Range	Upper Range
Affordable Housing Target Range	5%	15%
Dwelling Target Bankstown City Centre 2036 (LSPS)	12,500	
No. of affordable dwellings based on affordable housing target	625	1,875

The Feasibility Analysis undertaken for this Planning Proposal further examines feasible affordable housing delivery rates in Bankstown as previously discussed to feasibly deliver affordable housing in Bankstown City Centre. The Feasibility Analysis is not publically available for commercial in confidence reasons. The 3% and 4% rates proposed in the mixed use and residential zones respectively represent 4-12% of the uplift floor space, which is within or exceeds the LSPS and Affordable Housing Strategy target rates.

In order to enable the delivery of affordable housing a new clause is proposed to be introduced that will incentivise new affordable housing. Refer to the proposed clause '6.XX *Incentive height of buildings and floor space in Bankstown and Campsie*' in Part 2 of this Planning Proposal.

As outlined in Section 4.3, Council endorsed its draft Affordable Housing Contributions Scheme (Draft Scheme) and associated Planning Proposal at the 26 October 2021 Council Meeting. Council has prepared the Draft Scheme in accordance with Section 7.32 of the Act, Chapter 2 of the Housing SEPP (former SEPP 70) and DPE's Guideline for *Developing an Affordable Housing Contribution Scheme*. The Scheme will apply to land in the Bankstown City Centre initially and will be expanded to apply to other centres that are subject to Council's Master Planning process. This scheme will enable sites within the Bankstown City Centre to access incentive heights and FSR provided contributions are made to on-site infrastructure, affordable housing or a substantial amount of employment generating floor space is delivered.

4.4 Employment Lands Strategy 2020

Bankstown City Centre has been identified as a Strategic Centre in the South District Plan and is the preeminent centre within the Canterbury Bankstown LGA. With the Sydney Metro Southwest line to commence operation in 2024, Bankstown will be serviced by improved rail frequency and reduced travel times to the Sydney CBD including Barangaroo, North Sydney, St Leonards and beyond to Chatswood, Macquarie Park and Norwest Business Park. Based on this infrastructure investment, Bankstown is well-positioned to increase its employment generating uses and align with the intended hierarchy of the Centre with the Greater Sydney area.

The Employment Lands Strategy land use audit confirmed that there is approximately 815,000m² of floor space in Bankstown City Centre. The floor space in the Bankstown City Centre generated around 9,120 jobs (ABS, 2016 Place of Work data). This implies that an additional 16,000 jobs over the next 17 years would be required to reach it's the 2036 target.

The Land Use and Economic Study undertaken by SGS further refined and examined the distribution of the required employment floor space to meet the LSPS's and South District Plan's



job target. The Planning Proposal will seek to deliver on the 25,000 job target by 2036 by including a minimum mandated employment floor space requirement for certain key sites, a ‘no net loss’ of non-residential floor space provision in the B4 Mixed Use Zone and introducing a B3 Commercial Core Zone in the centre to safeguard land in the City Centre for non-residential purposes under the LEP.

A Feasibility Analysis undertaken for this Planning Proposal further examines feasible affordable housing delivery rates in Bankstown as previously discussed to analyse delivery of affordable housing in Bankstown City Centre. In order to enable the delivery of affordable housing a new clause is proposed to be introduced that will incentivise new affordable housing. Refer to the proposed clause ‘6.XX Incentive height of buildings and floor space in Bankstown and Campsie’ in this report.

The Bankstown City Centre Planning Proposal has sought to respond to the following actions from Council's Employment Lands Strategy as outlined in the table below.

Table 8: Actions/Aims of the Employment Lands Strategy addressed by the Bankstown City Centre Planning Proposal

ELS Aims	How this has been addressed in this Planning Proposal
Aim 1: Elevate Bankstown City Centre's position in the centres hierarchy for South West Sydney to encourage development of a high profile mixed use CBD	<ul style="list-style-type: none"> Establish a commercial core zone to protect potential for long term commercial development Require no loss of commercial floor space through redevelopment Test opportunities to increasing the permissible FSR and height in the B4 Mixed Use zone (excluding the commercial administrative core precinct) to increase density of both employment and residential uses through a Place Planning process Introduce a design and sustainability excellence clause which requires a high standard of design quality and sustainability benchmarks. <i>Note: Sustainability only in this Planning Proposal– the Design Quality Clause is being implemented in the Canterbury Bankstown LEP, once gazetted.</i>
Aim 5: Encourage transit-oriented development in centres	<ul style="list-style-type: none"> Undertake place-based Master Planning in centres to attract housing growth and to deliver high quality commercial spaces Protect an adequate commercial floor space for the needs of a growing population Test opportunities to increasing the permissible FSR and height in the B4 Mixed Use zone (excluding the commercial administrative core precinct) to increase density of both employment and residential uses through a Place Planning process around existing transport nodes.
Aim 6: Protect employment precincts for employment uses	<ul style="list-style-type: none"> Introduction of an LEP clause to ensure new development does not result in a net loss of commercial floor area

Considering the above ELS actions, this Planning Proposal will give effect to the ELS through LEP amendments to:

- Introduce a B3 Commercial Core zone to secure a quantum of non-residential floor area for jobs growth
- Introduce an incentive clause to promote delivery of employment generating uses



- Amend the B4 Mixed Use clause to expand the minimum floor space requirements for a range of employment-generating uses
- Provide an LEP clause that will require no net loss of existing commercial floor space
- The Floor Space Ratio (FSR) clause to encourage lot consolidation and the delivery of functional and efficient floorplates throughout Bankstown
- New or amended LEP Maps for:
 - ‘Base’ increase FSR and Height of Building maps
 - ‘Incentive’ FSR and height of building maps indicating the increased FSRs and building heights for properties the subject of these clauses above the ‘base’ FSR and building heights
 - Active Street Frontages – applicable to 2 Percy Street, Bankstown only.
- Schedule 2 to allow extended operating hours (including Late Night Trading) for certain business and retail premises within the B3 and B4 Zones.

Please refer to Section 4.4 for clarity on how this Planning Proposal is giving effect to the ELS.

4.5 Canterbury Bankstown Housing Strategy

A guiding principle of the Canterbury Bankstown Housing Strategy directly relevant to this Planning Proposal is *“The transition of Bankstown to a contemporary CBD will increase the diversity of housing in the City” (Guiding Principle 8).*

This principle was established following community and stakeholder feedback and reflected the vision and priorities of the CBCity Community Strategic Plan. The Master Plan has supported this objective by achieving the new dwellings target while maintaining areas of local character and respecting local heritage. This Planning Proposal implements the Master Plan and ensures that there are a range of housing types that are permissible in the R2, R3, R4, and B4 Zones. Housing that will be permitted under this Planning proposal includes, but is not limited to:

- Build to rent housing
- Off-campus student housing (falling under the ‘co-living housing’ provisions in Part 3 of the Housing SEPP) will be permitted wherever residential flat buildings or shop top housing is permitted
- Seniors housing
- Short-term rental accommodation
- Residential flat buildings
- Multi dwelling housing
- Attached dwelling
- Dual occupancies
- Secondary dwellings
- Detached dwelling houses.

Supporting this Planning Proposal will be DCP provisions that will stipulate maximum car parking rates for land within the Bankstown ‘core city centre area’ as recommended within the *Bankstown*



and Campsie Parking, Loading and Servicing Study prepared by Stantec (refer to pages 38-41). The Bankstown 'core city centre area' is defined by several factors, including an approximate 400m walking distance to and from the Bankstown railway station and future Metro Station.

The Housing Strategy also recommends to “Contain the use of B4 Mixed Use zoning to Bankstown (Metropolitan Centre) CBD and other strategic centres under the South District Plan.” Bankstown is a strategic centre in the South District Plan and this Planning Proposal will retain most of the centre as B4 Mixed Use and seeks to rezone part of CBD to B3 Commercial Core Zone to provide capacity for commercial office and retail space and ensure the centre can deliver future jobs growth. The introduction of an exempt development clause in the LEP to permit late night trading will further enhance the entertainment and leisure opportunities in Bankstown and support the needs of the future growing population in the Bankstown CBD.

The Canterbury Bankstown Housing Strategy set a target of 12,500 new dwellings by 2036 for the Bankstown City Centre. This target was set following establishment of the LGA wide 50,000 dwelling target and distribution of housing across Council's various centres. As Council's largest centre, Bankstown will be accommodating the majority of the new dwelling growth (25%) through to 2036 which will be facilitated in this Planning Proposal through proposed increased maximum building heights and FSRs.

Explanatory Note 4 - Dwelling Capacity facilitated by this Planning Proposal

Council's Housing Strategy sets a dwelling delivery target of 12,500 additional dwellings in Bankstown City Centre by 2036. From 2016-2017 to 2019-2020, a total of 997 dwellings were delivered in Bankstown City Centre, resulting in a total dwelling delivery target of 11,503 remaining for the City Centre.

The Bankstown Master Plan inclusive of the Bankstown Central shopping centre site Planning Proposal will create capacity to deliver a total of 12,358 additional dwellings to 2036. This would result in the total housing delivered exceeding Council's remaining dwelling delivery target by almost 1,000 dwellings. Therefore there is sufficient capacity within this Planning proposal, in tandem with the Bankstown Central Planning Proposal to meet Council's remaining dwelling target for the Bankstown City Centre. This is based on an assumed 50% take up rate of total theoretical capacity (refer to calculations below).

Dwelling Delivery Calculations: Residential Dwelling Capacity - Gross Floor Area

This Planning Proposal proposes a total residential GFA of 1,342,125m². The Bankstown Central shopping centre Planning Proposal will propose an additional 268,500m² of residential GFA. This equates to a combined total of around 1,610,625m² of residential GFA. Assuming a 70% take up rate (as per Housing Strategy) of this GFA being realised as new dwellings, approximately 939,488m² of residential GFA could be taken up by the market for residential development to 2036.

Based on the following targets of studio, 1, 2 and 3 bedroom dwellings (as per the Bankstown Master Plan):

- Studio - 10%
- 1 bedroom - 20%
- 2 bedroom - 60%
- 3 bedroom - 10%

For the purposes of the possible dwelling yield calculations, it is assumed the average apartment size within the Bankstown City Centre will be 80m². This factors in average unit size plus allowances for corridors, lobbies and communal spaces. Dividing the potential 939,488m² residential GFA by 80m² equates to 11,744 dwellings. If the already delivered 997 dwellings since 2016 are considered, also as per the Housing Strategy, Bankstown will be capable of delivering 12,741 dwellings, consistent with the 12,500 delivery projection under the Housing Strategy.



For comparison purposes, the Canterbury Bankstown Housing Strategy estimated that Bankstown City Centre had a theoretical capacity of 8,091 dwellings (Aug 2019) assuming a 70% take up rate of theoretical capacity. In this regard, this Planning Proposal will contribute towards a significant increase in housing capacity.

As noted in Part 2, this Planning Proposal aims to encourage uptake of the proposed building height and FSR bonus incentives in exchange for the provision of affordable housing that comprises 1%, 2% or 3% in business zones and 1%, 2.5% and 4% in the R4 Zone of the total development yield for Development Applications lodged 12 months, 12-24 months and after 24 months of the date of the gazettal of the clause in the draft CBLEP. This mechanism would assist with housing delivery in the 0-5 year and 6-10 year timeframes from the date the LEP Amendment becomes effective. Once made effective, the increased height and FSR controls in this Planning Proposal will assist with improving the viability of new development in Bankstown City Centre which in turn will provide opportunities for delivery of new housing in the longer term 20 year timeframe.

In regard to the delivery of affordable housing, Council is submitting an Affordable Housing Contribution Scheme as part of this Planning Proposal (Part B). The Economic and Land Use Study Feasibility Study prepared to inform this Planning Proposal included testing for provision of affordable housing within the Bankstown City Centre as part of new development. The study identified that not all sites could support feasibility for affordable housing contributions, even at the proposed 1-3% contribution rate when the Council's Housing Strategy seeks an affordable housing delivery rate of 5-10% of new dwellings. Feasibility testing for affordable housing contributions was undertaken as per the NSW Guideline for Developing an Affordable Housing Contribution Scheme.

On 25 June 2021, DPE wrote to Council advising that it had approved Council's Housing Strategy. The approval is subject to requirements for further work by Council to address 14 conditions in the letter. Condition 9 from DPE's letter is relevant to this Planning Proposal and is addressed in the table below. Council will provide a separate response to all conditions in the Department's letter at a later date.

Table 9: Response to Conditions 9 and 10 of DPE's approval of the Housing Strategy letter dated 25 June 2021

Condition No.	Council Response
Condition 9 Changes to planning controls within planning proposals must be evidence based and supported by an impact assessment that considers consistency with the District Plan and Section 9.1 Ministerial Directions. This is required to support planning proposals.	<p>This Planning Proposal is supported by the following supporting documents that provide a robust evidence based approach to informing the proposed changes to planning controls:</p> <ul style="list-style-type: none">• Draft Master Plan Phase 1 Report (Council)• Economic and Land Use Study (SGS)• Bankstown Airspace Constraints Report (Rehbein)• Student and Worker Needs Study (Ethos Urban)• Off-Street Parking and Servicing/Loading Study (GTA Consultants)• Sustainability Study Phases: One, Two and Three (Flux)• Landscape Controls (Oculus)• Tall Buildings Study (Bates Smart)• Infrastructure Funding Study (GLN Planning)• Aboriginal and Cultural Heritage Study (AMBS Ecology and Heritage)



-
- Urban Tree Canopy Master Plan (Oculus)
 - Government Agency Submissions to Master Plan
 - Bankstown Master Plan Site-specific Review Joint Panel Report (LFA and More Urban).

An assessment against the Local Planning Directions is provided within this Planning Proposal (refer to Part 3).

The proposed changes to building heights and FSRs within this Planning Proposal have been tested by Council to ensure the impacts of future development are acceptable in terms of solar access, visual bulk and building form. For example, the building heights and FSRs along Rickard Road between Jacobs Street and Sir Joseph Banks Street have been designed to ensure an acceptable amount of solar access is maintained to the future public accessible open space to be delivered as part of the Bankstown Central Planning Proposal.

4.6 Creative City Strategic Plan 2019

The Creative City Strategic Plan establishes a framework to enhance Council's creative and cultural resources. *Creative City* highlights Canterbury Bankstown's unique identity and supports creative practices as a way of cultivating distinctive places. The priority actions of Creative City that are relevant to this Planning Proposal are:

- Deliver creative outcomes as part of any urban renewal, Master Planning process or planning proposal
- Support more creative activities in Bankstown Arts Centre and other community facilities
- Review planning controls to support the night time economy, taking into consideration noise control, street and park lighting, appropriate opening hours, and safe late-night travel options in mixed use centres.

The Planning Proposal supports the above actions by enabling the extension of trading hours for lower-impact retail venues as exempt development in the LEP, facilitating on-site infrastructure through development incentives including through-site links, new open space and multi-purpose facilities that can support creative outcomes. Further DCP amendments will also include developing Character Statements to support local character and a requirement for a concept public art strategy to be submitted with certain types of Development Applications within the Bankstown City Centre.

4.7 Bankstown CBD Local Area Plan

The Bankstown CBD Local Area Plan was the policy of the former Bankstown Council which primarily aimed to set out the vision and strategic planning framework for the Bankstown City Centre. This Local Area Plan outlined ways in which residential and employment growth could be accommodated, mechanisms to deliver infrastructure to support growth, including community



facilities and open space. The LEP Amendment proposed under the Local Area Plan was gazetted on 20 March 2014.³

While Council's LSPS and the Master Plan have superseded the Local Area Plan (LAP), this Planning Proposal reflects many of the overarching objectives and actions of the Bankstown CBD LAP:

- Planning for additional dwelling growth within walking catchment of the Bankstown CBD - The LAP sought to accommodate an additional 3,800 dwelling by 2031, these targets have been increased under the Master Plan to 12,500 dwellings.
- Plan for additional jobs growth in the CBD Core - The LAP sought to accommodate an additional 4,000 jobs in the Bankstown CBD by 2031, this has increased to a total of over 25,000 jobs by 2036 under the Master Plan.
- Lead the Way with Environmentally Sustainable Design – The Planning Proposal aligns with this action in the LAP by amending the existing sustainability bonus provisions to incentivise best practice sustainability.
- Encourage Active Lifestyles by Making it Easier to Walk and Cycle around the Bankstown CBD – The Planning Proposal seeks to facilitate residential development in close proximity to shops, services, educational institutions and employment opportunities. New active transport infrastructure has been identified through the Bankstown Complete Streets.
- Improve Pedestrian Connectivity with New Mid-Block Connections – The Planning Proposal will identify new through-site links and will incentivise the delivery of this pedestrian infrastructure through the Incentive Height and FSR controls.

The LAP has been superseded and many of the actions reflect a different strategic planning context at the metropolitan and local level. However, the general objectives of the LAP to accommodate increased housing and jobs growth in the Bankstown CBD while providing necessary supporting infrastructure have shaped the Master Plan and provide a useful context for the changes proposed in this Planning Proposal.

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

5.1 Bankstown CBD and Bankstown Airport Collaboration Area Place Strategy

The Bankstown CBD and Bankstown Collaboration Airport Place Strategy (Place Strategy) published in December 2019 aims to guide the transformation of Bankstown CBD from a suburban centre into a distinctive health, academic, research and training precinct by leveraging government and institutional investment and creating a place to innovate and test ideas. The Place Strategy was co-created with government, community and institutional stakeholders over 12 months. It aims

³ Link to Bankstown Local Environmental Plan 2001 (Amendment No 46) - Bankstown CBD | [Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)



to inform and coordinate policy and investment decisions by the NSW Government, Council and major institutions.

The Place Strategy outlines a vision for the Bankstown CBD as a green, healthy and dynamic destination, which capitalises on its diverse cultures and proximity to Salt Pan Creek and the Georges River. It will be a centre for jobs, especially in the health and education sectors, and will see significant growth in worker and student populations.

The Place Strategy includes 10 priorities and 36 actions across the themes of connectivity, liveability, productivity, sustainability and governance. The consistency of this Planning Proposal with these priorities and actions is assessed in the Table 10.

Table 10: Bankstown Collaboration Area Place Strategy Relevant Actions - Assessment

Objective	Actions / Consistent / Rationale
<p>Connectivity</p> <p><u>Priority 2:</u> Improve walking and cycling throughout the Collaboration Area</p>	<p>Relevant Actions:</p> <ul style="list-style-type: none"> • <i>Action 5: Investigate improvements for better at grade pedestrian facilities across major road corridors with consideration to enhanced design, place and safety outcomes at the interface of Bankstown CBD, key gateways and destinations</i> • <i>Action 6: Review parking provision and reduce parking rates (including maximum parking rates) to match Bankstown’s relative accessibility</i> • <i>Action 7: Build Green Grid connections and improve walking and cycling to and along Salt Pan Creek Corridor, Bankstown to Sydenham Open Space Corridor and Georges River</i> • <i>Action 8: Investigate ‘Active Routes to Schools’ pilots in the Bankstown CBD and Bankstown Airport Collaboration Area.</i> <p>Comment:</p> <p>The Planning Proposal includes provisions for better pedestrian facilities and identifies certain pedestrian infrastructure improvements (such as through-site links) to be delivered through incentive height and FSR controls. Pedestrian and cycling transport improvements across the broader City Centre will be funded through the future consolidated Development Contributions Plan.</p> <p>Reduction in on-site parking rates, and the adoption of maximum rates within 400m and 800m of Bankstown Station was identified in the Bankstown CBD Master Plan. This will be implemented as part of future DCP amendments associated with this Planning Proposal.</p>
<p>Liveability</p> <p><u>Priority 3:</u> Match Bankstown’s growth with investment in high urban amenity</p> <p><u>Priority 4:</u> Plan for Bankstown CBD as a vibrant, diverse and thriving centre</p>	<p>Relevant Actions:</p> <ul style="list-style-type: none"> • <i>Action 9: Develop minimum standards and review mechanisms to ensure a well-designed built environment</i> • <i>Action 10: Promote Bankstown as a cultural anchor when planning for the Sydenham to Bankstown Urban Renewal Corridor</i> • <i>Action 14: Encourage short to medium term accommodation and student housing in the CBD.</i> <p>Comment:</p>



The draft CBLEP will include a design quality clause that will apply the entire Canterbury Bankstown LGA. Once the draft CBLEP is finalised and made, it will apply to certain types of new development in the Bankstown City Centre.

This Planning Proposal includes a new exempt development provision clause (in Schedule 2) for extended operating hours (including late night trading) to facilitate a more diverse night time economy. This will assist in encouraging new and existing businesses to operate later in the night time that will provide greater activity and vibrancy in the City Centre that in turn, may lead to positive flow on effects such as opportunities for new cultural activities and events.

Good design outcomes will be driven by the DCP amendments to the consolidated Canterbury Bankstown DCP 2021 to support the Planning Proposal. The draft DCP amendment will include specific controls relating to built form, design and materiality, local character, setbacks, landscaping and tree canopy, sustainability, building performance, open space and design excellence and a range of other controls identified in the draft Plan and supporting studies. The DCP will give reference to the abovementioned design quality clause in the draft CBLEP.

Council intends to place the draft DCP amendment on public exhibition alongside this Planning Proposal, should the proposal receive a Gateway determination.

Productivity

Relevant Actions:

Priority 6: Strengthen Bankstown's identity to embody its diversity, arts and culture

- *Action 21: Develop or retrofit multipurpose facilities to provide specialised resources that support creative activities in Bankstown Arts Centre and other locations*
- *Action 22: Identify opportunities to repurpose vacant properties and precincts for creative activities*
- *Action 23: Investigate a regional-scale arts and cultural facility in Bankstown CBD*
- *Action 25: Consider clustering the acute hospital and health services with related research and educational uses in Bankstown CBD.*

Priority 7: Catalyse Bankstown's health, academic, research and training precinct through co-location and integration of institutions

Comment:

The Planning Proposal will include health service facilities as an employment-generating use under the incentive height and FSR clause. The Planning Proposal will also permit health service facilities at the Bankstown TAFE site at 490 Chapel Road and 347a Hume Highway, Bankstown. These amendments will enable the clustering of health services in the Bankstown City Centre in the future.

Sustainability

Relevant Actions:

Priority 8: Enhance requirements and incentivise sustainability

- *Action 29: Investigate higher BASIX and sustainability targets for the development in the Collaboration Area*
- *Action 30: Facilitate a precinct-based pilot for an integrated approach for higher environmental performance in Bankstown CBD*
- *Action 31: Adopt a water-sensitive city approach to precinct planning and urban design with sustainable urban water management as a core element*
- *Action 32: Develop a Green Infrastructure Strategy*
- *Action 33: Upgrade stormwater infrastructure servicing Bankstown CBD which provides quality urban interfaces with public areas*

Priority 9: Make Bankstown a sustainable, resilient and water sensitive strategic centre



-
- *Action 35: Investigate options and partnerships for food waste treatment and the creation of circular economy for better waste management.*

Comment:

This Planning Proposal amends existing LEP provisions applying to the Bankstown CBD which provide a sustainability bonus for developments which achieve energy and water efficiency requirements. This aims to incentivise best-practice and innovative approaches to sustainability and building performance. As noted above, the amended DCP that will be exhibited concurrently with this Planning Proposal will include sustainability measures including water sensitive urban design measures.

Actions 32, 33 and 35 are not directly relevant to this Planning Proposal and can be progressed by Council separately.

6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal's consistency with applicable State Environmental Planning Policies is summarised in Appendix A. Relevant SEPPs are discussed in detail below:

6.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP BASIX requirements for water and energy usage and thermal comfort performance apply to the following types of development:

- All new residential dwellings
- Alterations and additions to dwellings that cost \$50,000 or more
- Swimming pools of 40,000 litres or more.

This Planning Proposal does not contain any provisions that would contravene or hinder the application of this SEPP.

This Planning Proposal seeks to apply sustainability provisions for new development that is not covered by SEPP BASIX. It is proposed to amend Clause 4.4A to apply more broadly across the Bankstown City Centre in the B3,B4 and R4 Zones only and update the clause to meet current best practice standards for supporting Council's objective of achieving net zero emissions by 2050. This will be achieved an amended Clause 4.4A that will have the following intended outcomes:

- a. Applicable to a range of development types including residential flat buildings, commercial premises, tourist accommodation and mixed-use development.
- b. New development that are subject to the FSR bonus scheme will:
 - i. Not be connected to natural gas,
 - ii. Must include installation of a solar PV system, and



- iii. For residential development, achieve energy and water efficiency targets as set out in the draft Plan and supporting Sustainability Study.
- c. There will be specific energy, water and emissions controls for non-residential development including office premises, shopping centres/retail development or new hotels as set out in the draft Plan and supporting Sustainability Study. The indicative draft clause wording is provided in Part 2 and the provisions are summarised in Explanatory Note 5 below.

Since Council's adoption of the Master Plan, the State Government has proposed to bring BASIX thermal performance and energy standards in line with the proposed changes to the National Construction Code, which are planned to begin in 2022. The proposed changes to the thermal performance and energy BASIX standards will apply for all new residential buildings across NSW except for:

- Dwellings in the NSW North Coast climate zones
- Small apartment buildings of up to 5 storeys.

The higher BASIX thermal performance standards will be at least 7 stars, based on the star-rating scale defined by the Nationwide House Energy Rating Scheme (NatHERS).

DPE exhibited these *BASIX Higher Standards* from 17 November 2021 to 28 February 2022. No changes are proposed to the water saving standards within BASIX. The proposed higher energy standards proposed will vary with location and building types. Different standards will account for the varied climate across NSW and energy use from shared services (such as lifts) and common areas (such as lobbies and corridors) in apartment buildings. The proposed revised Clause 4.4A in Part 2 will apply in the circumstances where an applicant chooses to apply for the sustainability bonus incentive clause, in which case, the higher targets above BASIX applies in these specific situations. Because these provisions would only apply in when the sustainability incentive is taken up, requiring sustainability targets greater than BASIX is acceptable and warranted to drive the intended outcomes of this Planning Proposal.

Explanatory Note 5 – Bankstown City Centre and Campsie Town Centre Sustainability Study Phase 3 (Appendix L)

Purpose of the Phase 2 report is a broader sustainability study that informed the Master Plan that integrates the findings of the Phase 1 study and the conclusions of other complementary studies undertaken concurrently by other specialists to provide the evidence base for the Master Plan.

The Phase 3 report provides recommendations regarding the sustainability bonus scheme. The recommendations are flexible and could be applied within the proposed LEP provision (Clause 4.4A) similar to the current bonus scheme or integrated into a broader Design Quality bonus scheme. Because Design Quality will be addressed as part of the draft Consolidated CBLEP, currently with DPE for finalisation, it is not proposed to incorporate a new additional Design Quality clause in this Planning Proposal.

The Phase 2 Sustainability Report reflects best practice and has included a review of External influences impacting the assessment of 2036 environmental outcomes and technological improvements that factor in the consideration and preparation of sustainability controls for this Planning Proposal (refer to Section 7, page 50-57). Should any significant technological change occur in the future, the LEP and DCP provisions relating to environmentally



sustainable technology (e.g. solar panels, EV chargers) can be amended through housekeeping amendments or the like.

The following Table summarises the provisions recommended within the Phase 3 report which will be incorporated in the sustainability clause and whether the clauses are mandatory, are applicable to commercial or residential development, or both.

The following table displays recommended sustainability provisions by Flux Consulting. It demonstrates the requirements that are mandatory to satisfy the sustainability bonus. The remaining provisions will be required as part of a DCP.

Proposed control (Phase 3 Sustainability Study prepared by Flux Consultants)	Mandatory (as part of sustainability LEP bonus clause)?		Commercial	Residential
	Yes	No		
1. All new buildings to be all-electric (p2)	Yes	No	Yes	Yes
2. Maximum use of rooftop solar energy (p3)	Yes	No	Yes	Yes
3. Electric Vehicle (EV) ready buildings (pp4-5)	No	Yes	Yes	Yes
4. Good access to natural ventilation in dwellings (pp6-7)	No	Yes	Yes	Yes
5. Natural ventilation in commercial buildings (p8)	No	Yes	Yes	Yes
6. Natural refrigerants in air conditioning (p9)	No	Yes	Yes	Yes
7. All new buildings to be water resilient (p10)	No	Yes	Yes	Yes
8. Measures to reduce Urban Heat Island effect - limiting the heat reflected into the streets (pp11-13)	No	Yes	Yes	Yes
9. Measures to reduce Urban Heat Island effect - limiting the heat absorbed by rooftops (pp14-15)	No	Yes	Yes	Yes
10. Measures to reduce Urban Heat Island effect - heat rejection (p16)	No	Yes	Yes	Yes
11. Energy Efficiency (p17)	Yes	No	Yes	Yes
12. Water Efficiency (p18)	Yes	No	Yes	Yes
13. Waste management infrastructure (p19)	No	Yes	Yes	Yes
14. A redesigned sustainability bonus scheme (i.e. all-electric buildings, maximum use of rooftop solar energy, and higher BASIX energy and water targets)	Yes	No	Yes	Yes

The Planning Proposal will make amendments to the existing Sustainability Bonus for the Bankstown City Centre. It refines the current 0.5:1 FSR bonus for above-minimum BASIX requirements and applies a lower potential bonus of 0.25:1 to sites with modest levels of uplift proposed under this Planning Proposal. For development on sites with an FSR of equal or less than 1.25:1, the bonus FSR for above-minimum sustainability performance will be limited to 0.25:1, while sites with an FSR of more than 1.25:1 and above will be able to access the full 0.5:1 bonus. This will ensure that the sustainability bonus still delivers appropriate built form outcomes within the Bankstown City Centre. The proposed amendments to the sustainability bonus have been informed and supported by feasibility testing by Atlas (submitted under separate cover to DPE for confidentiality reasons – not for public exhibition).

It is noted that the higher BASIX standards proposed by DPE will exceed the above-BASIX thresholds recommended by the Master Plan. Prior to exhibition, Council will undertake further



work will need to be undertaken to ensure that the thresholds for BASIX standards which trigger the sustainability bonus are appropriate.

6.2 SEPP 65 – Design Quality of Residential Apartment Development

This Planning Proposal aims to encourage design excellence and facilitate high-quality built form outcomes in the Bankstown City Centre. The Planning Proposal introduces a Tall Building clause into the draft CBLEP that will apply to any building over 50m within the City Centre and specifies frontage, site area and ground floor activation requirements. The clause seeks to foster good building design outcomes for tall buildings and encourage tower designs that are compatible with the context of the Bankstown City Centre and preserve the amenity of public spaces. High density residential or mixed-use development within the City Centre will be also required to consider the aims and requirements of the Apartment Design Guide (ADG) in accordance with SEPP 65.

The proposed built form controls were modelled and tested against the standards and requirements of the SEPP and ADG including building separation, deep soil zones and solar access requirements. The modelling assumed a minimum of two lower floors as commercial development, with the remainder as residential for the B4 zone and for the site required to deliver 50% of floor space as employment-generating uses, that residential and commercial towers would be separated. Though the Master Plan refers to height in storeys, the modelling undertaken was based on the building heights proposed in this Planning Proposal, which remained the same for residential, commercial and mixed-use development.

The proposed building heights were determined to protect solar access to public spaces within the Bankstown City Centre, and to ensure that the proposed building envelopes would allow for the minimum solar access requirements described on page 85 of the Master Plan (refer to Figure 9):

- Griffith Park – Minimum of 5 hours to 50% of the open space on the Winter Solstice;
- Paul Keating Park, Memorial Park and other Neighbourhood Parks – Minimum of 4 hours to 50% of the open space on the Winter Solstice;
- Local Parks – Minimum of 2 hours to 50% of the open space on the Winter Solstice; and
- Key Streets (Chapel Road, Restwell Street and Rickard Road) – Minimum of 2 hours to 50% of the space (between 12pm and 2pm).

This modelling and testing was undertaken for incentive height and FSR controls, and not the 'base case'. Under the base case scenario (where incentive heights and FSRs are not taken up) it is assumed that there potential for adverse impacts on solar access is much lower than the incentive scenario, and therefore detailed modelling is not required given the lesser solar access impact. Although this Planning Proposal does propose some changes to the base height and FSR controls for certain sites within the City Centre, these changes are of minor significance and do not warrant modelling of building envelopes.

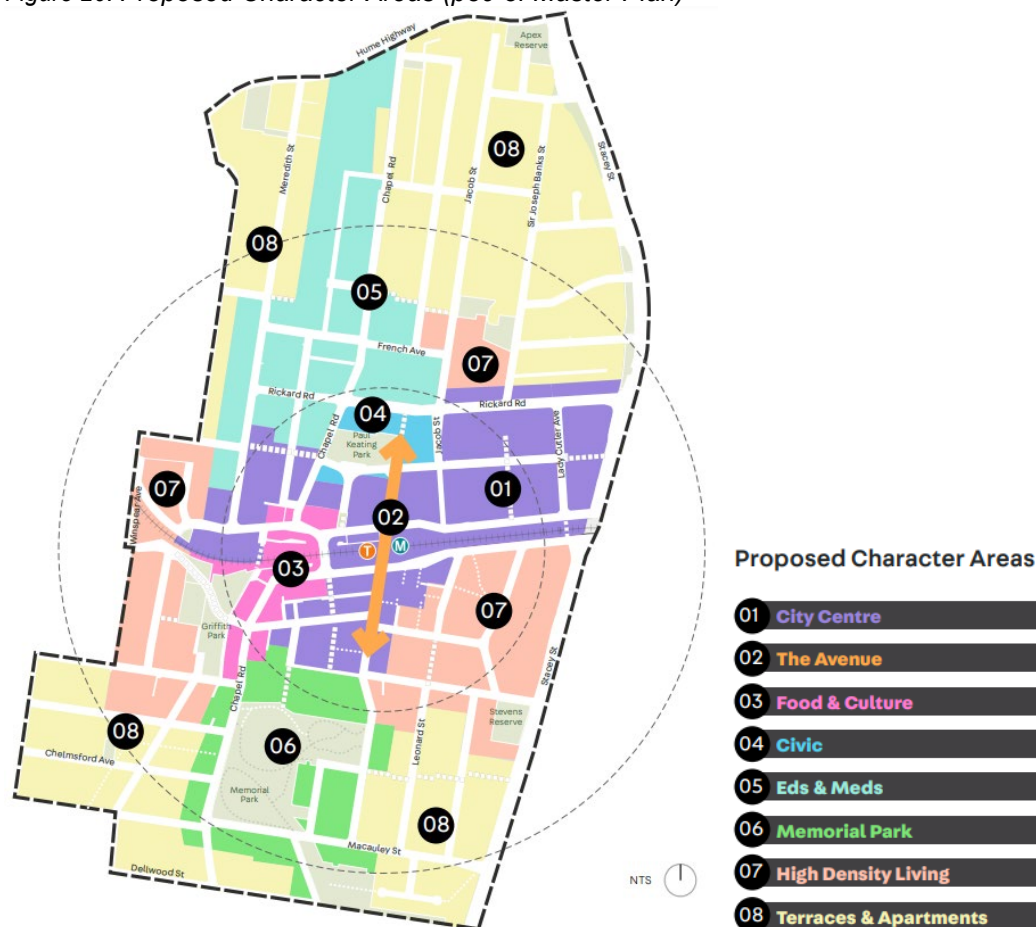


This Planning Proposal includes provisions for underground floor space to be excluded from FSR calculations to encourage certain uses to use basement levels while retaining an active and safe streetscape. The proposed basement controls are intended to be consistent with ADG requirements and will be accompanied by DCP provisions to ensure good design outcomes are achieved. Deep soil and tree canopy provisions will continue to apply to development which seeks to utilise this clause, and applicants will have to demonstrate that any basement floor space enables these requirements to be met.

Amendments to the Canterbury Bankstown DCP will be required to support the proposed clause and ensure the objectives of the clause are delivered. In accordance with clause 6A of SEPP 65, these amendments will be consistent with the provisions and standards of the ADG

The Master Plan proposes eight character areas within the Bankstown City Centre. Some of these focus on preserving the existing character and heritage of areas within the City Centre, while other character areas aim to build introduce new types of built form, aligning with wider strategic objectives and capitalising on planned infrastructure and amenities.

Figure 20: Proposed Character Areas (p39 of Master Plan)





There is a clear hierarchy within these character areas, with the City Centre, Avenue and Civic areas allowing higher density forms of development, employment, retail and entertainment and civic destinations. Eds and Meds and Memorial Park areas focus on maximising the potential of Bankstown's assets, by growing a medical and education cluster in the vicinity of existing and planned infrastructure and facilitating high density development around the amenity of existing open space. Areas on the periphery of the centre, High Density Living and Terraces and Apartments, with a range of heights and both high and medium density residential typologies proposed to create a varied silhouette for the City Centre and ensure an appropriate transition to the surrounding lower density neighbourhoods.

6.3 State Environmental Planning Policy (Housing) 2021

The Planning Proposal is consistent with the aims and objectives of the Housing SEPP as it seeks to facilitate diverse and affordable housing within the Bankstown City Centre. The Planning Proposal does not contain provisions which hinder the application of the SEPP, however, the SEPP has implications for this Planning Proposal that are discussed in detail below:

6.4 Implications of Bonus Height and FSR under the Housing SEPP

The affordable housing provisions within the Housing SEPP specify circumstances in which in-fill affordable housing and boarding houses may apply for bonus FSR. Council has prepared an Affordable Housing Contributions Scheme (the Scheme) under the Housing SEPP (former SEPP 70) as part of this Planning Proposal (Part B) (as noted above in Section 4.3). This scheme will enable sites within the Bankstown City Centre to access incentive heights and FSR provided contributions are made to on-site infrastructure, affordable housing or a substantial amount of employment generating floor space is delivered.

The Scheme would allow landowners and developers to satisfy the affordable housing contribution requirement by:

- Dedicating in favour of Council:
 - One or more dwellings, each having a gross floor area of not less than 50 square metres and each complying with the NSW Apartment Design Guide's solar access and natural ventilation requirements, with any remainder paid as a monetary contribution to Council, or
 - Other land approved by Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or
- If the person chooses, by monetary contribution to be calculated in accordance with the Affordable Housing Contribution Scheme.

Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may partner with a registered community housing provider to manage the tenancies. The community housing provider would select tenants within the very low to moderate household income brackets.



In addition, Council would be able to take monetary contributions in situations where the affordable housing dwellings are considered unsuitable or where the dedication of dwellings is in deficit of more than 1m². There would be no 'savings' or 'credit' for existing floor space on the site, even if the building is being adapted and reused.

The incentive clause in this Planning Proposal seeks to encourage the provision of affordable housing within the Bankstown City Centre, consistent with the objective of the SEPP to provide appropriate housing to households on very low, low and moderate incomes and people experiencing homelessness. Notwithstanding, if affordable housing developments are entitled to an FSR bonus under the Housing SEPP, Council seeks to prevent applicants applying for the incentive FSR scheme under this Planning Proposal to avoid 'double dipping' of incentives. Council did not model or factor in the 'double dipping' of an applicant benefiting from two FSR bonuses under the incentive scheme in this Planning Proposal and the Housing SEPP. To this end it is proposed to

Any future development applications utilising incentive height and FSR would have to comply with all applicable LEP and DCP controls to deliver a high-quality built form and demonstrate that the development would not adversely impact the amenity of public spaces or surrounding residences.

6.5 Delivery of Diverse Housing

The Housing SEPP aims to ensure an adequate supply of a diverse range of housing types. This is achieved through changes to provisions and using non-discretionary standards for in-fill affordable housing, boarding houses, secondary dwellings, group homes and seniors housing as well as introducing new provisions for co-living housing (which can be used as off-campus student accommodation). This includes a potential to access a bonus FSR of up to 10% of GFA for co-living housing developments.

This Planning Proposal does not contravene any of the proposed provisions of this aspect of the SEPP. The Planning proposal seeks to rezone areas of the Bankstown City Centre to higher order residential zones, including from SP2 Infrastructure to B4 Mixed Use and R2 Low Density Residential to R4 High Density Residential (near Macauley Avenue). This would allow a broad range of existing and new types of housing development to be undertaken under the SEPP in additional parts of the City Centre, consistent with the objective of the SEPP to increase the supply diverse housing typologies.

6.6 Chapter 2 Part 2 - Affordable Housing (former State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes))

Council endorsed its draft Affordable Housing Contributions Scheme (Draft Scheme) and associated Planning Proposal at the 26 October 2021 Council Meeting. Council has prepared the

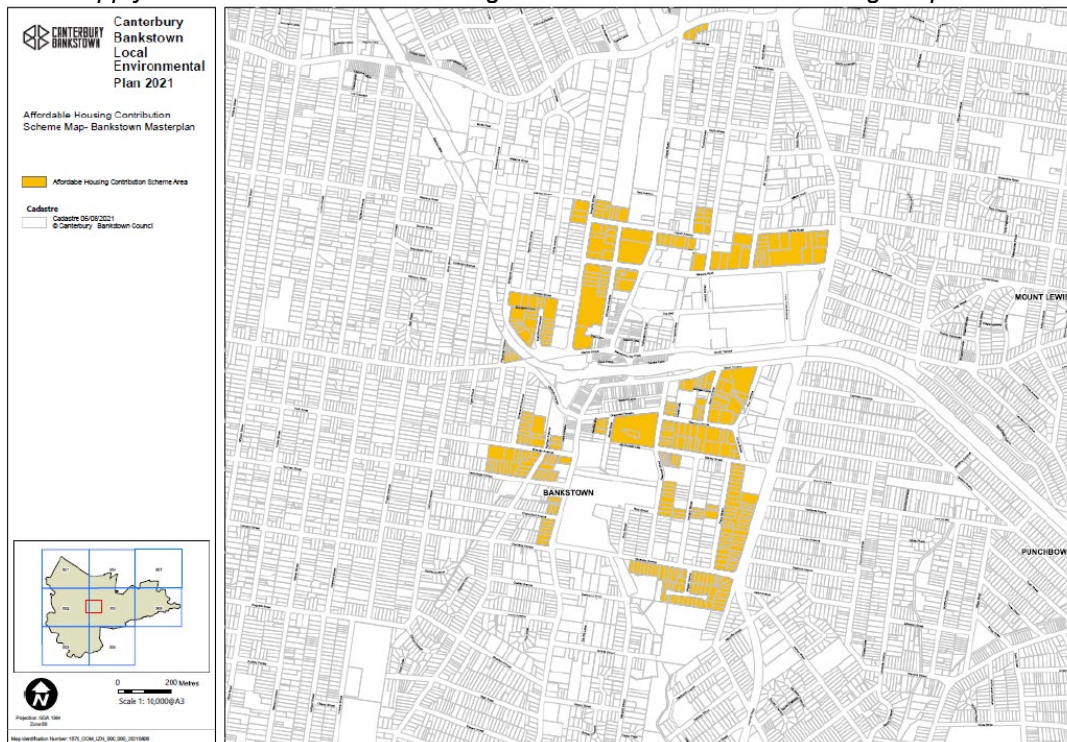


Draft Scheme in accordance with the Section 7.32 of the Act, Chapter 2 'Affordable Housing' of the Housing SEPP and DPE's Guideline for *Developing an Affordable Housing Contribution Scheme*.

The Draft Scheme would apply to centres that are subject to Council's Master Planning (and subsequent Planning Proposal) process and where uplift is proposed to occur. In areas of uplift, it would be expected that a portion of the total residential GFA would be dedicated to Council for the delivery of affordable housing.

According to the Affordable Housing Strategy (Action 2.2, page 8) and Bankstown Master Plan (Objective 1.3, page 35), the Draft Scheme would initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision and is located on land shown in Figure 21.

Figure 21: Land where the affordable housing option under the incentive height and floor space provision would apply under the Affordable Housing Contributions Scheme Planning Proposal



The Planning Proposal that will implement the Draft Scheme sets out how, where and at what rate monetary contributions can be collected for affordable housing, criteria for the dedication of dwellings or land, and a staged implementation plan. The scheme also describes how Council will manage any monetary contributions towards affordable housing. The table below Identifies the percentage of the total residential GFA of development that the affordable housing contribution requirement is to apply



Date of determination of development application	Business Zone	Residential Zone
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1%	1%
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2%	2.5%
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3%	4%

Refer to Part B of this Planning Proposal for further details.

6.7 Chapter 2, Part 3 - Retention of existing affordable rental housing (former State Environmental Planning Policy (Affordable Rental Housing) 2009)

The Planning Proposal does not contain provisions which contradict or hinder the application of this part of the Housing SEPP. The potential for bonus FSR to be accessed in affordable housing developments under this SEPP has implications for the incentive height and FSR provisions of this Planning Proposal. These are discussed in detail in Section 6.4 of this Planning Proposal.

6.8 Chapter 3, Part 5 - Housing for seniors and people with a disability (former State Environmental Planning Policy (Housing for Seniors and People with a Disability)).

The Planning Proposal does not contain provisions which contradict or hinder the application of Chapter 3 Part 5 of the Housing SEPP. As discussed in Section 6.4, this Planning Proposal does not intend to allow 'double dipping' of incentive clauses under this proposal and the Housing SEPP.

Applicants choosing to develop their land under the Housing SEPP would benefit from the additional FSR under Part 5 'housing for seniors and people with a disability' of the Housing SEPP which for example allows up to 25% additional FSR for development involving independent living units and residential care facilities (Section 87 of the Housing SEPP). This is a consistent approach to the current Clause 4.4A in the Bankstown LEP 2015 which includes the following clause:

“(5) This clause does not apply to land on which development to which State Environmental Planning Policy (Housing) 2021, section 17 applies is to be carried out.”

Refer to Part 2 'Delivery of Community Infrastructure through Incentive Floor Space and Building Height' for the indicative draft clause wording.

6.9 Draft Design and Place State Environmental Planning Policy

The draft State Environmental Planning Policy (Design and Place) 2021 (draft DP SEPP) and supporting guides are part of DPE's broader review of all SEPPs and it aims to simplify the planning framework to encourage improved design quality, environmental sustainability and resilience. The



draft DP SEPP policy package was exhibited between until 22 February 2022. Council has made a detailed submission to DPE in response to the public exhibition of the draft DP SEPP

The draft DP SEPP exhibition package comprised the following:

- The proposed draft DP SEPP
- Proposed changes to the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)
- Proposed direction by the Minister under section 9.1 of the Environmental Planning and Assessment Act 1979 (9.1 Direction)
- The revised Apartment Design Guide (ADG)
- The proposed new Urban Design Guide (UDG)
- Updates to residential sustainability (BASIX) and new sustainability requirements for non-residential development
- Supporting tools for testing during exhibition and the BASIX Sandbox Tool
- The Local Government Design Review Panel Manual (LGDRPM).

Council received advice on 10 December 2022 from Kiersten Fishburn, Secretary of DPE that is consistent with the information provided on DPE's website⁴ which advises that the draft DP SEPP should not be applied to the assessment of Planning Proposals until the draft DP SEPP is finalised:

“Status of the draft instrument

In her recent instructions to local government, the Secretary has emphasised that, for the purposes of section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979 (EP&A Act), the draft proposed Design and Place State Environmental Planning Policy (DP SEPP) 2021 is not notified to any consent authorities. The draft DP SEPP is therefore not a mandatory matter for consideration under the Act.

*While applicants may wish to consider the DP SEPP and guides in the development of future proposals (for example, taking into account the considerations of the DP SEPP, and new guide objectives), **it is critical to continued certainty and appropriate consultation that the draft DP SEPP is not to be applied to the assessment of development applications and planning proposals until the policy is finalised.***”

On this basis, further consideration of the draft DP SEPP has not been undertaken in this Planning Proposal as the finalisation of the policy is not imminent nor certain.

⁴ <https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies/Design-and-Place-State-Environmental-Planning-Policy>



6.10 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

6.11 Extended Operating Hours (late night trading)

It is proposed to add a new subclause in Schedule 2 – Exempt Development to allow extended operating hours (late night trading) in the B3 and B4 Zones for certain business and retail premises without requiring development consent of Council, subject to premises being operated under an existing development consent or Complying Developer Certificate.

It is noted that since the Master Plan was adopted by Council on 28 September 2021, the State Government implemented its *Building Back Better* planning reform package which came into effect on 1 February 2022. As part of these *Building Back Better* reforms was the introduction of new clause 2.46C ‘Hours of Operation and trading’ in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) which allows for a range of premises to operate outside the hours permitted by the relevant development consent or complying development certificate in certain business zone, including:

- Zones B1, B2, B3, B5, B6, B7, B8, IN4, SP1, SP2 and SP3: 6am–10pm
- Zone B4: 6am–7pm.

The proposed Schedule 2 clause will seek to provide extended late night trading beyond the hours specified in the Codes SEPP as outlined in the table below.

Table 11: Comparison of Codes SEPP Extended operating hours and Council’s proposed late night trading clause (Schedule 2).

Codes SEPP Clause 2.46C ‘Hours of Operation and trading’	This Planning Proposal extended operating hours (late night trading) proposed Schedule 2 Exempt development clause	
Zones B1, B2, B3, B5, B6, B7, B8, IN4, SP1, SP2 and SP3	Zones B3 and B4 Zones within the Bankstown City Centre only	
Hours permitted 6.00am – 10.00pm, 7 days a week (for above zones) 6.00am – 7.00pm, 7 days a week (for B4 zone only)	Hours permitted 6.00am – 11.00pm, Monday to Thursday, Sunday and public holidays 6.00am to 12.00am, Fridays and Saturdays	Hours permitted 6.00am to 11.00pm, Fridays and Saturdays
Uses permitted All uses except the following: (a) amusement centres, (b) boat building and repair facilities, (c) commercial premises, (d) community facilities, (e) depots, (f) entertainment facilities, (g) function centres, (h) health consulting rooms, (i) industries,	Uses permitted (a) business premises (b) shops	Uses permitted (a) market, (b) restaurant or café, (c) take away food and drink (d) premises or (e) mobile food and drink outlets,



(j) information and education facilities, (k) medical centres, (l) recreational facilities (indoor), (m) storage premises, (n) vehicle body repair workshops, (o) vehicle repair stations, (p) veterinary hospitals, (q) warehouses or distribution centres.		
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To minimise adverse amenity impacts, it is proposed that the extended operating hours (late night trading) Schedule 2 provision in this Planning Proposal will not apply to the following uses:

- Funeral homes
- Potentially hazardous industries, and potentially offensive industries, within the meaning of State Environmental Planning Policy No 33—Hazard and Offensive Development
- Registered clubs
- Restricted premises
- Retail premises that sell firearms within the meaning of the Firearms Act 1996
- Roadside stalls
- Sex services premises

To manage impacts associated with premises that would be subject to this provision, certain requirements such as those referred within Clause 2.46D of the Codes SEPP could apply, in addition to those proposed in the indicative draft wording for this clause in Part 2, as follows:

- The development must comply with the *NSW Noise Policy for Industry* published in October 2017 by the Environment Protection Authority
- The development must not be designated development
- The premises must not require, or be subject to, an environment protection licence under the Protection of the Environment Operations Act 1997.

The proposed Schedule 2 provision will apply only to business and retail premises that are within the B3 and B4 Zones within the Bankstown City Centre. On this basis, the proposed Schedule 2 provision will not have any implications for how the Codes SEPP applies to land elsewhere in the Canterbury Bankstown LGA and the proposed Schedule 2 provision can operate alongside the abovementioned Codes SEPP exempt development provision. A LEP map could be prepared post-Gateway determination to clarify the extent.

6.12 Low Rise Housing Diversity Code

The Planning Proposal does not contain any provisions which would contravene or hinder the application of the Low-Rise Housing Diversity Code. Although this Planning Proposal will rezone areas of the Bankstown City Centre from R2 Low Density and R3 Medium Density Residential to R4 High Density Residential, the Code will continue to apply to the R2 and R3 zoned areas on the



periphery of the City Centre. In these zones manor houses, dual occupancies and terraces can be undertaken as complying development, which is consistent with the character of these areas proposed under the Master Plan.

6.13 *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (former Greater Metropolitan Regional Environmental Plan 2 – Georges River Catchment)*

6.13.1 *Chapter 11 - Georges Rivers Catchment*

Chapter 11 Georges River Catchment contains 13 principles which must be considered when preparing a Planning Proposal for any land within the catchment (as per Clause 11.2(3)). These principles seek to maintain and improve the water quality and river flows of the Georges River and protect the environmental quality of the catchment.

The relevant principles and the ways in which this Planning Proposal seeks to address them are summarised in the table below.

Table 12: Assessment of this Planning Proposal against Clause 11.7 of Chapter 11 – Georges Rivers Catchment of State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 11 – Georges Rivers Catchment – Specific planning principles (Cl. 11.7)	Consistent
(1) Acid Sulfate Soils	The majority of the subject area of this Planning Proposal is not affected by acid sulfate soils. The southern extent of the Bankstown City Centre contains lands which fall into the Class 5 category of acid sulfate soils, and a small area on the southern side of Macauley Street falls into the Class Four category of acid sulfate soils. While this Planning Proposal is seeking to increase density within the Bankstown City Centre, the proposed land uses and built form would not significantly alter the pattern of development for areas of Bankstown with potential Acid Sulfate Soils risks. Nor does this Planning Proposal recommend any changes to existing LEP provisions for managing Acid Sulfate Soils. The potential impacts on surface and groundwater, ecosystems and biodiversity, engineering constraints and cumulative impacts from Acid Sulfate Soils will continue to be managed as part of the development assessment process for future DAs.
(2) Bank Disturbance	This Planning Proposal does not apply to any land on the banks of the Georges River, though it will affect some areas of land in the vicinity of Salt Pan Creek (e.g. 53 De Witt Street, Bankstown). This Planning Proposal retains all current open space zonings that directly adjoin Salt Pan Creek.
(3) Flooding	Further assessment of the proposed LEP amendments and its impacts on flooding has been undertaken in preparation of this Planning Proposal by a flooding consultant (refer to the report prepared by Stantec at Appendix T). The report concludes that the proposed changes to the Bankstown City Centre as presented in this Planning Proposal are consistent with relevant flood planning controls and policies.
(9) Urban/stormwater runoff	The Master Plan identifies areas within the Bankstown City Centre for water sensitive urban design treatment. These treatments aim to improve the quality of stormwater and runoff from the Bankstown City Centre. Further water sensitive urban design controls will be developed through future DCP amendments associated with this Planning Proposal.



(10) Urban development areas	The flooding analysis that has been completed as part of this Planning Proposal has confirmed that the proposed LEP amendments are consistent with the <i>NSW Floodplain Development Policy and Manual</i> and 'Flooding' Local Plan Making Direction 4.1 (Section 9.1 Ministerial Direction).
(11) Vegetated buffer areas	The Master Plan identifies areas in the City Centre for water sensitive urban design treatment. These treatments and the new stormwater infrastructure facilitated by this Planning Proposal align with the need identified by <i>Chapter 11 – Georges Rivers Catchment</i> to filter runoff from developed areas to improve water quality within the Georges River and its tributaries.

6.14 State Environmental Planning Policy (Transport and Infrastructure) 2021

6.14.1 Chapter 2 - Infrastructure (former State Environmental Planning Policy (Infrastructure) 2007)

The Planning Proposal does not contain any provisions which would contravene or hinder the application of Chapter 2 of the SEPP. This Planning Proposal seeks to facilitate above minimum sustainability and energy efficiency outcomes in the Bankstown City Centre. The proposed amendments to this SEPP to permit the installation of household batteries as exempt development compliments this objective of this Planning Proposal⁵.

In addition, as the Planning Proposal aims to encourage the growth of health and medical uses within the Bankstown City Centre by permitting health service facilities within the B3 Commercial Core zone. This aligns with the proposed amendments to this SEPP to facilitate broader planning pathways for health service facilities.

6.15 Proposed Changes to Clause 4.6

DPE exhibited an Explanation of Intended Effect (EIE) on proposed amendments to Clause 4.6 of the Standard Instrument LEP from the 31 March until 12 May 2021. Under the proposed revised Clause 4.6, the consent authority must be directly satisfied that the applicant's written request demonstrates the following essential criteria in order to vary a development standard:

- The proposed development is consistent with the objectives of the relevant development standard and land use zone; and
- The contravention will result in an improved planning outcome when compared with what would have been achieved if the development standard was not contravened. In deciding whether a contravention of a development standard will result in an improved planning outcome, the consent authority is to consider the public interest, environmental outcomes, social outcomes or economic outcomes.

⁵ DPE Website 'Fast-track access to installing household batteries' - <https://www.planning.nsw.gov.au/isepp>



The EIE also contemplated an alternative test that could be developed to provide flexibility for minor variations to be approved by a consent authority where it would be difficult to demonstrate an ‘improved’ planning outcome.

Further, the EIE proposes that Councils will no longer be able to exclude provisions from the operation of Clause 4.6. Only exclusions to Clause 4.6 which will remain is the clarification that variations under Clause 4.6 cannot be granted for complying development or development standards containing BASIX requirements. To this end, this Planning Proposal does not seek to provide any new exclusions within Clause 4.6(8), therefore the proposed changes in the EIE do not impact this Planning Proposal. Any existing exclusions contained within Clause 4.6(8) are matters to be resolved as part of the finalisation of the draft CBLEP and not this Planning Proposal.

The DPE website states ‘submissions will be considered and will inform the development of the proposed changes’⁶.

7. Is this Planning Proposal consistent with applicable Ministerial Directions? (Section 9.1 Directions)

This planning proposal is consistent with most applicable Local Planning Directions (Section 9.1 Ministerial Directions) (refer to Appendix B), and discussed further below:

Table 13: Consistency assessment against Local Planning Directions (Section 9.1 Ministerial Directions)

Direction	Consistent / Rationale
Focus Area 1: Planning Systems	Justifiable inconsistency – The Planning Proposal includes <i>Clause 6.12 - Restrictions on development in Zone B4 Mixed Use</i> . The three sites subject of this provision are:
Direction 1.4 Site-specific Provisions	<ul style="list-style-type: none">• 83-99 North Terrace and 62 The Mall - Lots 19-20 DP 5541, Lot 18B DP412699, Lots 15-17, 21-24 and 27 DP5541, Lot 1 DP207810, Lot 1 DP507818 and Lot 9 DP777510 (known as the ‘Compass Centre Site’).• 304 South Terrace and 12 Restwell Street – Lot 1 DP615638 and Lot 3 DP234101.• The western part of 1 North Terrace (Bankstown Central shopping centre site) bound by The Mall, The Appian Way and North Terrace – Lot 11 DP 74620. The purpose of this clause is to ensure the delivery and long-term protection of the employment-generating floor space to meet job targets for the Bankstown City Centre. The minimum 50% requirement was the outcome of an economic land use study prepared by SGS Economics and Planning which undertook feasibility testing and modelling on a range of floor space proportions and resolved to recommend that the minimum 50% requirement in conjunction with a ‘no net loss’ and a B3 Commercial Core zoning to the three sites listed above. The SGS Study is held at Appendix H.

⁶ ‘Review of clause 4.6 of the Standard Instrument LEP’ - <https://www.planningportal.nsw.gov.au/variations-review>



	<p>To not include Clause 6.12 as part of the Planning Proposal would remove the ability to control a minimum non-residential floor space for the three nominated sites. This may reduce the employment generating floor space delivered in Bankstown City Centre and minimise the job growth in a location that is best suited to support such employment generation.</p>
Focus Area 3: Biodiversity and Conservation	<p>Consistent – As the Planning Proposal does not propose to introduce, alter or amend the controls applying to heritage items, areas, places or objects within the Bankstown City Centre; it is generally consistent with the objectives of this ministerial direction.</p>
Direction 3.2 Heritage Conservation	<p>The Master Plan referred to various potential heritage items that are currently under assessment by Council as part of an LGA-wide review. This review will undertake a detailed heritage assessment of the following items to support their potential listing under a separate Planning Proposal:</p> <ul style="list-style-type: none">• Hackett House – 6 Bankstown City Plaza• Inter-war Commercial Building – 35 Bankstown City Plaza• Art Deco Shop – 67 Bankstown City Plaza• Inter-war Free Classical Shops – 93, 94 and 95 Bankstown City Plaza• Former Cumberland Hotel – 324 Chapel Road• Bankstown Oval (Memorial Reserve) – 195 Chapel Road• Interwar Bungalow – 51 Percy Street• Avenue of Fig Trees – Olympic Parade (Road Reserve) <p>The Master Plan also recommended that a Heritage Conservation Area (HCA) be investigated on Vimy Street and the western side of Restwell Street, between Ross Street and Macauley Avenue. This will also be assessed through the LGA-wide Heritage Review that is currently underway by Council. This HCA and the potential heritage items identified above will be the subject of a separate Planning Proposal by Council once heritage assessments are finalised.</p> <p>The proposed changes to height and FSR controls for the Bankstown City Centre have been informed by consideration of the area’s unique character. No uplift has been proposed in this Planning Proposal on any existing heritage item sites. Urban design modelling has considered impacts of the proposed controls on existing and potential heritage items, and new DCP controls will also be developed to ensure that development adjacent to heritage items is undertaken in sympathetic ways.</p> <p>Protecting and valuing Bankstown’s Aboriginal heritage and incorporating was an important objective of the Bankstown Master Plan. This Planning Proposal has been informed by an Aboriginal Cultural Heritage Study, which recommended potential DCP controls to be implemented with the Planning Proposal to value Aboriginal heritage, including place-naming, use of native plants and locally indigenous materials and the integration of Aboriginal artwork and storytelling into new development.</p> <p>Within the DCP will be reference to the <i>Connecting with Country</i> Draft Framework prepared by the Government Architect NSW. The DCP will include objectives and controls that aim to support the health and wellbeing of Country and the following three long-term strategic goals of the Draft Framework:</p>



-
- Reduce the impacts of natural events such as fire, drought, and flooding through sustainable land and water use practices;
 - Value and respect Aboriginal cultural knowledge with Aboriginal people co-leading design and development of all NSW infrastructure projects; and
 - Ensure Country is cared for appropriately and sensitive sites are protected by Aboriginal people having access to their homelands to continue their cultural practices.

Further, as outlined in Section 7.5 of *Bankstown City Centre and Campsie Town Centre Master Plans Aboriginal Culture and Heritage Study* (p110) Council will consider undertaking consultation with the local Aboriginal community to ensure relevant themes and values are included in the designing and planning process such as inclusion within the DCP.

Refer to Section 7.3.1 (page 108) of the *Bankstown City Centre and Campsie Town Centre Master Plans Aboriginal Culture and Heritage Study* (Appendix P) for further details.

Focus Area 4: Resilience and Hazards

Direction 4.1 Flooding

Consistent – The Planning Proposal has been developed in consultation with:

- Bankstown DCP (2015).
- Bankstown Development Engineering Standards (2009).
- Salt Pan Creek Stormwater Catchment Study (Bewsher/BMT, 2009).
- Salt Pan Creek Catchments Floodplain Risk Management Study and Plan (Bewsher, 2013).
- Council's Stormwater Team has reviewed the Master Plan and noted that the studies which informed the Master Plan and Planning Proposal are based on the principles of the NSW Flood Prone Land Policy and the NSW Floodplain Development Manual 2005.

Notwithstanding, Council's Stormwater Team recommended that this Planning Proposal be reviewed by a suitably qualified independent expert in floodplain development and it was resolved by Council to proceed on this basis. The *Flood Planning Assessment Report* prepared for Council by Stantec (formerly Cardno) confirms this Planning Proposal is generally considered to be in accordance with the provisions of the *NSW Flood Prone Land 2021 Package*.

Minor inconsistency – It is noted that the Report prepared by Stantec states that all but one location is consistent with these land use changes. The one inconsistency, at 53 De Witt St Bankstown is likely to be acceptable as it the current use of the land matches the proposed rezoned industrial use. Therefore the intensification and flood risk of the proposal for this site are expected to be of "minor significance" in accordance with this Local Planning Direction.

Direction 4.4 Remediation of Contaminated Land

Consistent – The Planning Proposal includes rezoning of some land from SP2 Infrastructure to B4 Mixed Use Zone that will permit sensitive uses (i.e. residential, educational, recreational or childcare) that will allow sensitive uses that were not previously permitted under the current SP2 zoning. These properties including the following:

- 27-31 Meredith Street, Bankstown (multi-level car park). It is proposed to rezone the site from SP2 Infrastructure (Road Infrastructure Facility) to B4 Mixed Use Zone.
-



- 33 Meredith Street, Bankstown (former ambulance station). It is proposed to rezone the site from SP2 Infrastructure (Emergency Services Facility) to B4 Mixed Use Zone.
- 40 Marion Street Bankstown (multi-level and at-grade car park). It is proposed to rezone the site from SP2 Infrastructure (Road Infrastructure Facility) to B4 Mixed Use Zone.
- 369 Chapel Road and 20 Fetherstone Street, Bankstown (Bankstown Courthouse). It is proposed to rezone the site from SP2 Infrastructure (Public Administration Building) to B3 Commercial Core Zone.
- 490 Chapel Road, Bankstown (Bankstown TAFE site) and 347A Hume Highway, Bankstown. It is proposed to retain the existing SP2 Educational Establishment zoning and expand the permitted uses to include Health Services Facilities. The Existing B4 Mixed Use zoning will be retained.

Council has obtained expert advice from environmental consultants Douglas Partners that confirms the suitability of the land for the proposed zoning and consistency with the relevant Local Planning Making Direction 4.4 'Remediation of Contaminated Land'. The results of the Preliminary Site Investigations for each site indicate that all sites can be made suitable for the proposed land uses subject to implementation of the recommended investigations and remediation and/or management of contamination that may be identified from the investigations, at the Development Application stage should the sites be redeveloped in the future. This is consistent with part 1(b) of the Direction.

Further, in accordance with the Local Planning Making Direction 4.4(2), this Planning Proposal is consistent with the following:

"Before including any land to which this direction applies in a particular zone, this Planning Proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines."

Refer to Appendix U for the Preliminary Site Investigation Reports prepared by Douglas Partners. No changes are required to this Planning Proposal as a result of the Preliminary Site Investigation studies.

Direction 4.5 Acid Sulfate Soils

Justifiable inconsistency – The intensification proposed by the Master Plan includes land that is identified on the Acid Sulfate Soils Planning Maps as having a probability of Class 4 and 5 Acid Sulfate Soils being present. This includes areas in the southern end of the Bankstown City Centre.

While this Planning Proposal is seeking increased density within the Bankstown City Centre, the proposed land use and built form does not significantly alter the pattern of development for areas of Bankstown with potential Acid Sulfate Soils risks. Nor does this Planning Proposal recommend any changes to existing LEP provisions for managing Acid Sulfate Soils. It is therefore considered that in accordance with existing LEP provisions, any Acid Sulfate Soils will continue to be managed as part of the development assessment process for future DAs.

Therefore, the inconsistency with this direction is considered to be of minor significance.

Focus Area 5: Transport and Infrastructure

Consistent – This Planning Proposal capitalises on the completion of Sydney Metro City and Southwest conversion, which includes a new Metro railway station at Bankstown that commences operation in 2024 and aims to align employment and



Direction 5.1 Integrating Land Use and Transport

housing growth with the delivery of city-shaping transport infrastructure. Increasing residential and employment opportunities in an area which will have enhanced access to transport infrastructure reduces dependence on cars supports the efficient and viable operation of public transport services.

This Planning Proposal will maximise enhancements to existing and future walking and cycling infrastructure within the Bankstown City Centre as noted in Bankstown Complete Streets by concentrating future jobs and dwelling growth within the City Centre where such infrastructure is intended to be delivered in the future. These opportunities will be investigated further as this Planning Proposal progresses and will be supported by comprehensive DCP controls, including a reduction in on-site parking rates within the Bankstown City Centre and the introduction of maximum parking rates for areas in close proximity to the future Bankstown Metro station (within 400m). The Off-Street Parking and Servicing/Loading Study by GTA consultants considers the needs of freight and servicing within the town centre and will inform the preparation of the DCP.

Direction 5.2 Reserving Land for a Public Purposes

Consistent – The Planning Proposal seeks to reserve land to protect public access along the Salt Pan Creek Corridor. The subject land involves a portion of the privately owned land at 53 De Witt Street, Bankstown to be maintained as RE1 Public Recreation Zone and it is proposed to amend the Land Reservation Acquisition Map to include the portion of the land to be reserved to ensure continuous access along Salt Pan Creek corridor for active transport. The land proposed to be reserved for public purposes is already appropriate for its intended future use. It is proposed that Council will be the relevant acquisition authority. 53 De Witt Street sits within a broader precinct (known as Ruse Park) of RE1 Zoned land that has a total area of approximately 11ha. The proposed revised zoning of 53 De Witt Street will reduce the RE1 zoning of the site by approximately 1,500m². This represents a reduction of RE1 zoned land of around 1.4% in this precinct, however it is noted that the site privately owned and used for light industrial purposes. Therefore there is no material loss of currently accessible public recreation space in this part of Bankstown and this Planning Proposal will ensure enough open space is available to meet needs of the community in this area of Bankstown.

The Planning Proposal will alter the zoning of two Council-owned car parks at 40 Marion Street and 27-31 Meredith Street, rezoning these sites from SP2 Infrastructure (Road Infrastructure Facility) to B4 Mixed Use. This will enable the potential mixed use redevelopment of these sites whilst allowing for the car parking to be retained and consolidated on these sites as part of future redevelopment DAs. As car parking will be retained on these sites as part of any development, this inconsistency is considered minor in nature. This approach is consistent with Council's adopted *Bankstown Complete Streets Plan* for managing the future arrangement of car parking in and around the Bankstown CBD. As part of any future redevelopment of these sites, a portion of car parking provided as part of a new mixed use development can include a publically accessible car parking. This requirement for car parking will be specified in the DCP

The Planning Proposal also proposes to permit 'Health Services Facilities' on the TAFE NSW Bankstown and De la Salle College sites. During the exhibition of the Master Plan consultation was undertaken with TAFE NSW, who supported the proposed additional use, and School Infrastructure NSW, who made no objection to the additional use. Refer to the Agency Stakeholder submissions at Appendix R.



	<p>What sites are identified for future dedication (as community infrastructure in the FSR bonus) will be identified in on a map inf the DCP, not within a contributions plan, and linked in the LEP clause.</p>
<p>Direction 5.3 Development near Regulated Airports and Defence Airfields</p>	<p>Justifiable inconsistency – Bankstown is located near a regulated airport (Bankstown Airport is located approximately 3km to the west). This Planning Proposal is consistent with this Local Planning Direction as follows:</p> <ul style="list-style-type: none">• The Bankstown Airspace Constraints Study, which informs the appropriate maximum LEP height standard limits of this Planning Proposal, was endorsed in principle by Bankstown Airport Limited and the Department of Infrastructure, Transport, Regional Development and Communications during the preparation of the Master Plan.• Permits development types that are compatible with the current and future operation of Bankstown Airport. Future DAs that are located within the Bankstown City Centre will be required to be referred to by Bankstown Airport Limited and the Department of Infrastructure, Transport, Regional Development and Communications. <p>However in regard to 2(d) of this Local Planning Direction which states“(d) <i>obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i>” It is not the procedure for such controlled activities to be granted at this Planning Proposal stage, and rather, such approvals are issued on a case by case basis at the DA stage. Therefore, it is not possible to achieve consistency with this part of the Local Planning Direction.</p> <p>The Planning Proposal area is not located within an ANEF 20 area. Acoustic attenuation considerations for future development are therefore not required.</p>
<p>Focus Area 6: Housing</p> <p>Direction 6.1 Residential Zones</p>	<p>Justifiable inconsistency – This Planning Proposal facilitates increases in residential density and housing diversity throughout the Bankstown City Centre, in order to meet dwelling targets set by the South District Plan. These rezoning amendments are consistent with this Local Planning Direction as it will enable delivery of diverse and affordable housing that makes efficient use of existing infrastructure while not containing provisions which will reduce the permissible residential density of the land. This Planning Proposal includes incentive clauses that will provide building height and FSR bonuses that will encourage increased density for new development, including delivery of new dwellings, which will reduce the consumption of land for housing and associated urban development on the urban fringe of Sydney. This is consistent with the Local Planning Direction.</p> <p>There are certain areas within the Bankstown City Centre that are proposed to be rezoned from more permissive zones to more restrictive zones, in particular the commercial centre of Bankstown which is to be rezoned from B4 Mixed Use to B3 Commercial Core. This is arguably a ‘downzoning’ which will “reduce the permissible residential density” of that land, which is inconsistent with the Local Planning Direction. This could also apply to the properties which are proposed to have provisions requiring a minimum of 50% employment-generating floor space, reducing the potential residential density of these B4 zoned sites.</p>



However, in context of the overall Bankstown City Centre, this Planning Proposal will enable a significant overall uplift of residential density, providing capacity for 12,500 additional dwellings to 2036 through increases in height and FSR as well as the 'up-zoning' of other areas within the City Centre (Refer Part 2). This is essentially doubling the existing housing capacity in Bankstown City Centre. The properties that are those located within the proposed commercial core as well as sites identified on the amended Special Provisions Map as requiring a minimum 50% employment-generating uses have been selected for rezoning or site-specific provisions in order to meet job targets for the Bankstown City Centre.

The following areas are proposed to be 'up-zoned' within the Bankstown City Centre to allow for residential development that was not previously permitted or increased residential density:

- From SP2 Infrastructure to B4 Mixed Use:
 - Council-owned car parks at 40 Marion Street and 27-31 Meredith Street
 - A former ambulance station at 33 Meredith Street
 - Bankstown TAFE and part of the St Felix School and De La Salle College
 - The Bankstown Courthouse site at 369 Chapel Road and 20 Fetherstone Street
- From R2 Low Density Residential to R4 High Density Residential:
 - The southern side of Macauley Avenue between Stacey Street and Ruse Reserve
- From R3 Medium Density Residential to R4 High Density Residential:
 - The block bound by Percy Street, Stacey Street, Macauley Avenue and Stanley Street
 - The eastern side of Oxford Avenue between Chertsey Avenue and Brandon Avenue
 - The area between Marion Street and Brancourt Avenue, including Winspear Avenue.

These sites are appropriate for increased residential densities as they are within walking distance of Bankstown Station and future Metro station (less than 800m). These areas are also in proximity to open space, shops and services in the Bankstown City Centre.

Areas at the periphery of the Bankstown City Centre will retain their existing zoning. These areas will be retained in their existing form because of their location beyond 800m walking distance to the future Bankstown Metro Station or they make a contribution to the established built form and character of Bankstown.

Focus Area 7: Industry and Employment

Consistent – This Planning Proposal is consistent with the objectives of this Local Planning Direction as it will provide:

Direction 7.1 Business and Industrial Zones

- An option to provide a minimum of 1.4:1 of employment floor space or the ground or first floor, whichever is lesser, is proposed in the draft CBLEP (currently with DPE for finalisation). It is proposed to retain this clause to ensure the minimum provision of employment floor space within the B4 Zone in Bankstown (as per Area 3 on the SPV Map).
- All existing business and employment zones in the Bankstown City Centre will be retained.
- The Planning Proposal will introduce a B3 Commercial Core zone to the commercial centre of the Bankstown CBD. This zone is in close proximity to current and future mass transit infrastructure and will support jobs growth in



the CBD. Introducing a more restrictive employment zoning than the current B4 Mixed Use zone will prevent development of residential apartments at the expense of commercial floor space in the centre of the Bankstown CBD whilst allowing build to rent housing in accordance with the Housing SEPP.

- Introduction of an LEP clause that requires no-net loss of employment generating uses to any new developments.
- Requiring a minimum 50% of total floor space as employment generating floor space for key sites in the CBD.

This Planning Proposal only seeks to change parts of the B4 Mixed Use Zone to B3 Commercial Core and is not proposing changes to any other business zones. There are no changes proposed to the permissible uses in the existing B4 Zone.

Build to Rent in B3 Commercial Core Zone

Under the amendments to the NSW planning framework introduced by the State Government on 12 February 2021, build to rent development is permissible in any zone that residential flat buildings are permitted, as well as in the B3 Commercial Core, B4 Mixed Use, and B8 Metropolitan Centre zones. In response to concerns of the potential impacts of allowing build to rent housing in the B3 zone, the State Government included the following measures as part of the policy:

- Prevent the subdivision of build to rent housing into separate lots in the B3 zone in perpetuity
- Ensure that the residential component of build to rent housing cannot be used to satisfy minimum commercial floor space requirements that apply under a LEP
- Require a consent authority to be satisfied that a build to rent housing development in the B3 zone will be readily capable of conversion to commercial premises.

To help safeguard against the dilution of the proposed B3 Commercial Core by build to rent housing, this Planning Proposal will include three sites in the Bankstown City Centre in the B4 Mixed Use Zone with the requirement to provide a minimum of 50% of employment floor space. The purpose of this clause is to ensure the delivery and long-term protection of the employment-generating floor space, located within 200m walking distance of public transport infrastructure, to meet job targets and to realise the vision for the Bankstown City Centre. Further, the proposed permissible land uses within the B3 Zone will include health service facilities and tourist and visitor accommodation which will facilitate the delivery of these high job generating uses which are suitable within a B3 Zone context.

Ultimately, the build to rent provisions are a State-led planning provision and Council is limited in what measures it can implement to ensure build to rent does not occur at the expense of the delivery of future employment generating floor space. As noted above, this Planning Proposal proposes to implement a range of measures that will ensure the safeguarding of existing and encourage the delivery of new, employment generating floor space within the B3 and B4 zones. Build to rent housing will not be included as 'employment-generating floor space' for the purposes of obtaining incentive floor space.

Additional Permitted Uses



The Planning Proposal also introduces restaurants and cafes' and 'takeaway food or drink premises' uses as Additional Permitted Uses to 2 Percy Street, Bankstown. This site was selected to allow for the activation of Stanley Street and Stevens Reserve and is within the 800m walking catchment of the Bankstown Station and the future Bankstown metro station. There are no other Additional Permitted Uses (APUs) proposed within this Planning Proposal.

The Planning Proposal introduces residential uplift on the south side of Macauley Street by rezoning this area from R2 Low Density to R4 High Density Residential. This area is in proximity to land zoned IN2 Light Industrial to the south, along Gartmore Avenue and Seddons Street. However, the rezoning area does not adjoin this industrial land, and at its closest the rezoning area is approximately 55m away from these industrial lands. Ruse Park runs between these two areas and acts as a visual and acoustic buffer between the area proposed to be rezoned and the existing industrial and urban service lands. It is therefore considered that this Planning Proposal is consistent with the Local Planning Direction. Council's existing DCP controls can ensure future dwelling development can achieve appropriate levels of internal amenity (refer to 'Acoustic Privacy' controls within the Canterbury Bankstown Development Control Plan 2021 Chapter 5 Residential Accommodation).

There are no other amendments proposed in this Planning Proposal which would impact industrial and urban service land in or around the Bankstown City Centre. This Planning Proposal is supported by an Economics and Land Use Study prepared by SGS Economics and demonstrates consistency with Council's Employment Lands Strategy.

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

This Planning Proposal relates to an existing centre in a highly urbanised environment and seeks to increase densities within this existing urbanised footprint. This Planning Proposal does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats. The *Biodiversity Strategic Plan 2015-2025*⁷ prepared by the former Bankstown City Council identifies the ecological status of all land within the former Bankstown LGA. That Strategic Plan included ecological mapping obtained from a variety of sources including:

- BCC Bushland Mapping
- BioNET
- Office of Environment and Heritage (OEH) Sydney Metropolitan Catchment Management Area (SMCMA) Vegetation Mapping
- Council commissioned flora and fauna surveys.

⁷ Canterbury Bankstown Biodiversity Strategic Plan 2015-2025:
<https://www.cbcity.nsw.gov.au/environment/biodiversity/biodiversity-corridors>



The mapping within the Strategic Plan remains valid given there have been no significant land use changes since that study was completed and it confirms that Bankstown City Centre does not contain areas of Endangered Ecological Communities or habitats. Any development that would occur in the future that is facilitated by this Planning Proposal will therefore not have any direct impacts on any Endangered Ecological Communities. Notwithstanding, this Planning Proposal has recognised the need for future development to incorporate positive contributions towards improving and enhancing the existing urban ecology of Bankstown, principally through increased tree canopy cover in private and public spaces and integrating water sensitive urban design as part of new development.

Some measures that will be implemented in the DCP to achieve this outcome include:

- The Urban Tree Canopy Master Plan establishes a canopy cover target of 15% for commercial centres, and a canopy cover target of 25% for urban residential areas. To achieve these targets the DCP will include the requirement for development to provide a tree canopy cover target for streets and open space of 40%, whilst the target for private land is a minimum of 5% in commercial centres and 20% in urban residential areas.
- Give effect to Bankstown Complete Streets which identifies opportunities for additional locations for tree planting within the CBD as well as alternative street layouts and typologies which lend themselves to other ecological improvements.
- Prioritise selecting native and endemic tree species from threatened ecological communities present in the location prior to European settlement (Master Plan Action 5.2.1).
- Implement recommendations from Urban Tree Canopy Master plan study regarding tree planting program. This will include a combination of DCP controls and integrating tree planting programs as part of Council-led redevelopment and landscaping of public open spaces and streets (Master Plan Action 5.2.2).
- Include development controls regarding deep soil zones, water sensitive design, tree canopy on ground and tree canopy on structures (as outlined in Section 4.3 'Deep soil' p20, 4.5 Water Sensitive Urban Design (p22), and 4.2 'Tree Planting / Canopy Cover' (p18) of the Bankstown and Campsie Urban Tree Canopy Masterplan Phase 2 Report).

8.1 53 De Witt Street, Bankstown

This Planning Proposal intends to make a change to the Land Reservation Acquisition Map in the draft CBLEP to facilitate acquisition of a portion of 53 De Witt Street which is currently zoned RE1 Public Recreation (refer to Figure 13 in Part 2). The intent is to formalise public access through the site where the current active transport path traverses and along the western boundary along the Salt Pan Creek Corridor to create further opportunities for recreational access and potential ecological works including naturalisation. This Planning Proposal will retain the western portion of the site for RE1 Public Recreation uses, with the remaining eastern part of the site to be rezoned to IN2 Light Industrial to reflect its existing industrial use. Refer to Part 2 for details.



9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Other likely environmental effects as a result of this Planning Proposal are discussed below.

9.1 Flooding

Bankstown City Centre is located within the Salt Pan Creek Catchment and is identified as a low to medium-risk flood prone area. The Salt Pan Creek Floodplain Risk Management Study (2013) identified that the flooding in the 1 in 100-year flood event is predominantly shallow, at no more than 0.2m. The study concludes that flooding impacts can successfully be mitigated with a combination of capital works improvements (including increasing stormwater piping capacity) and setting appropriate floor levels in areas above flood levels of the Bankstown City Centre, which has been incorporated into the existing Bankstown CBD 2015.

Council's Capital Works Program for stormwater drainage upgrades within the Bankstown City Centre that are expected to commence within the next two years include:

- Works to drainage along French Avenue which includes funding from Sydney Water.
- Investigation of culvert capacity amplification works on The Appian way from Rickard Road to North Terrace and being negotiated with relevant stakeholders (Western Sydney University and Vicinity Centres).

This Planning Proposal has been prepared in accordance with the objectives of Local Planning Direction 4.1 Flood Prone Land (refer to Table 13).

The *Flood Planning Assessment Report* prepared by Stantec (formerly Cardno) confirms this Planning Proposal (and Master Plan) is generally considered to be in accordance with the provisions of the *NSW Flood Prone Land 2021 Package*. The Flood Planning Assessment Report provides the following conclusions regarding the implications of the proposed LEP Amendments on the flooding impacts (page 29):

- This Planning Proposal proposes developable land uses within areas affected by high risk areas. However due to the isolated and narrow extents of these flooded areas and through potential site-specific design measures, it is assessed that there is still development potential for most sites that are expected to only be partially affected by these flood risks.
- By adopting a merit based approach and considering the flood risk implications of potential development compared to existing flood risk, it is possible that intensification could occur and not adversely increase the site flood risk. The residual flood risk to life can be affected by many factors including most importantly flood emergency response planning. Flood risk to property could also be addressed effectively through Flood Planning Level (FPL) and flood proofing requirements.



- On a merit based approach it is possible that the intensification proposed in this Planning Proposal could be responsive to the flooding experienced in the study area. Flood risk should be assessed by Council as a consent authority for DAs and other site-specific planning submissions rather than removing intensification from this Planning Proposal. This conclusion is in keeping with the 2005 Floodplain Development Manual that notes that one of its objectives is not to preclude all development from the floodplain. No alterations to this Planning Proposal are recommended in response to this Policy provision.
- A review of flood emergency response considerations suggests that both horizontal flood evacuation and vertical evacuation (shelter-in-place) should be feasible for the majority of developable areas proposed in this Planning Proposal. The flash flooding nature of the study area means that site-specific planning should be feasible without a need to increase the burden on emergency services or any regional evacuation routes.
- A common built form for envisaged under this Planning Proposal is high-rise residential developments with ground floor commercial space. This type of development can elevate the higher risk residential use above the Probable Maximum Flood (PMF) level and can make allowance for shelter-in-place refuge and vertical evacuation for commercial occupants. In this way, the proposed built form offers greater opportunities for flood emergency response compared to existing single storey residential dwellings.
- A key area for the Master Plan layout is the “05 Eds and Meds character area” located north of the Bankstown CBD in the upper portions of the catchment. This is where the majority of future vulnerable developments are proposed including the TAFE campus, WSU campus (under construction), and potential future new Bankstown Hospital (yet to be announced) as well as associated medical clinics and facilities surrounding the hospital. The proposed location of this precinct minimises but does not eliminate flood risks for future vulnerable developments. Flood mitigation measures would be detailed in the DA stage of any future development in the “05 Eds and Meds character area”.

No changes are required to this Planning Proposal as a result of the Flood Planning Assessment Report.

9.2 Sustainability, Climate Change and Building Performance

This Planning Proposal has been informed by a series of Sustainability studies undertaken by Flux Consultants (Appendix L). These studies identified the key areas of environmental impact for both the Bankstown City Centre and Campsie Strategic Centre including:

- Energy use in buildings as the key source of greenhouse gas emissions in the study areas
- Urban Heat Island effects resulting in elevated temperatures within the study areas
- Higher reliance on private car use than the Greater Sydney average
- Low uptake of rooftop solar panels on apartment buildings within the study areas
- Climate change will lead to a further 1°C increase in average maximum daily temperatures by 2036, impacting amenity and increasing electricity demand



- Anticipated moves away from fossil fuels for electricity generation in NSW will reduce the greenhouse gas emissions associated with electricity use in the study area by 46% by 2036.

In response to these impacts, the studies identified site-specific objectives and controls to manage these environmental issues. These controls cover a range of areas including all electric buildings, maximising rooftop solar energy generation, electric vehicle infrastructure in new buildings, energy and water efficiency, and waste management. The studies also recommended a redesigned sustainability bonus scheme which has been included in this Planning Proposal. The other proposed controls will be incorporated into future DCP amendments. This matter is addressed in Part 2 and Section 6.1 of this Planning Proposal.

The Planning Proposal has therefore been informed by comprehensive analysis of sustainability analysis and environmental performance and includes measures to improve sustainability outcomes and encourage best practice building performance.

9.3 Tree Canopy and Vegetation

The Planning Proposal has been informed by Landscape Controls and an Urban Tree Canopy Master Plan prepared by Oculus (Appendices M and Q). The principles within these documents will guide preparation of future DCP amendments to achieve a minimum tree canopy coverage within Bankstown City Centre through maintaining existing urban tree canopy, increasing canopy coverage on public and private land and improving tree health and species diversity. The canopy targets that will be implemented in the future DCP amendments are as follows:

- 15% for the Commercial Core.
- 25% for areas outside of the Commercial Core.
- 40% for open space and streets.
- 20% for private land outside of commercial centres (land outside of B3 and B4 zones).
- 5% for private land within commercial centres (land inside B3 and B4 zones).

The Urban Tree Canopy Master Plan provides the following information on how these targets can be achieved:

- Quantifying the estimated number of new trees required to be planted in open space areas, along streets and on private land. The targets provided within the Urban Tree Canopy Master Plan calculations for future tree canopy are high level estimates that do not take into account trees being removed or the growth of existing trees.
- Providing preferred tree species for certain areas within Bankstown that are based on existing tree types, local character, microclimate, including street orientation and street prominence/hierarchy.
- Designing street plantings to be compatible with the typology, functionality and layout of the street and providing examples of how these can be delivered.



- Providing development controls and requirements as part the future DCP amendments that new plantings consider the location of utilities and maintenance requirements.
- Examining the nominated street tree plantings within the Bankstown Complete Streets and open spaces within Bankstown and providing detailed comments on whether the canopy coverage meets the canopy targets of the Master Plan, and if not, the number of additional trees required to be planted.

The future DCP amendments will include recommendations from the Urban Tree Canopy Master Plan to achieve the canopy targets. The future DCP amendments will also provide a framework for managing potential adverse impacts on tree canopy from new development, as well as improving environmental conditions and biodiversity within the Bankstown City Centre.

9.4 Open Space

Existing open space comprises 7.02% or 14.86ha of total land area within Bankstown City Centre. Acquiring new open space is financially and physically challenging given the constraints of a highly urbanised CBD environment. Notwithstanding, this Planning Proposal seeks to significantly improve access to, and the quality of, publically accessible open space for future residents, workers and visitors by:

- Providing new open space through land dedication as a part of redevelopment. This Planning Proposal proposes an approximate total additional area of 10,500m² of new open space through new parks or expansions to existing parks as outlined in the Master Plan.
- New pedestrian through-site links to increase the number of residents and visitors who can walk to new open space within 200m and 400m.
- Increasing the opportunity for shared-use arrangements with schools to increase opportunities for active recreation, such as with the La Salle Catholic College Oval, which is approximately (approximately 18,000m²) subject to negotiations
- Embellishment of 11 existing pocket and neighbourhood parks to improve the quality and visitor experience of these publically accessible open spaces. The Phase 1 Report identified several parks were over capacity i.e. where the ratio of 1,500 people per 5,000m² neighbourhood or local park is exceeded within the 200m walkable catchment. The location of new additional publically accessible open space has been identified in the Master Plan to address gaps in provision and alleviate over capacity open space.

This Planning Proposal has been informed by supporting work undertaken in the Phase 1 Report⁸ and Master Plan in relation to public open space provision. The Master Plan identifies that new residential development facilitated by this Planning Proposal will be within walking distance catchment of 200m-400m (refer to Figure 18). This suggests that there will be sufficient provision of public open space in the Bankstown City Centre that is accessible via walking and cycling.

⁸ Refer to Section 4.5 'Open Space' in the Phase 1 Report (pp70-93)



One of the key objectives of this Planning Proposal is to align urban renewal with the delivery of new and upgraded open spaces. The Master Plan identifies opportunities to improve existing open spaces within the Bankstown City Centre including Paul Keating Park, Griffith Park, Chelmsford Reserve and Stevens Reserve. Improvements to open spaces will be funded through contributions collected through the development facilitated by this Planning Proposal, with Council to develop a program of works for the enhancement existing neighbourhood and pocket parks within the Bankstown City Centre. The improvement of existing spaces is also an Action in the LSPS: "E5.12.107 Continue to identify and plan for new and improved public spaces to support residents, workers and visitors in priority growth areas".

The Master Plan also identifies opportunities to negotiate with individual property owners for the delivery of new through-site links or other open space infrastructure, as well as potential new public spaces to be provided as part of site-specific Planning Proposals, for example, the Planning Proposal for the property at 1 and 1A North Terrace, Bankstown (Bankstown Central shopping centre site). It is therefore considered that this Planning Proposal will lead to the improvement of existing open space in the Bankstown City Centre and may allow opportunities for new open spaces to be delivered as part of future development.

9.5 Solar Access and Over-shadowing

The amendments to maximum building heights and FSRs put forward in this Planning proposal have been informed by overshadowing and solar access analysis that considers the potential solar access impacts when all applicable bonus height and FSR incentives in this Planning Proposal are applied. In particular, heights and FSRs have been determined to ensure adequate solar access to open space within the Bankstown City Centre. The Planning Proposal has been informed by the Tall Buildings Strategy prepared by Bates Smart (Appendix N). This study makes a range of recommendations on objectives, principles and design guidance for tall buildings. These recommendations have shaped the proposed heights and FSRs in this Planning Proposal, and more detailed built form and performance controls will be included in future DCP amendments.

Building heights have been tested to allow at least 50% of key open spaces, such as Paul Keating Park, to receive adequate during the winter solstice, ranging from 2 hours to 4 hours on that day. The proposed built form controls which have been modelling to allow for parks and open spaces to achieve the levels of solar access is outlined in Table 14.

Table 14: Solar Access for Open Spaces in the Bankstown City Centre

Open Space	Hierarchy	Target minimum sun access in mid-winter	Indicative Solar access achieved under Incentive Height and FSR
Paul Keating Park	District Park	4 hours sun to 50% of the park	Council modelling indicates the any areas of uplift will not further overshadow Paul Keating Park.
Bankstown City Gardens and Memorial Oval	District Park	4 hours sun to 50% of the park	Around 90% of the park receives 4 hours of direct sun access during the winter solstice. The area to the east is not modelled as it is low density



Open Space	Hierarchy	Target minimum sun access in mid-winter	Indicative Solar access achieved under Incentive Height and FSR
			residential special area with no proposed changes in this Planning Proposal.
McLeod Reserve	Neighbourhood Park	4 hours sun to 50% of the park	The east side will be intensified (Up to 6 storeys height and FSR 1:1). Given the northern orientation and frontage to Hume Highway it is not expected there will be impacts on achieving this minimum sun access.
Apex Reserve	Neighbourhood Park	4 hours sun to 50% of the park	No changes are proposed around Apex Reserve. Low density residential special area is proposed to the south and given the location and frontages to Stacey Street and Hume Highway, no impacts on the sun access target is envisaged.
RM Campbell Reserve	Neighbourhood Park	4 hours sun to 50% of the park	The area around this park will be subject to FSR and height building increases to accommodate growth. However given the relatively modest increases in height and FSR, sun access is likely to be achieved.
Cairds Reserve	Neighbourhood Park	4 hours sun to 50% of the park	There is no change proposed to the land nearest to the park to the north, west or east (13m building height to remain). Further impacts are not envisaged.
Griffith Park	N/A – subject of separate Master Plan.	5 hours sun to 50% of the park	Likely to be achieved given the siting of the park and separation for the more significant height of building increases to the north and east.
Stevens Reserve	Neighbourhood Park	4 hours sun to 50% of the park	Modelling indicates that 92% of the park receives 4 hours of sun access during winter solstice.
Chelmsford Reserve	Neighbourhood Park	4 hours sun to 50% of the park	Modelling indicates that 76% of the park receives 4 hours of sun access during winter solstice.
West Terrace Urban Plaza	Local/Pocket Park	2 hours sun to 50% of the area	Modelling indicates that 57% of the park receives 2 hours of sun access during winter solstice.
East Terrace Park	Local/Pocket Park	2 hours sun to 50% of the area	Modelling indicates that 99% of the park receives 2 hours of sun access during winter solstice.

9.6 European and Aboriginal Cultural Heritage

The Planning Proposal has been informed by an *Aboriginal Culture and Heritage Study* prepared by AMBS Ecology and Heritage. The study notes that no Aboriginal heritage sites, objects or places have previously been recorded within the Bankstown City Centre Planning Proposal Study Area.

After a review of existing information on the environmental context, Aboriginal heritage values, and archaeology the Study identified that the study area has experienced disturbance associated with extensive vegetation clearing, historic agricultural and pastoral use, land modification and urban development, which is likely to have impacted the survivability and integrity of any archaeological sites.

On this basis the Study concluded that it is unlikely that midden, potential archaeological deposit or artefact sites have survived, and that it is unlikely for any scarred trees or burial sites to be



present within the study area. However, there is the possibility for stone artefact scatters to be present within the site, as these may have been present in all landform contexts within the study area.

Given the highly modified context of the study area, the current LEP and DCP provisions related to Aboriginal heritage will be sufficient to manage any potential impacts. Aboriginal heritage recommendations made in the Aboriginal Culture and Heritage Study on interpretation, temporary construction artwork, use of Aboriginal place names and native plant species have been considered by Council during preparation of this Planning Proposal and can be implemented in future DCP amendments. A draft Connecting with Country framework can be developed as part of a future update to the Consolidated Canterbury Bankstown DCP to cover the entirety of the Canterbury Bankstown LGA.

As part of the Master Plan process potential heritage items and a potential conservation area on Vimy Street have been identified. These items and this potential heritage conservation area will be investigated as part of the LGA-wide heritage review currently undertaken by Council staff. This review will ensure that future planning controls for these properties will appropriately protect their heritage values.

On this basis it is not proposed to make any changes to existing LEP heritage listed items or Heritage Conservation Areas in this Planning Proposal.

10. Has this Planning Proposal adequately addressed any social and economic effects?

A discussion of the Economic and Social Effects of this Planning Proposal is discussed below.

10.1 Economic Effects

The *Bankstown City Centre and Campsie Town Centre Economic and Land Use Study* prepared by SGS Economics and Planning analysed the economic levers and settings to facilitate positive economic growth in both centres and has guided the preparation of this Planning Proposal. New dwellings and jobs within Bankstown City Centre will elevate the role and function of Bankstown as a Strategic Employment and Mixed-Use Centre, as envisioned in the South District Plan, Bankstown CBD and Bankstown Airport Collaboration Area Place Strategy and LSPS.

Bankstown City Centre has a total jobs target of 25,000 by 2036 as per the Employment Lands Strategy and LSPS. The SGS Economics and Planning Study (2021) stated that Council needs to set planning controls to allow a total additional capacity of 419,820m² (or 14,000 additional jobs at 30m² per employee) to achieve this target. The Bankstown Master Plan, in addition to the Bankstown Central Planning Proposal and new WSU campus, will provide a total employment floor space capacity of approximately 660,216m² GFA comprising:

- This Planning Proposal (Bankstown City Centre Master Plan):449,216m²



- Bankstown Central PP: 179,000m²
- Western Sydney University Campus: 32,000m².

Specifically, the Bankstown City Centre Master Plan will maintain existing employment floor space and/or increase employment floor space through the following:

- Retaining the current requirement in the draft consolidated LEP for sites in the B4 Mixed Use Zone to provide a minimum ground and first floor employment floor space or 1.4:1, whichever is lesser
- In addition to the above, three sites in the B4 Zone will be required to provide a minimum 50% employment floor space
- Introducing a no net loss employment floor space clause to ensure no loss of existing floor space
- Introducing a B3 Commercial Core Zone and increasing FSR on select sites within this proposed zone.

These measures are important due to property market conditions where redevelopment of land for residential purposes is often the most financially profitable use for land owners. It is important to safeguard employment uses in the medium to long term, unhindered by residential development, otherwise the opportunity to safeguard and increase local economic activity will be lost. Without these planning interventions, it will be extremely difficult to achieve the City's total 25,000 job target by 2036.

Section 5 of the Bankstown City Centre and Campsie Town Centre Economic and Land Use Study includes feasibility testing and analysis of mixed-use development and commercial development in the Bankstown and Campsie for both the current and proposal planning controls. The following two sites were tested in Bankstown:

- 304 South Terrace and 12 Restwell Street, Bankstown
- 6 to 20 Fetherstone Street, Bankstown.

The assessment concluded that the controls as tested would increase the likelihood of development being feasible compared to the current controls. Refer to the Study for details.

The Economic and Land Use Study Feasibility Study included testing for provision of affordable housing within the Bankstown City Centre as part of new development. The study identified that not all sites could support feasibility for affordable housing contributions, even at the proposed 1-3% contribution rate when the LSPS was seeking a rate of up to 5%. Feasibility testing for affordable housing contributions were undertaken as per the NSW Guideline for Developing an Affordable Housing Contribution Scheme. The Planning Proposal seeks to introduce an incentive clause to apply the Affordable Housing Contributions Scheme where potential lift could support its feasibility in Bankstown. These provisions allow for additional height and FSR to a development



which provides between 1% and 4% total floor space as affordable housing or an equivalent monetary contribution.

The percentage applicable to developments will increase over time from the 1-4%. These rates and their increase over time has been informed by a Feasibility Study.

A Development Feasibility Analysis (the Study) has also been prepared by Atlas Urban Economics to inform the preparation of this Planning Proposal. The Study examined the viability of the draft Master Plan and included testing the density thresholds recommended for feasible development before examining the tolerance of development to various new contribution requirements, namely affordable housing contributions or on-site infrastructure, s7.11 local contributions and higher design and sustainability standards. The report contains information that is commercial in confidence nature and examines feasibility of certain sites within the Bankstown and Campsie City Centres and is not intended to be made publically available. A copy is provided to DPE on the basis it remains confidential and is not released to the public.

10.2 Proposed Employment Zones Reform

The Department is currently undertaking reforms to simplify existing business and industrial zones. These reforms aim to ensure that employment zones provide a clear strategic intent, a strong framework to support productivity and increase flexibility around land use.

The proposed employment zone framework was placed on public exhibition during May and June 2021, with changes to the standard instrument intended to be gazetted by December 2021.

These reforms will have implications for the changes to zoning proposed in this Planning Proposal. Once the new employment zone framework is in effect this Planning Proposal will be updated accordingly, however it is envisaged that Council will seek to apply the new Employment Zones based on the intended outcome of the proposed and existing business zones in the Planning Proposal which are:

- To provide a 100% employment generating focussed commercial core zone in Bankstown that supports a vibrant night-time economy, Council facilities, retail uses and offices (B3 Zone).
- Supports a mix of residential, commercial and retail uses and encourages activity at ground floor level. Requiring no net loss of non-residential floor space within existing buildings and requiring up to 50% of total floor space for certain sites of strategic importance to be employment generating floor space (B4 Zone).

Council will continue to work with the Department to resolve what employment zoning that will apply to the Bankstown City Centre as part implementing the new employment zones across the overall Canterbury Bankstown LGA.



10.3 Social Effects

The Planning Proposal delivers a number of positive social effects in that it:

- Increases the opportunity for residents to live closer to jobs and services.
- Increases the potential delivery of new affordable housing to reduce the number of people experiencing housing stress.
- Increases energy and water sustainability outcomes for development, supporting the Council's contribution to combating climate change.
- Incentivises the delivery of community infrastructure to support the health and well-being of the community.
- Increases open space provision for residents, workers, students and visitors in Bankstown.
- Facilitates a more vibrant night time economy by removing barriers to enable business to operate longer hours without planning approval.

10.4 Worker and Student Demand

The Worker and Student Demand Study prepared by Ethos Urban provides a research basis for recommendations to assist in the delivery of social infrastructure to support existing and future workers and students in the Bankstown City Centre and Campsie Town Centre through to 2036. The objectives of the Worker and Student Social Infrastructure Needs Study are to:

- Identify the existing and planned supply of Council and non-Council social infrastructure within these two centres
- Understand workers' and students' patterns of use of social infrastructure
- Understand workers' and students needs and desires in relation to current and future provision
- Identify gaps in provision of social infrastructure to meet student and worker needs now and to 2036.

The Worker and Student Demand Study includes an overview of how the Master Plan, and thus Planning Proposal, has incorporated the recommendations of the Study as summarised in the table below.

Table 15: Worker and Student Demand Study Alignment with Bankstown City Centre Planning Proposal (Section 12.1, page 113)

Additional public open spaces	The proposed provision of three additional public open spaces is strongly supported which will be supported by enhanced connections to the exiting open space network, shared use of school spaces and the addition of private open spaces.
Additional public open spaces	The proposed provision of three additional public open spaces is strongly supported which will be supported by enhanced connections to the exiting open space network, shared use of school spaces and the addition of private open spaces.
Open space accessibility metrics	The inclusion of key accessibility metrics of 200m walking distance to open space in high density areas and 400m walking distance in other areas aligns with Government Architect of NSW guidelines (Greener Places Design Guide) and is supported.



Reinforcing importance of Paul Keating Park	The focus of Paul Keating Park as the premier civic park for the LGA including the implementation of the Paul Keating Park is supported and aligns with this Study.
Additional active transport connections	It is noted that there are a number of new connections and linkages designed to facilitate greater movement of pedestrians and cycle user between key destinations including open space sites. The Framework identifies these links in the form of 'shared streets/lanes', cycle links and the proposed Sydney Metro Walking and Cycling Corridor.

The Study also provides additional directions could be considered for incorporation as part of this Planning Proposal. The table below includes these considerations and how they have been addressed by the Planning Proposal.

Table 16: Worker and Student Demand Study Alignment with Bankstown City Centre Planning Proposal – additional directions for consideration (Section 12.1, page 113)

Potential open spaces along Stacey Street:	Council will continue to engage with TfNSW to explore opportunities for new open spaces along Stacey Street as part of any future works
Residential intensification within close proximity of existing and proposed open spaces (200m):	This outcome is achieved in this Planning Proposal as detailed within <i>Objective 5.1 - Align urban renewal with delivery of new & improved open space</i> of the Master Plan (p80).
Multi-purpose indoor sports facilities including one centre of at least 1,500 sqm with courts, retention of the PCYC facility and a future facility on 459 Chapel Road:	A multi-purpose indoor sports facility of some 1,000m ² has been included in a letter of offer by the proponent for the Bankstown Central shopping centre Planning Proposal. Subject to that Planning Proposal progressing, the delivery of the facility would form part of a Planning Agreement between Council and the proponent. This Planning Proposal does not preclude the retention of the PCYC facility.
Potential running loop	The delivery of a running loop in the Bankstown CBD can be explored further as part of the consolidated LGA-wide Development Contributions plan and/or through the delivery phase of certain routes identified in the Council's <i>Active Transport Action Plan 2021-2031</i> .

10.5 Managing Potential Amenity Impacts at Zone and Density Interfaces

It is acknowledged that as a result of increased density and changes to zonings within the Bankstown City Centre, there may be impacts at zone interfaces and where higher density adjoins lower density and height areas. Amenity impacts of the proposed Additional Permitted Uses, overlooking from towers into adjoining properties including schools or from noise and operational emissions from late night trading premises in the B3 and B4 zones may also occur as a result from the changes in this Planning Proposal.

These interface impacts will be dealt with via development objectives and controls within the DCP. Operational issues would be dealt with through the imposition of conditions of development consent that could include the requirement for operational Plans of Management and Waste Management Plans to be implemented to minimise amenity impacts on the surrounding area. Further



consultation with stakeholders (such as Schools Infrastructure) and the community will occur during the public exhibition of this Planning Proposal which will include the draft DCP.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the Planning Proposal?

A discussion of public infrastructure in relation to this Planning Proposal is detailed below.

The public infrastructure needs for Bankstown have been identified through an evidence based approach through Council’s comprehensive Master Plan that included extensive public engagement and the preparation of supporting studies. The key supporting report for the Master Plan and this Planning Proposal is the Infrastructure Funding Study prepared by GLN Planning. An overview of the recommended infrastructure and where it is required is summarised in **Explanatory Note 6** below.

In addition, the Master Plan gave consideration to Council’s existing strategies and plans including the following which have also been subject to public exhibition prior to adoption by Council:

- Bankstown Complete Streets.
- Bankstown Open Space Strategic Plan.
- Leisure and Aquatics Strategic Plan.
- Bankstown Development Contributions Plan
- Active Transport Action Plan.
- Playground and Playspaces Strategic Plan.
- Generic Plan of Management for Community Land and Crown Land.

The preparation work for Council’s draft Consolidated Canterbury Bankstown Development Contributions Plan (yet to be exhibited) has also assisted with informing the public infrastructure needs of Bankstown.

Explanatory Note 6 – Campsie and Bankstown Infrastructure Funding Study (GLN Planning, 2021), Resident Needs Study and Student and Worker Needs Study (both Ethos Urban, 2019 and 2021)

Direction 1 of the Bankstown Master Plan is ‘A Centre Stimulated and supported by Infrastructure’ with the objective (1.1) that *“Bankstown’s residents, workers, students and visitors will have access to quality community and creative and cultural infrastructure that supports their health, well-being, livelihood and enhanced learning”*. The draft Resident Needs Study (Ethos Urban, 2019) and draft Student and Worker Needs Study (Ethos Urban, 2021) identified a shortfall of creative/cultural, sports, communal and recreation facilities in Bankstown for its projected resident, student and worker population to 2036. The following infrastructure is required for Bankstown by 2036 to address this shortfall:

- Indoor/outdoor sports/recreational facilities (including court facilities).
- Indoor program space within a new and upgraded multi-purpose centre.
- Shared use/dual use of school fields within La Salle Catholic College to meet the increase in demand for outdoor formal sporting activities.



- Arranging for wider public access to meeting rooms, conference facilities and program space as part of the WSU campus.
- Increase capacity within the existing building footprint of Bankstown Library for meeting rooms and quiet space through the reconfiguration of shelf space and increasing online click and collect spaces.
- Expansion of the Bankstown Arts Centre for larger exhibition, events, studio spaces and flexible rooms for community-based arts classes/activities to meet the demand for creative and cultural expression and experience.

Council, along with key partners in the private and community sector, will deliver a range of new and upgraded community infrastructure projects which will be funded and delivered through development contributions, an incentive height and floor space scheme, partnerships with the private and community sectors, strategic renewal of Council properties and other sources.

A preliminary list of infrastructure items for Bankstown is shown in the infrastructure schedule at Appendix A of the Infrastructure Funding Study. The list of works has been compiled based on information provided by Council and is intended to be refined and individual costings prepared. Key local infrastructure items required in Bankstown include:

- Consolidation of community facilities
- Conversion of car parks to open space
- Open space embellishments at Griffith Park and Paul Keating Park
- Road and public domain works identified in the Complete Streets program
- Green Grid corridor embellishments
- Multi-purpose sports courts
- Through site links and linear connections between street blocks to improve permeability
- Pedestrian safety enhancements at key intersections.

The Study recommends further work is undertaken by Council to refine the infrastructure schedule and finalise a funding and delivery strategy that is financially sustainable and minimises or eliminates any funding gap. These further tasks can progress concurrently as part of Council's compilation of the citywide contributions plan infrastructure list and infrastructure costs.

Figure 22 below identifies the location of public infrastructure that is required to support the growing and evolving community of Bankstown envisaged under this Planning Proposal.

Figure 22: Bankstown infrastructure map (source: Bankstown Master Plan, page 32)



The Campsie and Bankstown Infrastructure Funding Study identifies the public infrastructure that will require Council to advocate and collaborate with other stakeholders to program and fund is itemised in Table 17.

Table 17: Preliminary list of infrastructure advocacy (Source: Campsie and Bankstown Infrastructure Funding Study (GLN Planning, 2021, pp-44-45)

Item	Description/Scope
Commuter Car Park on North Terrace	Expand and embellish existing open space along North Terrace by converting part of existing commuter car park to open space



Stormwater Upgrades: French Avenue (at Jacobs Street)	Provide additional inlet capacity to capture overland flows escaping the Sydney Water channel upstream of Jacobs Street
Stormwater Upgrades: East Terrace, Bankstown (near Polish Club)	Hydraulic improvement works at the existing Sydney Water channel and overland flow path to mitigate overland flows
Stormwater Upgrades: Macauley Avenue (Chapel Road to Marshall Street)	Hydraulic improvement works at the existing Sydney Water channel and overland flow path to mitigate overland flows
Stormwater Upgrades: Macauley Avenue (Near Stacey Street)	Hydraulic improvement works at the existing Sydney Water channel (Salt Pan Creek) and overland flow path to mitigate overland flows
Stormwater Upgrades: French Avenue (French Avenue to Rickard Road)	Amplification of the existing trunk system to mitigate overland flooding.
Stormwater Upgrades: Stacey Street (Stanley Street to Macauley Avenue)	Sealing of the existing trunk channel system alongside Stacey Street.
Stormwater Upgrades: North Terrace (near Railway Underpass)	Sealing of the existing Sydney Water trunk channel system within the TfNSW land.
Commuter car parking	Provision of commuter car parking by State Government on State Government land close to Bankstown Station
Stacey Street Upgrades	Delivery of the Stacey Street and Hume Highway Grade separation upgrade to complete the upgrade of Stacey Street
Active Transport Routes	Delivery of the Sydenham to Bankstown Active Transport Corridor
Salt Pan Creek Improvements	Improve the water quality of Salt Pan Creek
Improvements around Metro Station	Address the movement, interchange and overlay of buses within Bankstown City Centre.

Utilities, Waste Management and Recycling Services

The full range of utility services including waste, electricity, telecommunications, potable water and sewer are currently available across Bankstown. It is expected that these services will be upgraded where required as individual development occurs. During the preparation of the Master Plan and during the public exhibition of the Master Plan, Council engaged with State Agencies including Sydney Water to ensure the population growth and future demand for services was clearly communicated. Sydney Water made a submission during the public exhibition of the Master Plan which conveyed Sydney Water's support for the Master Plan and reiterated Sydney Water's commitment to continue to engage with Council on precincts and sub-precincts identified for intensification of dwellings and jobs.

It is expected that this Planning Proposal will generate greater demand for electricity, gas, water and sewer services from higher and more intense development permitted by the new planning controls. To manage these impacts, this Planning Proposal will include new controls to reduce water and energy requirements and the DCP amendments will include provisions to future-proof buildings to accommodate dual piping.



Transport Infrastructure

Bankstown is well-served by existing public transport including trains and bus services. However, as a consequence of the anticipated increases in workforce and residential population from new development permitted by the proposed new planning controls, there will be greater demand for public transport, active transport and car parking. Given the limited ability to increase road capacity, and consequential poor environmental impacts relating to car dependence, Council will support, leverage and invest in public and active transport at a local and state level to meet this additional demand.

The delivery of the City and Southwest Metro services will encourage increased public transport usage by residents, workers and students and support the residential and employment growth facilitated by this Planning Proposal. Council's adopted *Complete Streets CBD Transport and Place Plan* will also guide the delivery of pedestrian and cycling infrastructure improvements in the centre to support active transport.

The *draft Bankstown CBD-Bankstown Airport Collaboration Area Place-based Transport Strategy* being developed by Transport for NSW further outlines a coordinated approach to transport planning. The Planning Proposal supports the strategic intent and directions of this draft document. Council will continue to work with TfNSW towards the finalisation of this Strategy.

The Planning Proposal will also be accompanied by measures to reduce car dependency within the Bankstown City Centre. The Master Plan recommends that the Bankstown DCP be amended to adopt maximum parking rates within 400m walking catchment of Bankstown Station. The Master Plan also recommends that current minimum parking requirements for residential development, office buildings, retail and educational premises be reduced for areas in the Bankstown City Centre outside of the 400m catchment. These measures will reduce car dependence within the Bankstown City Centre, especially in areas in close proximity to future Metro services. The changes will be implemented as part of future DCP amendments.

It is therefore considered that although this Planning Proposal will generate additional demand for transport infrastructure, the proposal is supported by an adequate level of infrastructure for public, active and private transport.

Community and Social Infrastructure

The draft Infrastructure Study lists the proposed infrastructure that is needed to support the implementation of the Master Plan and identifies funding and delivery mechanism to Council to facilitate the provision of this infrastructure. The study recommends that the infrastructure schedules for both Bankstown City Centre and Campsie be refined using prioritisation criteria and that Council staff confirm the infrastructure that can be delivered through mechanisms other than contributions (works in kind or Planning Agreements).



It also recommends that Council undertake further investigation on funding sources from outside the planning system (such as State Government grants).

Council is currently preparing a new consolidated contributions plan, and Council staff are currently undertaking the refinements to the infrastructure schedules for Bankstown and Campsie. Subject to the completion of the new consolidated contributions plan and any funding gaps are minimised or eliminated, this Planning Proposal should be supported by adequate community infrastructure.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The Gateway Determination will require consultation, with Council recommending the following agencies:

- Civil Aviation Safety Authority
- Department of Education
- Department of Family and Community Services
- Department of Industry (Crown Lands)
- Department of Industry (Water)
- Department of Planning and Environment – Environment, Energy and Science Group
- Greater Sydney Commission
- Energy Australia
- Metropolitan Local Aboriginal Land Council
- Gandangara Local Aboriginal Land Council
- NSW Health
- Bankstown Airport Corporation Limited
- Sydney Airport Corporation Limited
- Sydney Water
- Sydney Trains
- Sydney Metro
- Transport for NSW.



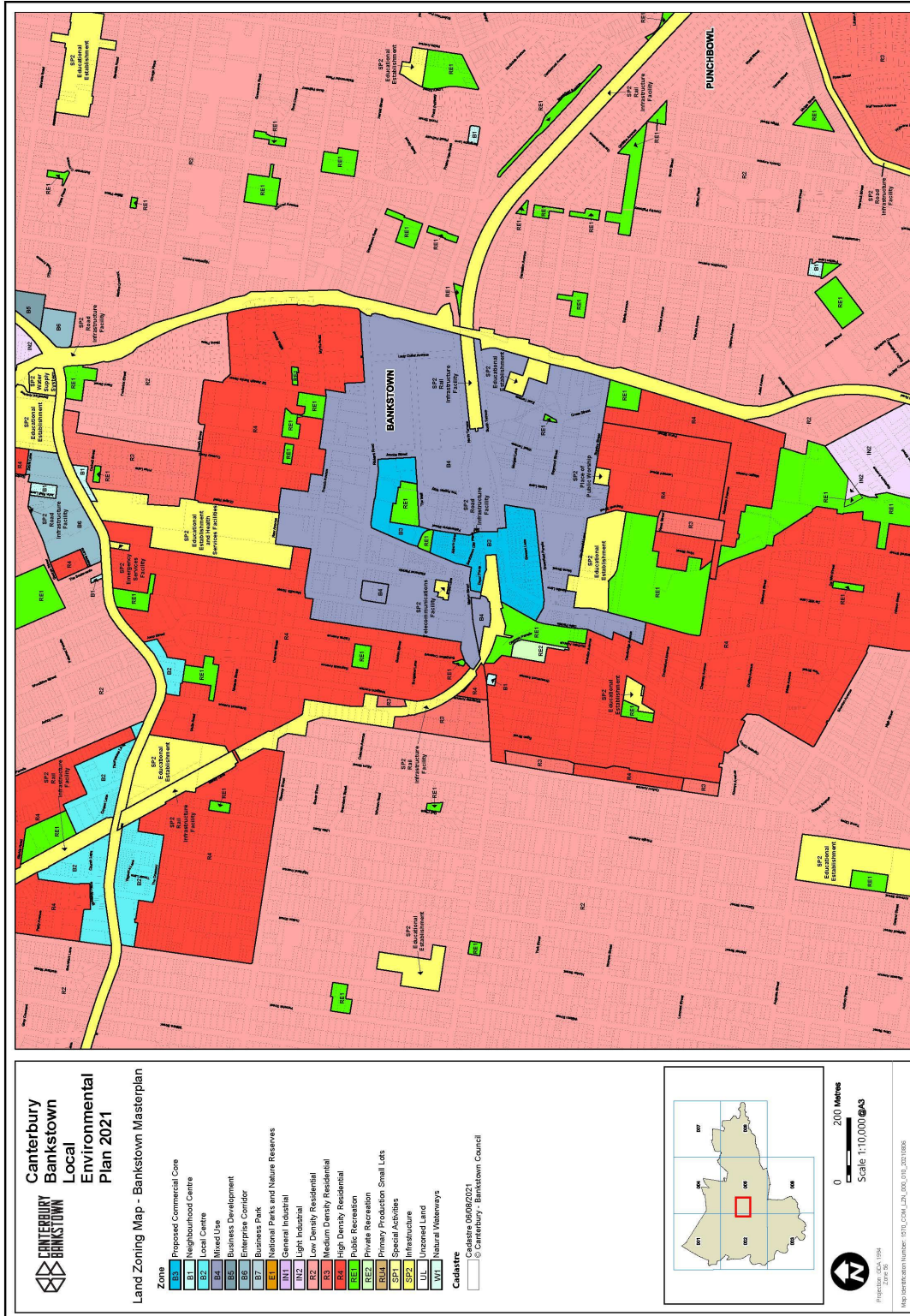
Part 4 – Maps

This planning proposal seeks to amend or create the following maps:

- Map 1 – Proposed Amended Land Zoning Map
- Map 2 – Proposed Amended Floor Space Ratio Map
- Map 3 – Proposed Amended Height of Buildings Map
- Map 4 – Proposed Amended Special Provisions and Sustainability Bonus Map
- Map 5 – Proposed New Incentive Floor Space Ratio Map
- Map 6 – Proposed New Incentive Height of Buildings Map
- Map 7 – Proposed Amended Additional Permitted Use Map
- Map 8 – Proposed Amended Land Reservation Acquisition Map (North)
- Map 9 – Proposed Amended Land Reservation Acquisition Map (South)
- Map 10 – Proposed Amended Active Street Frontages.

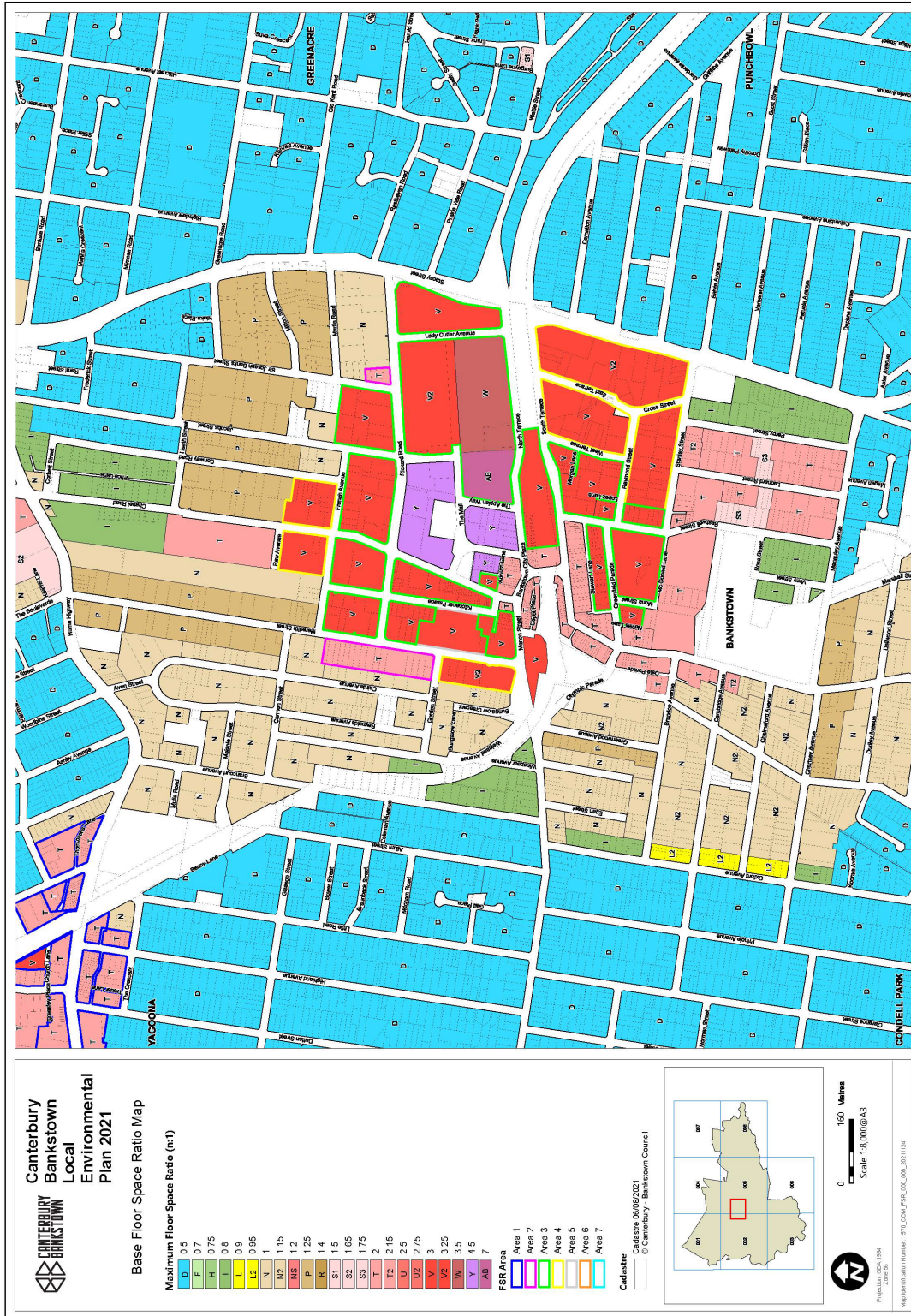


Map 1: Proposed Amended Land Zoning Map



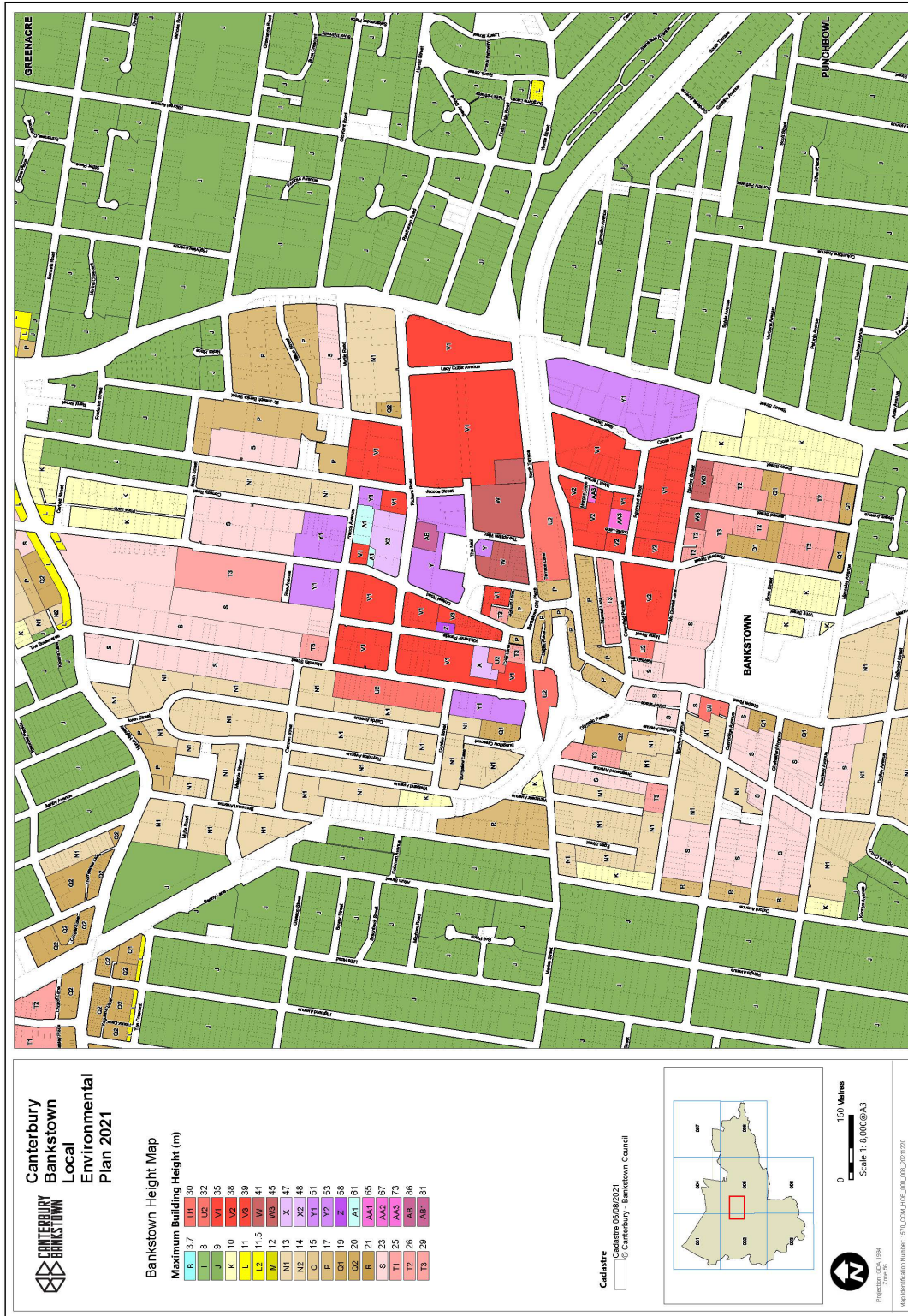


Map 2: Proposed Amended Floor Space Ratio Map (Base Map)



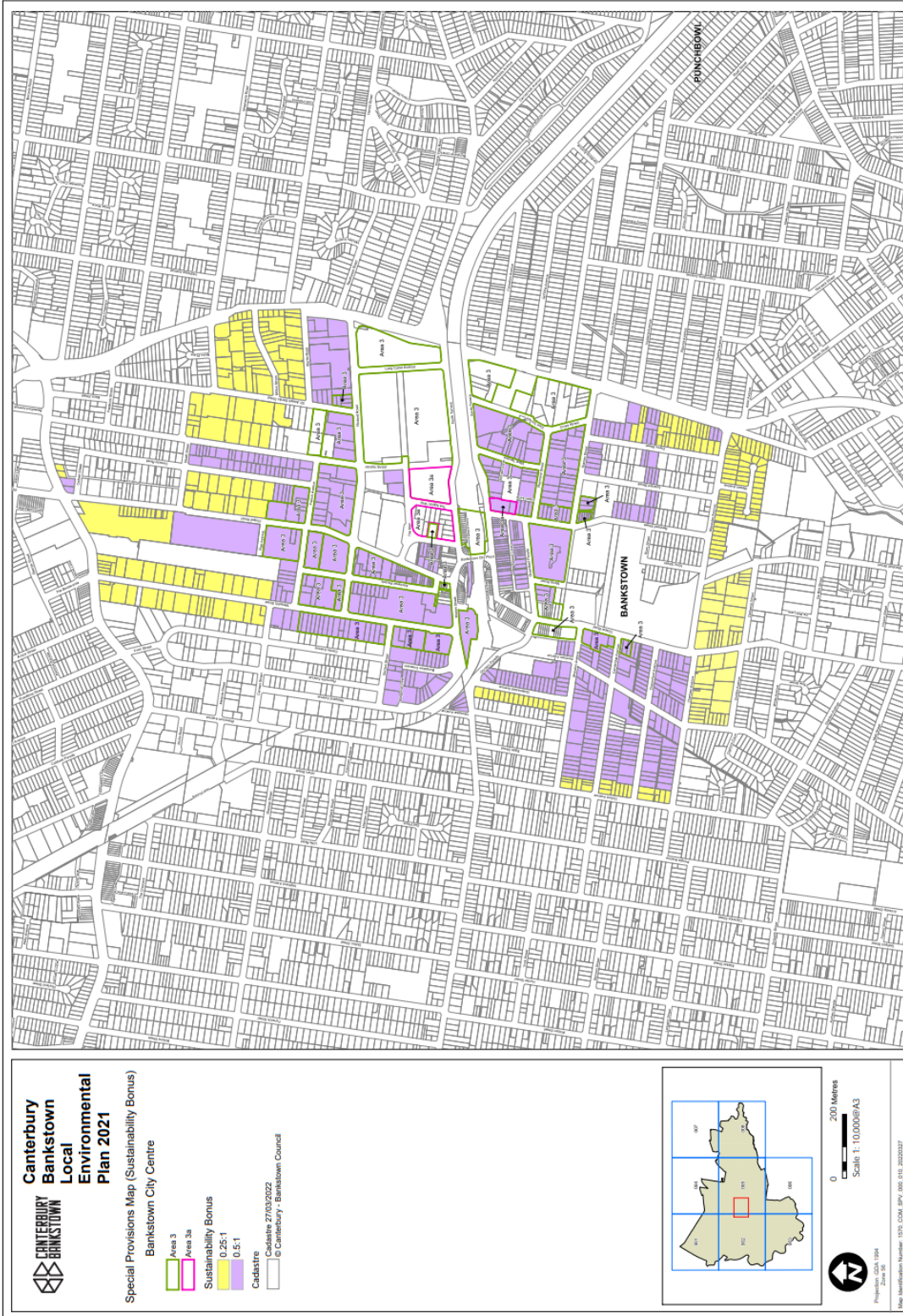


Map 3: Proposed Amended Height of Buildings Map (Base Map)



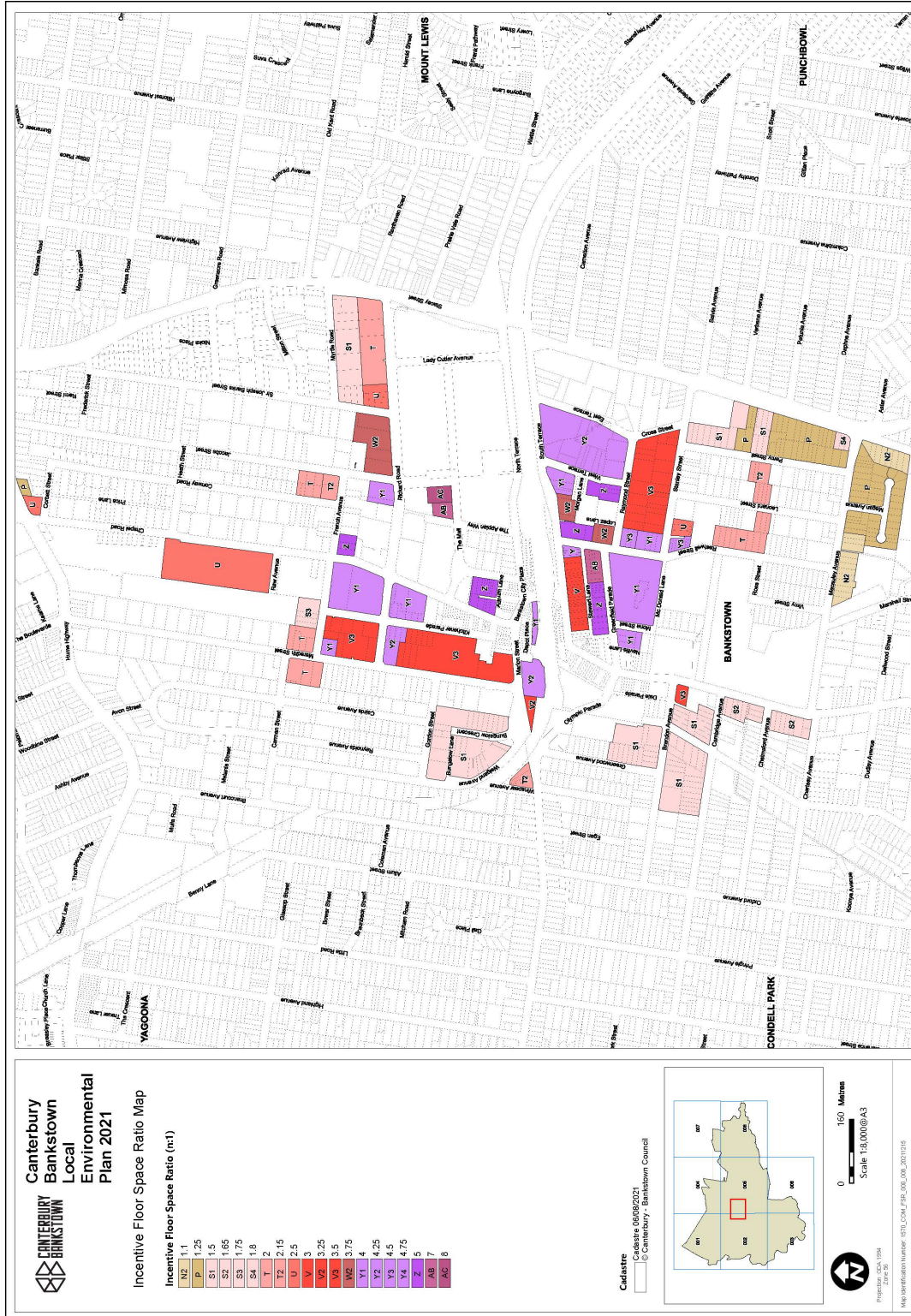


Map 4: Proposed Amended Special Provisions Map





Map 5: Proposed New Incentive Floor Space Ratio Map





Map 6: Proposed New Incentive Height of Buildings Map



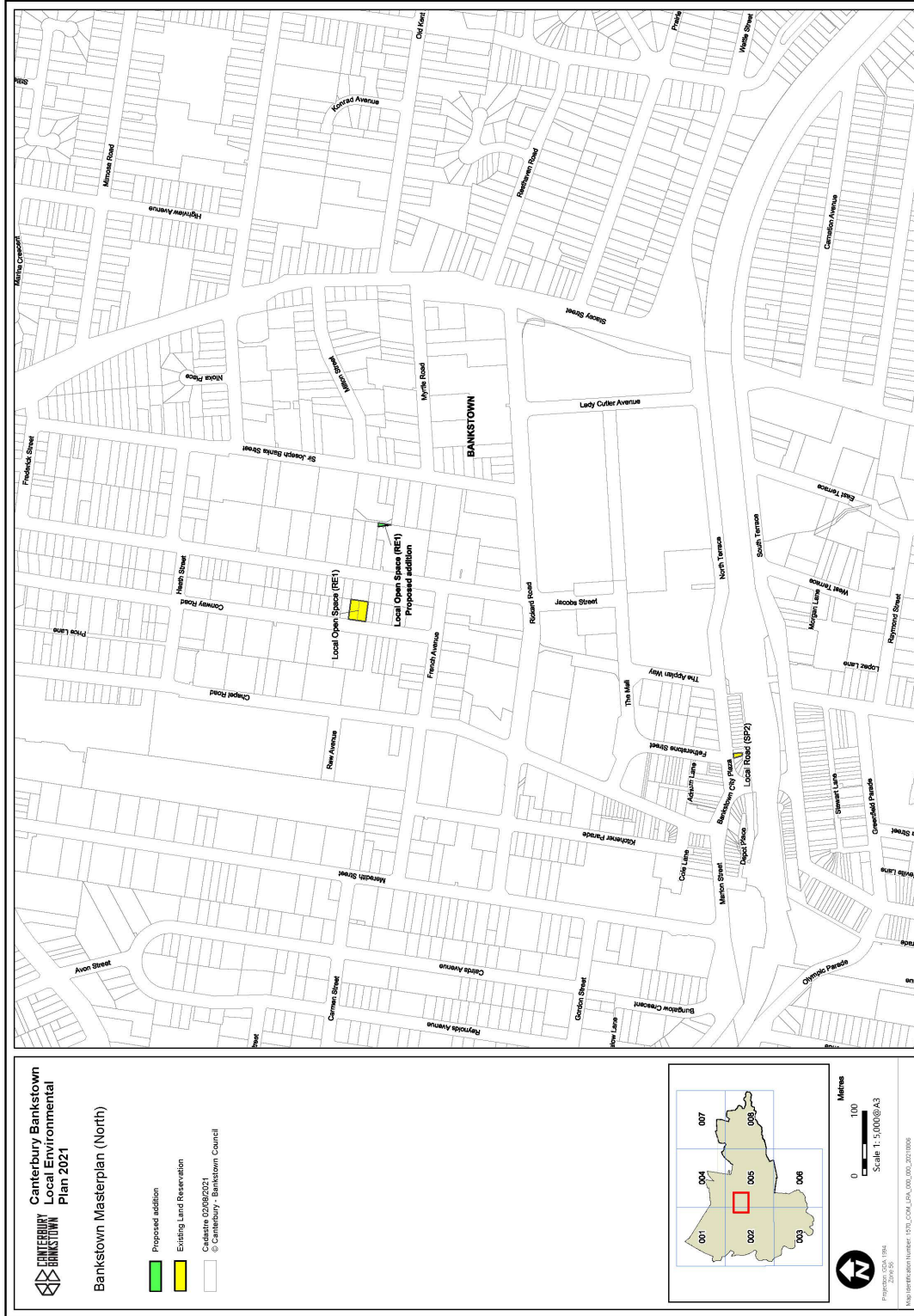


Map 7: Proposed Amended Additional Permitted Use Map





Map 8: Proposed Amended Land Reservation Acquisition Maps (North)



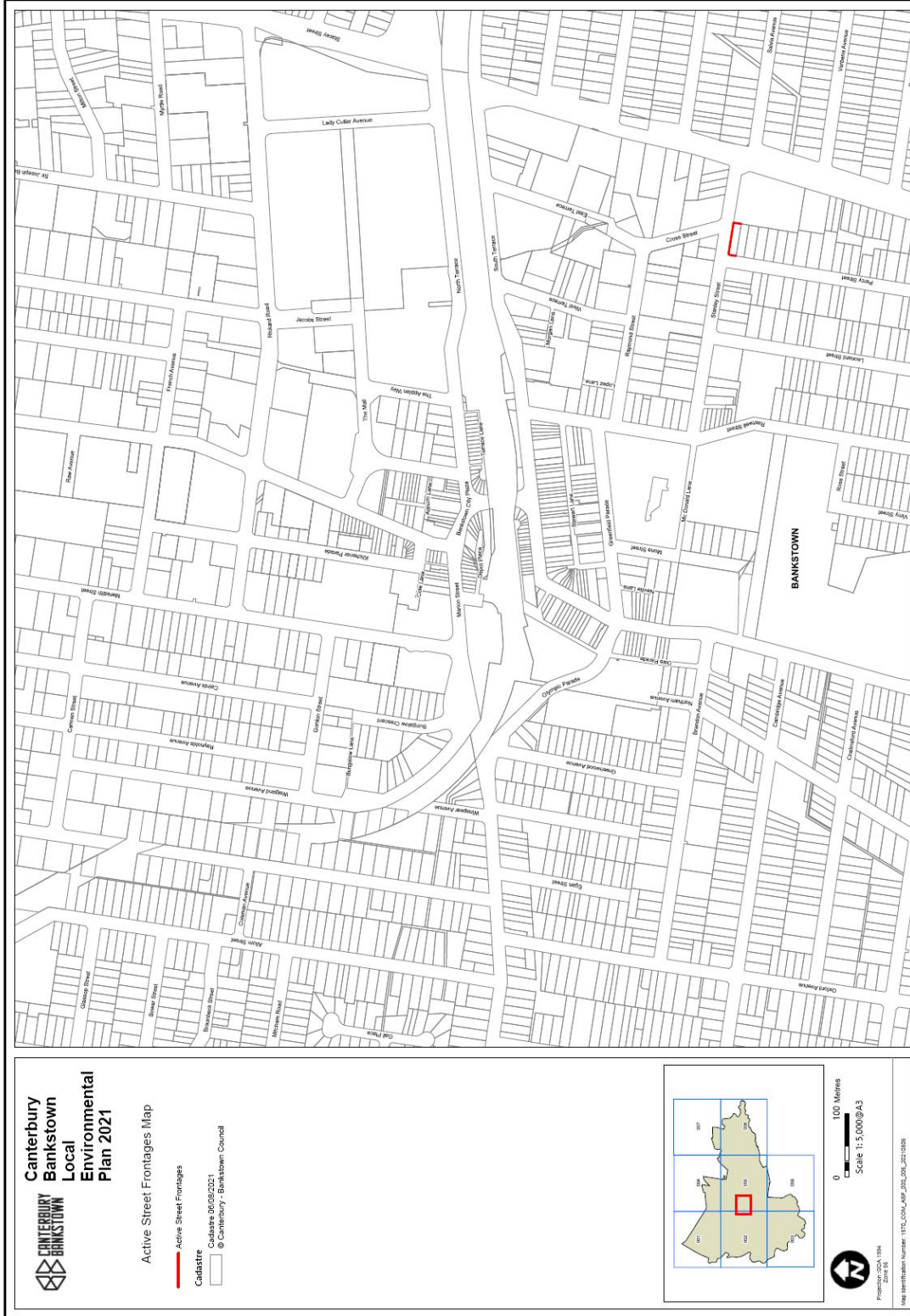


Map 9: Proposed Amended Land Reservation Acquisition Maps (South)





Map 10: Proposed Active Street Frontages Map





Part 5 – Community Consultation

The planning proposal will be placed on public exhibition in accordance with the Gateway Determination and Canterbury Bankstown Community Participation Plan for a minimum of 28 days, comprising of:

- Notification in the local newspaper that circulates in the area affected by this Planning Proposal.
- Display on Council's corporate 'Have Your Say' website.
- Written notification to affected property owners.
- Written notification to public authorities stipulated in the Gateway determination.

Each public authority/organisation is to be provided with a copy of this Planning Proposal and any relevant supporting material and given at least 21 days to comment on the proposal as stipulated in the Gateway determination.



Part 6 – Project Timeline

The anticipated timeline for completion of this Planning Proposal is as follows:

Dates	Project timeline
September 2021	Report Matter to Local Planning Panel, consideration by Council and Council decision
March 2022	Submit Planning Proposal to DPE for Gateway Determination
June 2022	Gateway Determination
October 2022	Complete any changes required by Gateway Determination (pre-exhibition)
November 2022	Commencement and completion of public exhibition period
December 2022	Consideration of submissions
February 2023	Post-exhibition review and additional studies
April 2023	Council meeting to consider outcomes of exhibition (Date to be confirmed)
May 2023	Submission to the Department for finalisation
August 2023	Gazettal of LEP amendment



APPENDIX A – State Environmental Planning Policies

State Environmental Planning Policies	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	Yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Yes
State Environmental Planning Policy (Housing) 2021	Yes	Yes
State Environmental Planning Policy (Industry and Employment) 2021	No	N/A
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Yes	Yes
State Environmental Planning Policy (Planning Systems) 2021	Yes	Yes
State Environmental Planning Policy (Precincts—Central River City) 2021	No	N/A
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	No	N/A
State Environmental Planning Policy (Precincts—Regional) 2021	No	N/A
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	No	N/A
State Environmental Planning Policy (Primary Production) 2021	No	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	Yes
State Environmental Planning Policy (Resources and Energy) 2021	No	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Yes



APPENDIX B – Local Planning Directions (Section 9.1)

Local Planning Directions		Applicable	Consistent
Focus area 1: Planning Systems			
1.1	Implementation of Regional Plans	Yes	Yes
1.2	Development of Aboriginal Land Council land	No	N/A
1.3	Approval and Referral Requirements	Yes	Yes
1.4	Site Specific Provisions	Yes	Justifiable inconsistency
Focus area 1: Planning Systems – Place-based			
1.5	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
1.10	Implementation of the Western Sydney Aerotropolis Plan	No	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	No	N/A
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
1.14	Implementation of Greater Macarthur 2040	No	N/A
1.15	Implementation of the Pymont Peninsula Place Strategy	No	N/A
1.16	North West Rail Link Corridor Strategy	No	N/A
1.17	Implementation of the Bays West Place Strategy	No	N/A
Focus area 2: Design and Place			
Focus area 3: Biodiversity and Conservation			
3.1	Conservation Zones	Yes	Yes
3.2	Heritage Conservation	Yes	Yes
3.3	Sydney Drinking Water Catchments	No	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A
3.5	Recreation Vehicle Areas	Yes	Yes
Focus area 4: Resilience and Hazards			
4.1	Flooding	Yes	Yes, all except 53 De Witt Street - Justifiable inconsistency
4.2	Coastal Management	No	N/A
4.3	Planning for Bushfire Protection	No	N/A
4.4	Remediation of Contaminated Land	Yes	Yes
4.5	Acid Sulfate Soils	Yes	Justifiable inconsistency
4.6	Mine Subsidence and Unstable Land	No	N/A
Focus area 5: Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Yes	Yes
5.2	Reserving Land for Public Purposes	Yes	Yes



5.3	Development Near Regulated Airports and Defence Airfields	Yes	Justifiable inconsistency
5.4	Shooting Ranges	No	N/A
Focus area 6: Housing			
6.1	Residential Zones	Yes	Justifiable inconsistency
6.2	Caravan Parks and Manufactured Home Estates	Yes	Yes
Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	Yes	Yes
7.2	Reduction in non-hosted short-term rental accommodation period	No	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	No	N/A
Focus area 9: Primary Production			
9.1	Rural Zones	No	N/A
9.2	Rural Lands	No	N/A
9.3	Oyster Aquaculture	No	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A



APPENDIX C – Local Environmental Plan Maps

Existing Zoning map
Proposed Amended Land Zoning Map
Existing Floor Space Ratio map
Proposed Amended Floor Space Ratio Map
Existing Height of Buildings map
Proposed Amended Height of Buildings Map
Proposed New Incentive Floor Space Ratio Map
Proposed New Incentive Height of Buildings Map
Existing Special Provisions Map
Proposed Amended Special Provisions and Sustainability Bonus Map
Existing Additional Permitted Uses Map
Proposed Amended Additional Permitted Use Map
Existing Land Reservation Acquisition Map
Proposed Amended Land Reservation Acquisition Map (North)
Proposed Amended Land Reservation Acquisition Map (South)
Proposed New Active Street Frontages.

The existing and proposed LEP maps are provided separated consolidated PDF files for ease of reference.

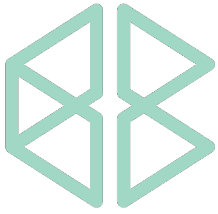


Planning Proposal – Part B

Affordable Housing Contribution Scheme

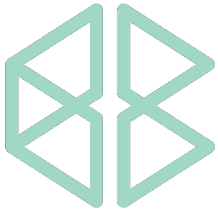
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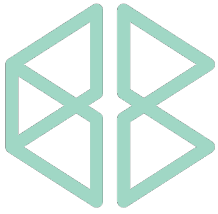


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Abbreviation	Description
AHCS or Scheme	Canterbury Bankstown Affordable Housing Contribution Scheme (Draft) – Refer Attachment C (Canterbury Bankstown Council, October 2021)
AHS	Canterbury Bankstown Affordable Housing Strategy (Canterbury Bankstown Council, June 2020)
AHS Background Report	Affordable Housing Strategy – Background Report – Refer Attachment D (Canterbury Bankstown Council, February 2020)
Bankstown City Centre	Bankstown City Centre Master Plan (Canterbury Bankstown Council, March 2021)
Canterbury Bankstown Council	Canterbury Bankstown Local Government Area Canterbury Bankstown Council
Department	Department of Planning, Industry and Environment
EP&A Act	Environmental Planning and Assessment Act 1979
Feasibility Study	Development Feasibility Analysis – Refer Attachment E (Atlas Urban Economics, February 2021)
GSRP	Greater Sydney Region Plan – <i>A Metropolis of Three Cities</i> (Greater Sydney Commission, March 2018)
Guideline	Guideline for Developing an Affordable Housing Contribution Scheme (Department of Planning, Industry and Environment, February 2019)
Housing Strategy	Canterbury Bankstown Housing Strategy (Canterbury Bankstown Council, June 2020)
NSW Housing Strategy	NSW Housing Strategy - <i>Housing 2041</i> (Department of Planning, Industry and Environment, March 2021)
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS or Connective City 2036	Local Strategic Planning Statement – <i>Connective City 2036</i> (Canterbury Bankstown Council, March 2020)
Scheme or AHCS	Affordable Housing Contribution Scheme
SEPP	State Environmental Planning Policy
SEPP 70	Former State Environmental Planning Policy No. 70–Affordable Housing (Revised Schemes) now known as State Environmental Planning Policy (Housing) 2021
SDP	South District Plan (Greater Sydney Commission, March 2018)



Introduction

Background

State and local policies identify the need for more affordable housing to reduce the level of housing stress experienced by residents in Canterbury Bankstown. Affordable housing is defined as housing for very low to moderate income households.

Existing mechanisms to provide affordable housing under the NSW planning system include:

- Social housing, which is State-owned infrastructure delivered by the Land and Housing Corporation. The issue is social housing is not meeting demand.
- The State Environmental Planning Policy (Housing) 2021 (formerly State Environmental Planning Policy (Affordable Rental Housing) 2009), which encourages development to provide affordable housing by offering bonus floor space. The issue is the availability of the affordable housing supply is limited to 10–15 years.
- Council's Planning Agreements Policy, which allows contributions under planning agreements to be in the form of affordable housing (monetary payment, land or dedication of dwellings). The issue is planning agreements focus on site specific planning proposals, rather than precinct master plans.

State and local policies conclude that stronger intervention is required to achieve affordability for the relevant target groups of very low to moderate income households with a focus on locations where lower income households are paying over 30% of their income on rent. The priority areas include Bankstown, Campsie, Lakemba, Punchbowl and Wiley Park, where housing stress is most common.

State and local policies recommend that Council prepare an Affordable Housing Contribution Scheme (AHCS). The intent of the AHCS is for Council to own affordable housing dwellings that are rented to tenants within the very low to moderate income households. Councils that currently operate schemes in the Greater Sydney Region include Canada Bay, Randwick, Sydney, Waverley and Willoughby Councils.

Whilst the AHCS will not resolve the wider issue of housing stress in the Greater Sydney Region, it is an additional mechanism to provide more affordable housing to support very low to moderate income households who are experiencing housing stress as shown in Figure 1. The Scheme would apply to centres that are subject to Council's master planning process and where uplift is proposed to occur.

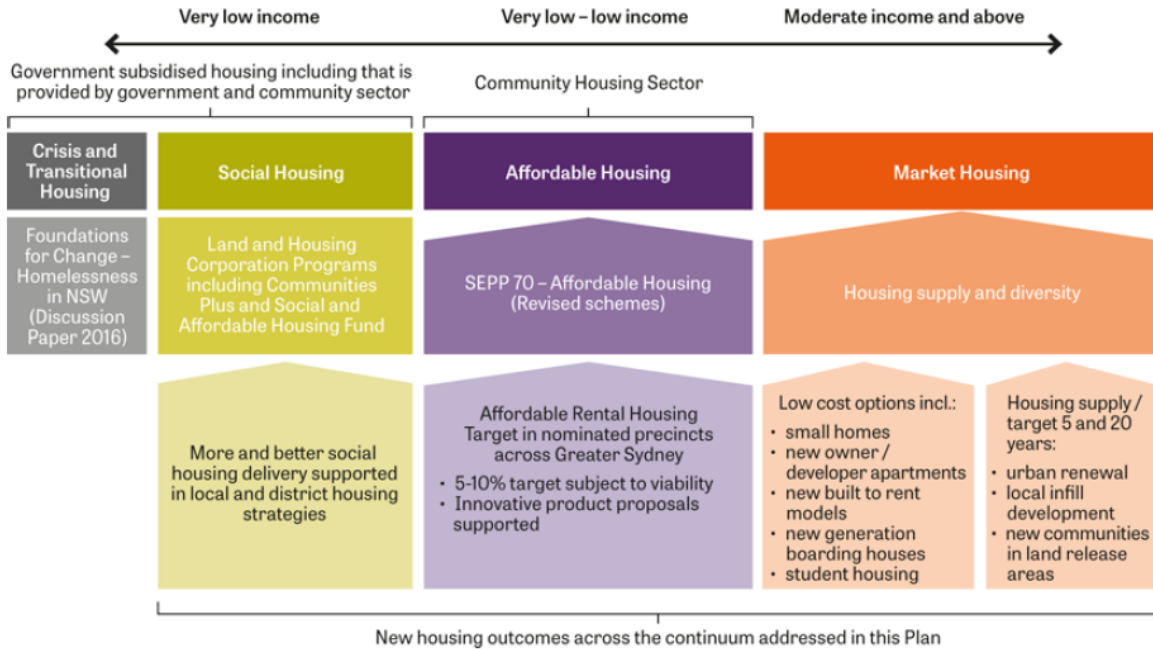
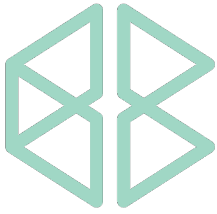


Figure 1: Housing continuum, initiatives and programs (Greater Sydney Region Plan, page 69)

What is the Affordable Housing Contribution Scheme?

The AHCS sets out how, where and at what rate contributions can be collected for affordable housing. A contribution is to be calculated based on the total residential gross floor area of the development to which the development application relates. The possible ways to make the contribution include:

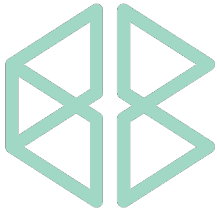
- dedication of one or more affordable housing dwellings subject to certain criteria, or
- dedication of land subject to certain criteria, or
- a monetary contribution, or
- any combination of the three.

There are no ‘savings’ or ‘credit’ for existing floor space on the site, even if the building is being adapted and reused.

Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may partner with a registered community housing provider to manage the tenancies. The community housing provider would select tenants within the very low to moderate household income brackets and seek rent based on 30% of the household income.

Where would the Scheme apply?

The Scheme would apply to centres that are subject to Council’s master planning process and where uplift is proposed to occur. Uplift means a change of planning controls (such as floor space



ratio) which enables greater residential density. This ensures contributions are drawn from the increase in land value generated by the uplift in keeping with the affordable housing targets established by State and local policies.

According to Council's Affordable Housing Strategy (AHS) and Bankstown City Centre Master Plan (Bankstown City Centre), the Draft AHCS (refer Attachment C) would initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision. In areas of uplift, it would be expected that a portion of the total residential gross floor area would be dedicated to Council for the purpose of affordable housing.

The viability testing recommends a staged implementation approach to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

Date of determination of development application	Business Zone	Residential Zone
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

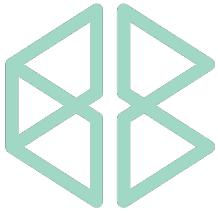
Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

According to the AHS, in future:

- Council's master planning process may identify other centres where the Scheme may apply, subject to viability testing.
- Council's Planning Agreements Policy will apply to site specific rezoning applications not identified by the Draft Scheme.

Why prepare this planning proposal?

The Environmental Planning and Assessment (EP&A) Act 1979 (section 7.32) sets out the requirements to implement the Scheme. The requirements include preparing this planning proposal to reference the Scheme in Council's local environmental plan (LEP). This proposed amendment will enable Council to impose a condition on development consents to levy the affordable housing contribution.



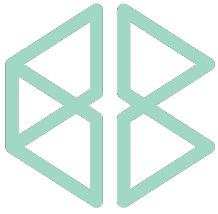
Part 1 – Objectives and Intended Outcomes

OBJECTIVE

This Affordable Housing Contribution Scheme (AHCS) Planning Proposal (Planning Proposal) will implement the AHCS alongside the Bankstown City Centre Planning Proposal (Part A) to ensure there are opportunities for very low to moderate income households to live in the local government area through amendments to Council's draft Consolidated Canterbury Bankstown Local Environmental Plan (draft CBLEP).

INTENDED OUTCOMES

1. Contribute to the role of strategic centres in providing a diverse mix of housing.
2. To facilitate a coordinated approach towards the provision of affordable housing.
3. To provide affordable housing on land where there is an increase in floor area, where a need for affordable housing is identified and where development viability can be maintained.
4. To permit the conditions of development consent to be imposed on future development applications relating to the provision of affordable housing



Part 2 – Explanation of Provisions

INTENDED PROVISIONS

- Amend the draft CBLEP to insert an *Affordable Housing Contribution Scheme Map* to the LEP that specifically covers the Bankstown City Centre area.
- Amend *Part 6: Additional Local Provisions* of the draft CBLEP to include a new clause that will achieve the following intended outcomes:

1. Identifies that the AHCS will apply to development in the Bankstown City Centre that:
 - elects to benefit from the affordable housing option under the incentive height and floor space provision, and
 - is located on land in accordance with the proposed *Affordable Housing Contribution Scheme Map* provided in Part 4 of the planning proposal.

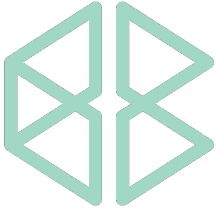
Note: As per the draft *Incentive height of buildings and floor space local provision clause* in the Bankstown City Centre Planning Proposal (Part A), community infrastructure that has been identified by Council will be prioritised over delivery of affordable housing.

2. Identifies the percentage of the total residential gross floor area of development that the affordable housing contribution requirement is to apply.

DATE OF DETERMINATION OF DEVELOPMENT APPLICATION	BUSINESS ZONE	RESIDENTIAL ZONE
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1%	1%
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2%	2.5%
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3%	4%

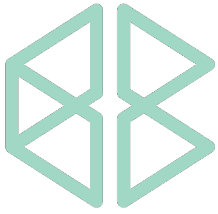
Note: The monetary contributions are based on the NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

3. Imposes a condition on development consents that requires landowners and developers to satisfy the affordable housing contribution requirement by:
 - dedicating in favour of Council—
 - one or more dwellings, each having a gross floor area of not less than 50 square metres and each complying with the NSW Apartment Design Guide’s solar access and natural ventilation requirements, with any remainder paid as a monetary contribution to Council, or
 - other land approved by Council in accordance with the Affordable Housing Contributions Scheme, with any remainder paid as a monetary contribution to the Council, or
 - if the landowner or landowner chooses, by monetary contribution to be calculated in accordance with the Affordable Housing Contribution Scheme.
4. Confirms there are no ‘savings’ or ‘credit’ for existing floor space on the site.



5. Excludes the following development from the affordable housing contribution requirement:
 - Affordable housing or social housing that choose the affordable housing option under the incentive height and floor space provision, provided:
 - the affordable housing or social housing is managed by a registered community housing provider, and
 - the total residential gross floor area is used solely for the purpose of the provision of affordable housing or social housing in perpetuity, to be confirmed with a covenant registered in the title of the site.
 - Development that provides onsite infrastructure or a minimum 50% employment generating gross floor area under the incentive height and floor space provision.

The intent of the additional local provision is to provide long-term affordable housing to very low, low and medium income households. These planning controls are to be implemented alongside the Bankstown City Centre Planning Proposal (Part A). Other planning controls outside of the Bankstown City Centre study area will remain unchanged until further studies are undertaken for each centre or specific locations.



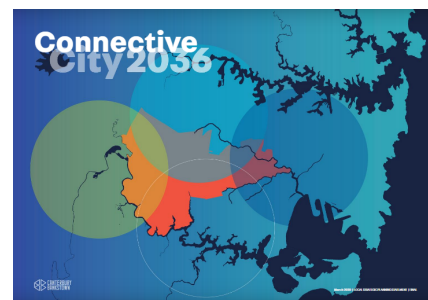
Part 3 – Justification of Strategic and Site-Specific Merit

Section A – Need for the planning proposal

1. *Is the planning proposal a result of an endorsed Local Strategic Planning Statement (LSPS), strategic study or report?*

1.1 **LSPS - *Connective City 2036***

This planning proposal is the result of the Local Strategic Planning Statement '*Connective City 2036*'. Council adopted *Connective City 2036* in 2019 and the Greater Sydney Commission has assured *Connective City 2036*, confirming it is consistent with State priorities.



Connective City 2036 is the first comprehensive strategic planning vision for Canterbury Bankstown, and looks at the most appropriate way to respond to the Greater Sydney Commission's requirement to deliver dwellings and jobs to 2036.

1.1.1 Need for affordable housing

Connective City 2036 identifies the need for more affordable housing to reduce the level of housing stress experienced by residents in Canterbury Bankstown. *Connective City 2036* found that (page 74):

- There is a need to provide affordable housing to support a range of demographic groups and to support members of the community who would otherwise rely on social housing.
- Renewal could displace lower income households, particularly those who live in older homes, which is generally more affordable. There is the need to explore initiatives to offset this displacement as part of the renewal processes.

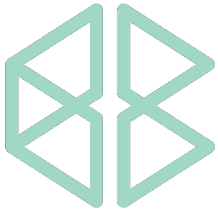
1.1.2 Action to deliver more affordable housing

To address the need for more affordable housing, *Connective City 2036* recommends:

- To test up to 15% of new residential floor space as affordable housing, subject to viability testing (Action E6.11.136) (page 75).
- To prepare the Draft Scheme (Action E6.11.138) (page 75).

The viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis. A staged implementation approach would be taken to allow the market to adjust.

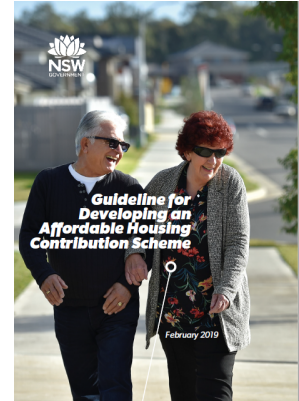
This planning proposal gives effect to *Connective City 2036* by proposing to implement the Affordable Housing Contribution Scheme in Council's LEP.



1.2 Affordable Housing Contribution Scheme (AHCS)

According to the Department of Planning, Industry and Environment's publication 'Guideline for Developing an Affordable Housing Contribution Scheme' (February 2019):

Affordable housing contribution schemes are council-led documents which set out how, where, and at what rate development contributions can be collected by councils for affordable housing. They also give local communities greater clarity about the affordable rental housing planned for in their areas, and affordable housing contribution schemes provide developers certainty and transparency about how affordable rental housing contributions will be determined, and the contribution rate that will be applied in a condition of consent (page 5).



Council must prepare an AHCS in accordance with the EP&A Act 1979 and the SEPP 70. The Act (section 7.32) sets out the requirements that must be met to impose a condition on development consents to levy affordable housing contributions.

1.2.1 Steps to preparing the Affordable Housing Contribution Scheme

Figure 2 outlines the key steps to preparing the AHCS.



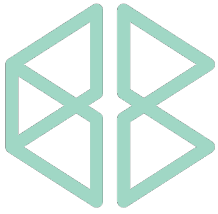
Figure 2: Process for preparing an affordable housing contribution scheme (Guideline for Developing an Affordable Housing Contribution Scheme, page 13)

1.2.2 Establish an evidence base (refer to Figure 2)

The data gathering and analyses that form the basis of the Housing Strategy and Affordable Housing Strategy (AHS) have been used to inform the AHCS.

In relation to identifying the need for more affordable housing to reduce the level of housing stress experienced by residents in Canterbury Bankstown, the Background Report to the AHS reads (from page 13 of Attachment D):

As of 2016, in Canterbury Bankstown there were 15,441 households that were renters experiencing rental stress. This represents 39.1% of renting households in the LGA (compared to 26.4% in Greater Sydney). As of 2016, in Canterbury Bankstown there were 5,707 households that had mortgages and were experiencing mortgage stress. This represents 17.8% of households with a mortgage in the LGA (compared to 10.3% in Greater Sydney). These figures indicate that renters experience housing stress more so than those households with a mortgage.



The AHS Background Report reads (page 27):

A greater proportion of households in Canterbury Bankstown experience housing stress than in Greater Sydney, and this proportion has grown in the past decade. The Sydenham to Bankstown corridor is home to one of the largest concentrations of lower income renters in Sydney and has a relatively younger population compared to the rest of Canterbury Bankstown. Planning intervention is required to secure the economic and social benefits that affordable housing offers existing and future residents and workers in growing mixed use centres.

Increasing the stock of studio, one and two-bedroom dwellings in the LGA is likely to provide dwellings at a more affordable price point for rent and purchase, however historically these are still unaffordable for very low and low income renters (a growing demographic). Further increases to housing costs, disproportionate to income growth, is likely to maintain or increase levels of housing stress in the LGA. Stronger intervention is required to replace the stock of affordable dwellings in the area and achieve affordability for the relevant target groups of very low and low income households.

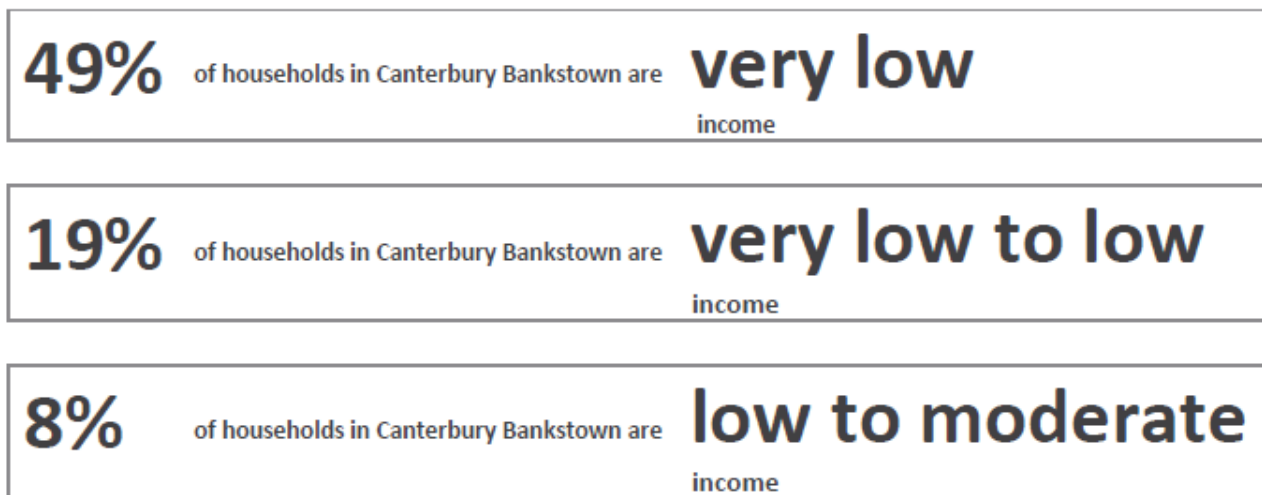
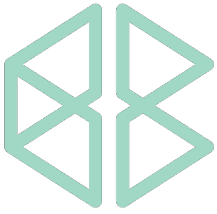


Figure 3: Household income in Canterbury Bankstown (Background Report, page 18)

The AHS Background Report makes the following findings:

- Role of social housing (page 22): *A portion of very low income households will seek housing in Land and Housing Corporation owned social housing dwellings through. Other households will continue to seek housing in the private market, often experiencing housing stress. Housing stress can cause labour and skill shortages as key demographics are pushed out of the area by unaffordable rents. A supply of low income housing that is not social housing can accommodate these groups (very low, low and moderate income households, key workers and students) that generate a wide employment base.*
- Provide an increasing proportion of smaller, more affordable dwellings to meet the changing needs of households (page 37): *It is suggested that the minimum size of affordable housing should be 50m², consistent to a one bedroom apartment under the Apartment Design Code. This is to ensure that reasonable, liveable sized apartments are delivered for rent.*



- Rationale for capturing land value increment through relevant planning mechanisms (page 28): The NSW EP&A Act 1979 (the Act) provides the legislative framework for the provision of affordable housing by local government. This involves capturing a reasonable and equitable share of land value uplift created through the planning and development approvals process. Land value capture in the context of urban development involves a planning authority capturing public benefit from increased land value where the planning authority has increased the development potential of the land. Land value capture mechanisms are already part of the NSW planning scheme, such as Section 7.11 contributions, where the cost of infrastructure is recovered through a levy to development.

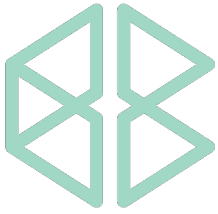
Planning agreements under Section 7.32 of the Act intend to capture a share of the unearned increase to private land values resulting from a rezoning.

The land value capture outlined as part of the affordable housing strategy are designed to gain a reasonable share of the increased land value on the basis that the unearned increment be shared by the planning authority whose planning activities (e.g. rezoning, maximum building height increase) resulted in land value uplift. It follows that a share of this unearned increment of land value uplift be used by the community as a public purpose. The level of profit yielded from land sale and development varies based on a range of market forces and can differ by place. Therefore, value uplift must be calculated within a local market or submarket context.

A precinct-specific land value capture mechanism, which uses the unearned increment of land value uplift to address housing affordability issues, is required to address the varying types of housing stress across Canterbury Bankstown. It is within Council's capacity to build policy that would grow a stock of affordable housing and ensure that it is managed with reference to the approaches outlined in this document. It is the state government's role to assess proposed changes to the LEP that Council puts forward, including an affordable housing contributions scheme and planning agreements.

1.2.3 Identify areas for rezoning (refer to Figure 2)

Based on the findings, the AHS Background Report recommends prioritising the delivery of affordable housing in the centres of Bankstown, Campsie and Lakemba (page 29).



Area	Number of households in stress	Total number of households	Percentage of households in stress
Campsie - Clemton Park	2,136	8,858	24.1
Bankstown CBD	1,989	6,714	29.6
Lakemba	1,640	5,195	31.6
Greenacre - Mount Lewis - Chullora	1,441	6,946	20.8
Punchbowl	1,413	5,914	23.9
Yagoona	1,197	5,513	21.7
Wiley Park	949	3,335	28.5
Belmore	859	4,550	18.9
Chester Hill	783	3,761	20.8
Riverwood	703	2,627	26.8
Revesby - Revesby Heights	685	5,358	12.8

Figure 4: Top ten suburbs – households experiencing housing stress (AHS Background Report, page 15)

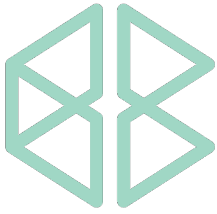
At the Ordinary Meeting of 24 September 2019 (refer Attachment I), Council considered the implementation of *Connective City 2036* in four stages, being:

- Stage 1 (immediately) – the consolidation of the Canterbury and Bankstown LEPs, alignment of Council’s current policy positions and giving effect to parts of *Connective City 2036*.
- Stage 2 (6 months following the gazettal of the Canterbury Bankstown LEP) – Prepare and exhibit the master plans for Bankstown and Campsie.
- Stage 3 (12–24 months following the gazettal of the Canterbury Bankstown LEP): Prepare and exhibit the master plans for Lakemba, Belmore and Canterbury.
- Stage 4 (24–36 months following gazettal of the Canterbury Bankstown LEP): Prepare and exhibit the master plans for Punchbowl, Wiley Park, Earlwood, Belfield, Croydon Park and other centres across Canterbury Bankstown.

Council adopted the Bankstown Master Plan in September 2021 in accordance with Stage 2 of the implementation of *Connective City 2036*. The Bankstown Master Plan (pages 35, 119) found that *on sites achieving a significant uplift, of more than 1:1, it would be expected that a portion of residential floor space be dedicated to Council for the delivery of affordable housing.*

The AHCS would therefore initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision. These areas are identified on the proposed Affordable Housing Contribution Scheme Map provided in Part 4 of this planning proposal. In future:

- Council’s master planning process may identify other centres where the Scheme may apply, subject to viability testing.
- Council’s Planning Agreements Policy will apply to site specific rezoning applications not identified by the Draft Scheme.



1.2.4 Establish an affordable housing contribution rate (refer to Figure 2)

The viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.

A staged implementation approach would be taken to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

DATE OF DETERMINATION OF DEVELOPMENT APPLICATION	BUSINESS ZONE	RESIDENTIAL ZONE
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

The Scheme would allow landowners and developers to satisfy the affordable housing contribution requirement by:

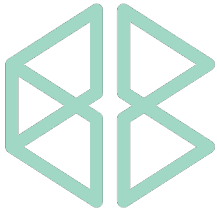
- dedicating in favour of Council—
 - one or more dwellings, each having a gross floor area of not less than 50 square metres and each complying with the NSW Apartment Design Guide’s solar access and natural ventilation requirements, with any remainder paid as a monetary contribution to Council, or
 - other land approved by Council in accordance with the AHCS, with any remainder paid as a monetary contribution to the Council, or
- if the person chooses, by monetary contribution to be calculated in accordance with the AHCS.

Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may partner with a registered community housing provider to manage the tenancies. The community housing provider would select tenants within the very low, low and moderate household income brackets.

In addition, Council would be able to take monetary contributions in situations where the affordable housing dwellings are considered unsuitable or where the dedication of dwellings is deficit of more than 1 square metre. There would be no ‘savings’ or ‘credit’ for existing floor space on the site, even if the building is being adapted and reused.

Development to be excluded from the affordable housing contribution requirement include:

- Affordable housing or social housing that choose the affordable housing option under the incentive height and floor space provision, provided:
 - the affordable housing or social housing is managed by a registered community housing provider, and



- the total residential gross floor area is used solely for the purpose of the provision of affordable housing or social housing in perpetuity, to be confirmed with a covenant registered in the title of the site.
- Development that provides onsite infrastructure or a minimum 50% employment generating gross floor area under the incentive height and floor space provision.

1.2.5 Produce scheme using template (refer to Figure 2)

Council prepared the draft AHCS (refer Attachment C) in accordance with State legislation and the Department of Planning, Industry and Environment's publication *Guideline for Developing an Affordable Housing Contribution Scheme* (February 2019).

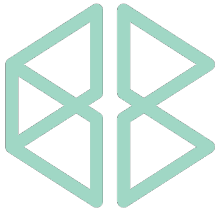
1.2.6 Action to deliver affordable housing

This planning proposal gives effect to the AHCS by proposing to implement the Scheme via Council's LEP.

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

This planning proposal is the best means of achieving the intended outcomes. This is as both state and local planning policies recommend the preparation of an AHCS by Council as an additional mechanism to support very low to moderate income households who are experiencing housing stress.

The EP&A Act 1979 (section 7.32) sets out the requirements to implement the Scheme. The requirements include preparing this planning proposal to implement the Scheme through Council's LEP. This proposed amendment will enable Council to impose a condition on development consents to levy the affordable housing contribution as shown in Figure 5.



Section 7.32 permits the levying of contributions for affordable housing, if a SEPP identifies a need for affordable housing in the Local Government Area (LGA)

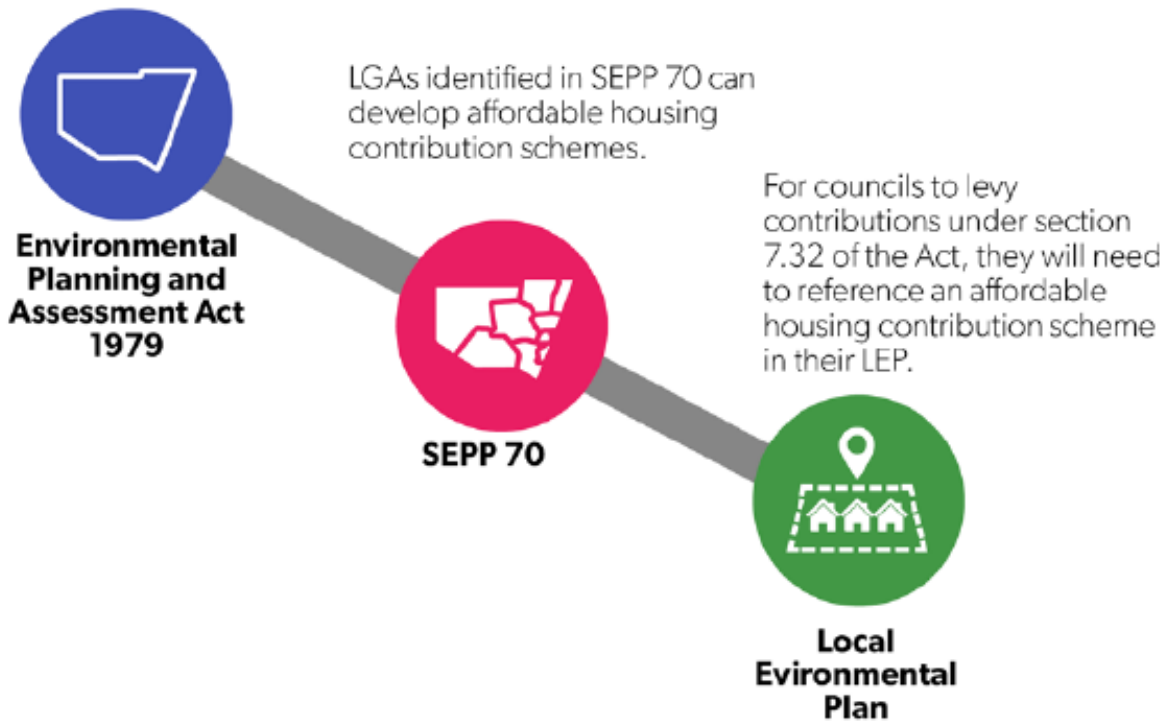
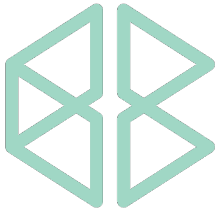


Figure 5: Relationship between State legislation and Council's LEP to deliver affordable housing (Guideline for Developing an Affordable Housing Contribution Scheme, page 5)



Section B – Relationship to strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

This planning proposal gives effect to state and local plans and strategies by proposing to implement the AHCS via Council's LEP. The relevant plans and strategies include:

- NSW Housing Strategy – Housing 2041
- Greater Sydney Region Plan – A Metropolis of Three Cities
- South District Plan
- Local Strategic Planning Statement – Connective City 2036
- Canterbury Bankstown Housing Strategy
- Canterbury Bankstown Affordable Housing Strategy
- Bankstown City Centre Master Plan

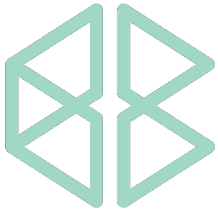
The AHCS would initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision. These areas are identified on the proposed *Affordable Housing Contribution Scheme Map* provided in Part 4 of this planning proposal.

The viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.

The rates are considered financially feasible for development on the basis that a staged implementation approach would be taken. The purpose of staging the requirement over time is to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

The ACHS extent may be increased in future to include the following:

- Council's master planning process may identify other centres where the Scheme may apply, subject to viability testing.
- Council's Planning Agreements Policy will apply to site specific rezoning applications not identified by the Draft Scheme.

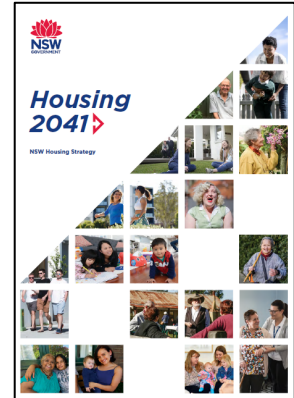


3.1 NSW Housing Strategy – Housing 2041

The NSW Housing Strategy represents a 20 year vision to deliver better housing outcomes in NSW. A key priority is to increase the supply of affordable housing to meet agreed targets (page 26).

In relation to implementation, the NSW Housing Strategy recognises:

- The NSW planning system helps to provide a greater supply of affordable housing via contributions (page 32).
- At the local level, councils are developing and implementing local strategic planning statements and local housing strategies, which identify local housing need based on contemporary analysis and establish local housing priorities. Concurrently with regional plans and policies, local strategic planning statements and local housing strategies will guide local development investment into the future (page 40).



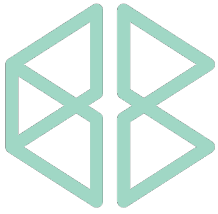
This planning proposal gives effect to the NSW Housing Strategy by proposing to implement the AHCS via Council's LEP.

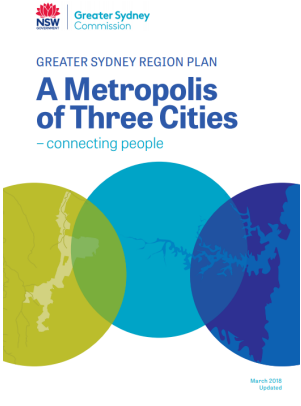
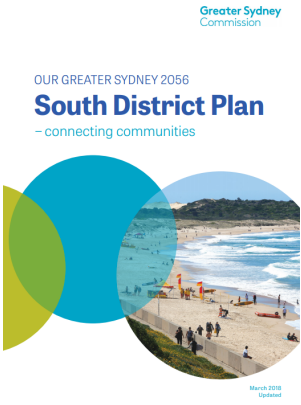
3.2 Greater Sydney Region Plan (GSRP) and South District Plan (SDP)

The Plans present a vision for managing Greater Sydney's growth to 2036. According to the GSRP (page 68):

Across Greater Sydney, both home renters and purchasers face housing affordability challenges. Greater Sydney has been measured as being one of the least affordable housing markets globally 12 and is the least affordable Australian city. This has been exacerbated in the past five years by rapid home price growth. Factors that contribute to rental and purchasing affordability challenges include the limited availability of smaller dwellings to meet the growing proportion of small households as well as the growing distance between areas where housing is affordable and the location of employment and education opportunities ... A range of housing choices, including affordable rental housing reduces the need for people to go into social housing and also supports a pathway for people to move out of social housing.

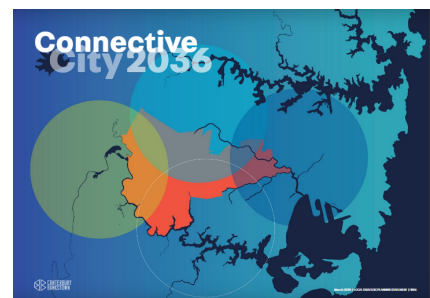
The Plans recommend an Affordable Rental Housing Target Scheme as a mechanism to support very low to moderate income households who are experiencing housing stress.



Greater Sydney Region Plan		Actions
	Objective 11 (page 70)	The Plan seeks to provide more affordable housing to meet changing demographic needs.
	Strategy 11.1 (page 72)	The Plan recommends an Affordable Rental Housing Target Scheme as a mechanism to deliver an additional supply of affordable housing for very low to low income households. The Scheme would set an affordable rental housing target generally in the range of 5–10% of new residential floor space subject to viability testing. The Scheme would apply in defined precincts prior to rezoning.
South District Plan		Actions
	Planning Priority S5 (page 44)	The Plan seeks to provide more affordable housing to meet changing demographic needs.
	Action 17 (page 44)	The Plan recommends an Affordable Rental Housing Target Scheme as a mechanism to deliver an additional supply of affordable housing for very low to low income households. The Scheme would set an affordable rental housing target generally in the range of 5–10% of new residential floor space subject to viability testing. The Scheme would apply in defined precincts prior to rezoning.

3.3 Local Strategic Planning Statement (LSPS) – Connective City 2036

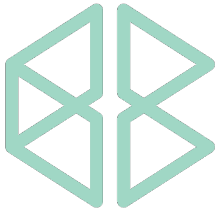
This planning proposal is the result of the actions identified within the Local Strategic Planning Statement, *Connective City 2036*. Council adopted *Connective City 2036* in 2019 and the Greater Sydney Commission (GSC) has assured *Connective City 2036*, confirming its consistency with State priorities.



Connective City 2036 is the first comprehensive strategic planning vision for Canterbury Bankstown and looks at the appropriate way to respond to the GSC’s requirement to deliver dwelling and job targets to 2036.

3.3.1 Need for affordable housing

Connective City 2036 identifies the need for more affordable housing to reduce the level of housing stress experienced by residents in Canterbury Bankstown. *Connective City 2036* found that (page 74):



- There is a need to provide affordable housing to support a range of demographic groups and to support members of the community who would otherwise rely on social housing.
- Renewal could displace lower income households, particularly those who live in older homes, which is generally more affordable. There is the need to explore initiatives to offset this displacement as part of the renewal processes.

3.3.2 Action to deliver more affordable housing

To address the need for more affordable housing, *Connective City 2036* recommends:

- To test up to 15% of new residential floor space as affordable housing, subject to viability testing (Action E6.11.136) (page 75).
- To develop an ACHS (Action E6.11.138) (page 75).

The viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis. A staged implementation approach would be taken to allow the market to adjust.

This planning proposal gives effect to *Connective City 2036* by proposing to implement the Affordable Housing Contribution Scheme via Council's LEP.

3.4 **Canterbury Bankstown Housing Strategy**

Council adopted its Housing Strategy in 2020 which was then endorsed and approved by the Department of Planning, Industry and Environment on the 25 June 2021 (refer Attachment F) .

The purpose of the Housing Strategy is to explore how much, where and what type of new housing Canterbury Bankstown should accommodate over the next 20 years, taking into consideration the state targets and the vision set out by *Connective City 2036*. The need to provide more affordable housing to reduce the number of very low to moderate income households in housing stress was a key outcome of the strategy.

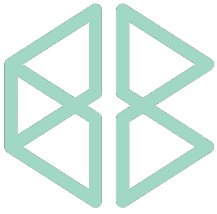


3.4.1 Need for more affordable housing

The Housing Strategy reads (page 79):

Housing stress is defined using the NATSEM (National Centre for Social and Economic Modelling) model. Under this model households are identified as being in stress if they fall within the lowest 40% of equivalised incomes (income adjusted by ABS using equivalence factors to remove the effect of household size and composition on income nationally), who are paying more than 30% of their usual gross weekly income on mortgage or rent repayments.

More specifically, a household is defined as being in housing stress when it:



- *Is in the bottom two quintiles (40 per cent) of equivalent disposable household income distribution (in the respective state or territory); and*
- *Has a housing cost (rent minus rent assistance or mortgage) that represents 30 per cent or more of its disposable income (exclusive of rent assistance).*

Mortgage stress and rental stress are defined using the same criteria but pertain only to households of those occupancy types. In the Canterbury-Bankstown LGA, the overall proportion of households experiencing housing stress at the 2016 Census was higher than the average for Greater Sydney (11.8%), with 18.6% of households earning in the lowest 40% paying rent or housing repayments greater than 30% of their household income. As of 2016, in Canterbury Bankstown there were 15,441 households that were renters experiencing rental stress. This represents 39.1% of renting households in the LGA (compared to 26.4% in Greater Sydney).

The analyses identified the need to retain and protect an existing affordable housing supply and that households are increasingly experiencing housing stress, particularly rental households. More affordable housing is required to support residents who are experiencing housing stress in centres or may be priced out of Canterbury Bankstown (page 93).

3.4.3 Vision and Guiding Principle

The vision is informed by community and stakeholder feedback through the community strategic planning process. The vision reads: *Canterbury Bankstown will have housing that meets the needs of its growing and changing population. New housing development will provide a mix of housing types and sizes in a range of price points. Larger developments will provide affordable housing. New housing growth will be targeted to centres that can offer residents a high level of amenity and access to jobs, services and community facilities* (page 131).

To achieve the vision, a Guiding Principle is to have more affordable housing to support the community and to reduce housing stress (page 10), with a focus on delivering affordable housing suited to very low to moderate income households and key workers (page 102).

An AHS was prepared concurrently with the Housing Strategy, which identified the need for investment in long-term affordable housing options throughout Canterbury Bankstown.

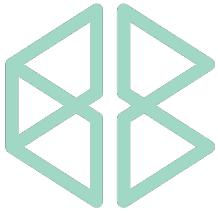
3.4.4 Recommendations

Strategic Direction 5 recommends the preparation of an AHCS to levy affordable housing contributions through the Housing SEPP (pages 34 and 132):

Page 34 -

The SEPP is a mechanism that allows specified councils to prepare an affordable housing contribution scheme for certain precincts, areas or developments within their local government area. The EP&A Act enables councils to levy contributions for affordable housing once a LGA is named in State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes) (SEPP 70).

In LGAs listed in SEPP 70, the council can seek to amend its LEP to reference an affordable rental housing contribution scheme and to levy affordable housing contributions. In February



2019, the NSW Department of Planning, Industry and Environment published an amendment to SEPP 70 and released a guideline including all councils across the State in SEPP 70, including Canterbury Bankstown. The aim is to make it easier for councils to prepare affordable housing contribution schemes and increase affordable housing across NSW.

Page 132 -

Canterbury Bankstown Council can seek inclusion within SEPP 70 for precincts where, subject to feasibility, affordable housing contributions can be levied. An Affordable Housing Contribution Scheme and a planning proposal would need to be prepared prior to levying for affordable housing. In considering the provision of affordable housing as part of this local housing strategy, some relevant principles include:

- Affordable housing is to be created and managed so that a socially diverse residential population representative of all income groups is present in a locality.
- Affordable housing is to be made available to a mix of very low, low and moderate income households.
- Affordable housing is to be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
- Land provided for affordable housing is to be used for the purpose of the provision of affordable housing.
- Monies collected from affordable housing, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), is generally to be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing.
- Affordable housing is to be constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.

3.4.5 Action to deliver affordable housing

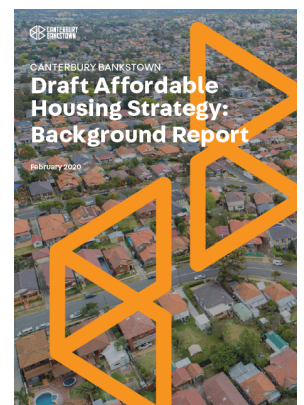
This planning proposal gives effect to the Housing Strategy by seeking to implement an AHCS into Council's LEP.

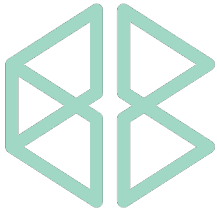
3.5 Canterbury Bankstown Affordable Housing Strategy

Council adopted its Affordable Housing Strategy in 2020 to provide key actions and directions to reduce the level of housing stress experienced by residents.

The AHS Background Report defined and set benchmarks for affordable housing in accordance with relevant legislation, and summarises research and analyses from the Housing Strategy to support the Affordable Housing Strategy.

It also outlines statutory mechanisms and initiatives that could be used to grow the stock of affordable housing across Canterbury Bankstown. Section 1.1 of this planning proposal summarises the key findings of the AHS Background Report.





3.5.1 Need for more affordable housing

The AHS identifies the need for more affordable housing and reads (page 4):

While some people who are on very low incomes live in social or public housing, other people are in circumstances where they struggle to pay for their housing in the private market. Being priced out of areas or having to sacrifice other necessities to pay for housing have consequences that negatively affect quality of life. Poor housing affordability results in economic and social issues including:

- *Low income households forced out of market.*
- *Loss of talent, essential and professional workers.*
- *Skilled labour shortages*
- *Reduced productivity, creativity, innovation*
- *Rising inequalities within cities*
- *Increasing social disadvantage*
- *Loss of engagement and participation between people in a mixed community - social cohesion*
- *Loss of cultural vitality - artists and musicians*
- *Loss of social bonds/links - i.e. stay in an area longer; variety/diverse housing offers options for different life stages.*

The ongoing loss of more affordable dwellings through redevelopment and gentrification, combined with increasing housing costs, is leading to an undersupply of affordable accommodation in Greater Sydney. Local government can play a role in facilitating affordable housing delivery and promoting the provision/retention of affordable housing through strategic planning, the regulation of housing supply and its form, infrastructure planning and pricing policies, rate setting and community service delivery. Through careful planning, the application of these functions can create opportunities for additional housing, guide the form of housing in response to needs, and influence the cost of production and the availability of services.

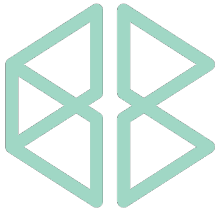
Based on the analyses, the Guiding Principles are (page 6):

- *Increase the supply of affordable housing in Canterbury Bankstown.*
- *Locate affordable housing near established centres to allow residents better access to transport, jobs and services.*
- *Focus on alleviating housing stress for very low and low income households and key workers.*
- *Establish clear processes for the delivery and dedication of affordable housing dwellings.*

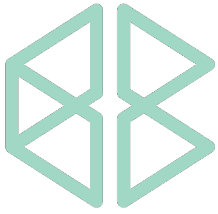
3.5.2 Recommendations and actions to deliver more affordable housing

This planning proposal gives effect to the AHS by seeking to implement the ACHS into Council's LEP as outlined in the following actions:

AHS Recommended Actions (extracted from page 7)		Planning Proposal Actions
1.1	In future master planning of growth precincts, ensure that the affordable housing targets established by Council's	This planning proposal implements the Bankstown



AHS Recommended Actions (extracted from page 7)	Planning Proposal Actions
<p>Community Strategic Plan and Local Strategic Planning Statement are tested and an appropriate levy be applied subject to viability and feasibility testing.</p>	<p>City Centre Master Plan, which determined the contribution rate based on viability testing.</p>
<p>2.1 Include provisions in the LEP via a Planning Proposal to enable Council to:</p> <ul style="list-style-type: none"> • Reference an AHCS in the LEP. • Require an affordable housing contribution, consistent with an AHCS. 	<p>This planning proposal is to reference the AHCS in Council's LEP.</p>
<p>2.2 Prepare an AHCS that identifies sites and/or precincts where affordable housing contributions are required and the rate of the contribution. The Scheme is to include a methodology for determining feasibility, which is to be applied as part of the master plans. The rate is to be based on feasibility testing for each site and/or precinct.</p> <p>Initially, this would apply in Bankstown only as part of implementing the Master Plan Planning Proposal. Following completion of master plans and testing for the other growth centres across Canterbury Bankstown, further sites and precincts will be added to the scheme as viability and applicability is confirmed. Dedicated dwellings will need to be a mix of sizes, types and locations within a building or development to ensure an acceptable standard of amenity and a mix of dwelling types to meet the needs of a range of households.</p>	<p>Council prepared the AHCS in accordance with State legislation and the Department of Planning, Industry and Environment's publication <i>Guideline for Developing an Affordable Housing Contribution Scheme</i> (February 2019).</p>
<p>2.3 In relation to planning proposals, it is proposed to amend the Planning Agreements Policy to conform with the Ministerial Direction (March 2019) and include a requirement for a 5% affordable housing contribution for planning proposals resulting in uplift of more than 1,000 sqm of residential floor space, unless otherwise agreed with Council.</p> <p>An alternative rate may be negotiated subject to feasibility testing and/or where other types of public benefits are warranted. Feasibility testing provided by a proponent is to be the subject of independent verification.</p> <p>Other types of public benefits are to be considered as part of the broader Planning Agreement Policy on a case by case basis, including consideration of prioritisation of other community infrastructure. Dedicated dwellings will need to be a mix of sizes, types and locations within a building or development to ensure an acceptable standard of amenity and a mix of dwelling types to meet the needs of a range of households.</p>	<p>In June 2020, Council adopted amendments to the Planning Agreements Policy to implement this action.</p>



AHS Recommended Actions (extracted from page 7)	Planning Proposal Actions
<p>2.4 Undertake regular reviews of the contribution rates in the AHCS with the aim of increasing affordable housing contributions by 1% annually, subject to feasibility testing and market considerations.</p> <p>Add new precincts and/or sites to the AHCS as they are master planned, with affordable housing contributions to be determined for each precinct and/or site through feasibility testing of built form controls (tipping point analysis). These master plans should test the provision of up to 15 percent of residential floor space as affordable housing, consistent with <i>CBCItY 2028</i> and <i>Connective City 2036</i> actions</p>	<p>Council’s master planning process may identify other centres where the Scheme may apply, subject to viability testing.</p>

3.6 Bankstown City Centre Master Plan

Council adopted the Bankstown City Centre Master Plan (Bankstown City Centre) in September 2021.

The Master Plan is a growth strategy that leverages the opportunities provided by investment in infrastructure and services and sets the foundation for revised planning controls to deliver on the established vision for the Bankstown City Centre. To realise this future, the Master Plan:

- Sets a 20 year vision to 2036.
- Establishes a spatial framework for growth and change across the strategic centre.
- Informs future changes to planning controls.
- Assists Council to advocate for infrastructure delivery and investment.

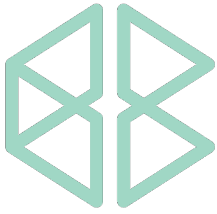


3.6.1 Need for more affordable housing

The Bankstown City Centre (pages 35, 119) identifies that the ongoing loss of affordable dwelling through redevelopment and gentrification, combined with increasing housing costs, has led to a significant undersupply of affordable accommodation in Bankstown.

The lack of low cost housing detrimentally affects the quality of life of individuals and families. Households are likely to sacrifice other basic necessities to pay for housing. The loss of young families and workers in lower paid service jobs can also adversely affect local economies by reducing the local workforce.

Council’s Housing Strategy and AHS identify a need for the delivery of affordable housing in Canterbury Bankstown. As per the affordable housing directions in the SDP and AHS, in areas of uplift it would be expected that development contribute to the delivery of affordable housing where viable.



Affordable housing is different to the concept of housing affordability. Housing affordability refers to the relationship between housing costs and household incomes (if housing costs rise more quickly than income, housing affordability decreases).

Affordable housing is a specific type of housing defined under the EP&A Act. Affordable housing means housing that specifically targeted for people on very low to moderate incomes as set out in the AHS. It is generally subsidised or offered at below market rents and managed by community housing providers, who are not-for-profit organisations that build and/or manage housing. Former SEPP 70 (now SEPP (Housing) 2021) is the overarching planning mechanism that allows Council to prepare an AHCS for certain precincts within the LEP.

3.6.2 Recommendations

The Bankstown Master Plan recommends:

- Action 1.3.3 (page 35)
Prepare an AHCS which outlines the process for contributing towards the delivery of affordable housing.
- Action 9.2.1 (page 119)
Introduce an AHCS in the LEP as part of achieving an incentive height and floor space ratio, requiring new developments to provide 3% of total dwellings as affordable dwellings, or a monetary contribution of \$198 per square metre* of total residential gross floor area to be dedicated to the development of affordable housing. Developments providing onsite infrastructure and/or substantial proportions of floor space for employment generating floor space will be exempt from the provision of affordable housing.

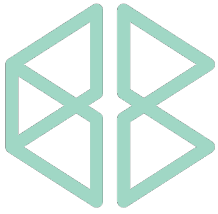
***Note:** Contribution rates will be adjusted on a quarterly basis, being the first days of March, June, September and December, to ensure that the contributions reflect the cost associated with the provision of affordable housing. Rates are adjusted with reference to movements in the median price for strata dwellings in Canterbury Bankstown. The median strata dwelling price is published quarterly in the NSW Government Rent and Sales Report, Table: Sales Price – Greater Metropolitan Region – Strata. The Rent and Sales Report is available on the NSW Government, Family and Community Services website.

3.6.3 Recommended areas to apply the Scheme

The Bankstown City Centre (pages 35, 119) found that *on sites achieving a significant uplift, of more than 1:1, it would be expected that a portion of residential floor space be dedicated to Council for the delivery of affordable housing.* These areas are shown on the proposed *Affordable Housing Contribution Scheme Map* provided in Part 4 of this planning proposal.

3.6.4 Viability testing to support the Scheme

Following the adoption of the Bankstown City Centre Planning Proposal (Part A), viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.



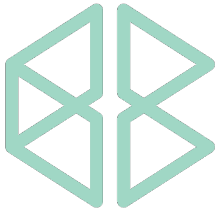
A staged implementation approach would be taken to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

DATE OF DETERMINATION OF DEVELOPMENT APPLICATION	BUSINESS ZONE	RESIDENTIAL ZONE
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

3.6.5 Action to deliver more affordable housing

This planning proposal gives effect to the Bankstown City Centre by seeking to amend Council's LEP to reference the AHCS alongside implementation of the Bankstown City Centre Planning Proposal (Part A) which seeks to apply the proposed uplift.

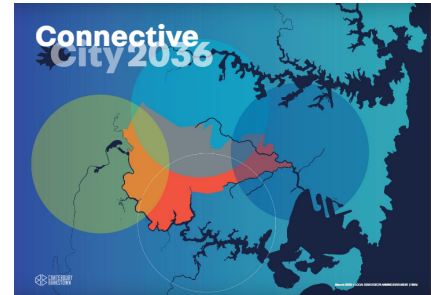


4. *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

4.1 **Connective City 2036**

The planning proposal is consistent with the LSPS, Connective City 2036, as it gives effect to the following Actions:

- E6.11.136: Test up to 15% of new residential floor space as affordable housing, subject to viability testing
- E6.11.138: Develop an AHCS



Please refer to section 3.3 for more information on how this proposal gives effect to the LSPS.

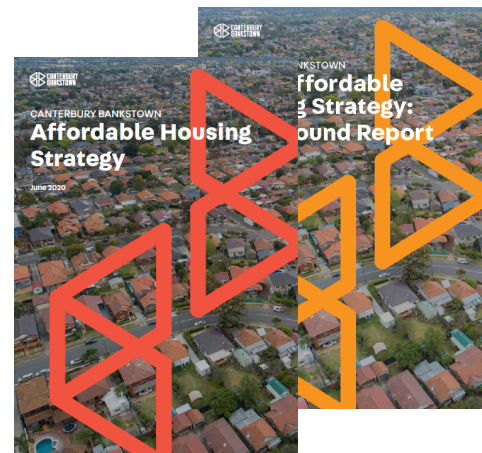


4.2 **Canterbury Bankstown Housing Strategy**

The planning proposal is consistent with the Canterbury Bankstown Housing Strategy as it gives effect to the recommendation for increasing the affordable housing options in the LGA (refer to section 3.4 for details).

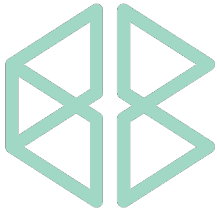
4.3 **Canterbury Bankstown Affordable Housing Strategy**

The planning proposal is consistent with the Canterbury Bankstown Affordable Housing Strategy, as it is in direct response to the recommendations and gives effect to various actions outlined in section 3.5 above. The viability assessment is also consistent with the AHS Background Report that supports the AHS.



4.4 **Bankstown City Centre Master Plan**

The planning proposal is consistent with the Bankstown City Centre, as it is in direct response and integrates with the recommendations and actions of the Master Plan as outlined in section 3.6 above. This planning proposal is to be implemented alongside the Bankstown City Centre Planning Proposal (Part A) to due to their integrated nature.



5. *Is the planning proposal consistent with any other applicable State and Regional studies or strategies?*

The planning proposal is consistent with any other state studies or strategies beyond the relevant documents referenced in Question 3 of this report.

6. *Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?*

This planning proposal is consistent with applicable State Environmental Planning Policies as summarised in Attachment A, namely the State Environmental Planning Policy (Housing) 2021 *formerly* the State Environmental Planning Policy No. 70–Affordable Housing (Revised Schemes).

6.1 State Environmental Planning Policy (Housing) 2021 *formerly* State Environmental Planning Policy No. 70–Affordable Housing (Revised Schemes)

An objective of the EP&A Act 1979 is to promote the delivery and maintenance of affordable housing. The Act (section 7.32) enables councils to levy contributions for affordable housing.

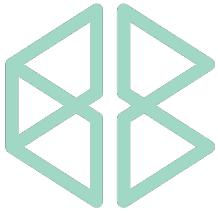
The aims of the Housing SEPP are to identify that there is a need for affordable housing, describe the kinds of households for which affordable housing may be provided, and make a requirement with respect to the imposition of conditions relating to the provision of affordable housing.

The Housing SEPP provides the mechanism for Council to develop AHCS and to levy developer contributions for affordable housing.

To activate the mechanism, the Act requires the Housing SEPP to name a council's local government area. Once this occurs, a council can seek to amend its LEP to have reference to an AHCS and to levy affordable housing contributions. According to the Act (section 7.32), any condition imposed on a development consent must comply with the requirements of this Policy, be authorised by an LEP and must be in accordance with an AHCS.

In February 2019, the Department of Planning, Industry and Environment amended the Housing SEPP to include all councils across NSW (thus meeting the Act's requirements of a council being named in a SEPP). The amendment removes the administrative step of entering a local government area into the Housing SEPP, thereby expediting Council's ability to investigate and develop an AHCS.

This planning proposal responds to the change in circumstances as a result of the SEPP Amendment. This planning proposal gives effect to the Housing SEPP by proposing to implement the AHCS via Council's LEP. Section 1.2 of this planning proposal summarises the AHCS



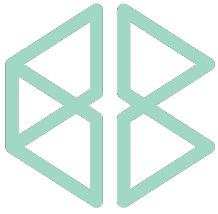
7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

7.1 Consistency with applicable Ministerial Directions

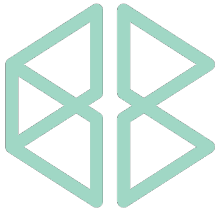
This planning proposal is consistent with applicable Ministerial Directions as summarised in Attachment B, namely:

- Ministerial Direction 1.1 – Implementation of Regional Plans.
- Ministerial Direction 1.4 – Site Specific Provisions
- Ministerial Direction 6.1 – Residential Zones
- Ministerial Direction 7.1 – Business and Industrial Zones

MINISTERIAL DIRECTION	OBJECTIVES	APPLICATION	CONSISTENCY
MD 1.1	To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	This planning proposal applies to land within the Greater Sydney Region.	This planning proposal is consistent with the Greater Sydney Region Plan and South District Plan as outlined in Section 3.2 of this planning proposal.
MD 1.4	To discourage unnecessarily restrictive site specific planning controls.	When preparing a planning proposal that will allow a particular development to be carried out.	<p>This planning proposal is consistent with the Ministerial Direction 1.4 in relation to site specific provisions, as it does not take a site specific approach and will be implemented throughout the LGA as additional viability studies are undertaken.</p> <p>While the proposal seeks to add additional development standards to the applicable sites within the Bankstown City Centre, it is not focus on achieving a particular development outcome as its application would be designated by the applicant at the time of lodgement if the incentives are adopted.</p> <p>The planning proposal seeks to implement the AHCS as seen Randwick and Bayside Councils and is therefore not considered unnecessarily restrictive to development. This is further supported by the viability assessment which has informed this proposal.</p>



MINISTERIAL DIRECTION	OBJECTIVES	APPLICATION	CONSISTENCY
MD 6.1	To encourage a variety and choice of housing types to provide for existing and future housing needs.	This planning proposal applies to the residential zones within the Bankstown City Centre.	This planning proposal is consistent with clauses 4 and 5 as it encourages the provision of housing, and does not contain provisions which will reduce the permissible residential density of land.
MD 7.1	<p>To protect employment land in business zones.</p> <p>To support the viability of identified centres.</p>	This planning proposal applies to the business zones within the Bankstown City Centre.	<p>This planning proposal is consistent with clause 4 as it implements the directions set by the Master Plan, as outlined in Section 4.4 of this planning proposal.</p> <p>This planning proposal also retains the areas and locations of existing business zones, and does not reduce the total potential floor space area for employment uses and related public services in business zones.</p>



Section C – Environmental, Social and Economic Impact

8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

This planning proposal will not adversely affect critical habitat or threatened species, populations or ecological communities, or their habitats.

9. *Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?*

There are no other likely environmental effects as a result of this planning proposal.

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

According to the SDP, *housing has a dual social and economic role across Greater Sydney. Communities require housing that meets changing demographic needs over time and that provides stability. At the same time housing has an economic productivity role by providing housing choice and affordability for a cross section of workers* (sourced from page 44).

The AHS Background Report reads (page 27):

A greater proportion of households in Canterbury Bankstown experience housing stress than in Greater Sydney, and this proportion has grown in the past decade. The Sydenham to Bankstown corridor is home to one of the largest concentrations of lower income renters in Sydney and has a relatively younger population compared to the rest of Canterbury Bankstown. Planning intervention is required to secure the economic and social benefits that affordable housing offers existing and future residents and workers in growing mixed use centres.

This planning proposal adequately addresses the social and economic effects by proposing to implement the AHCS via Council's local environmental plan.

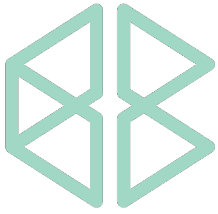
Summary

Section 10.1–Housing stress and the need for more affordable housing

- Households are increasingly experiencing housing stress, particularly rental households.

Section 10.2–Existing mechanisms to provide affordable housing

- Social housing is not meeting demand.
- The availability of the affordable housing supply under the Affordable Rental Housing SEPP is limited to 10–15 years.



- Planning agreements focus on site specific planning proposals, rather than precinct master plans.
- Stronger intervention is required to achieve affordability for the relevant target groups of very low to moderate income households with a focus on locations where lower income households are paying over 30% of their income on rent.

Section 10.3–Affordable Housing Contribution Scheme

- State and local policies recommend that Council prepare an Affordable Housing Contribution Scheme to support households who are experiencing housing stress.

Section 10.4–Preliminary economic advice

- Prioritise more affordable housing in the centres of Bankstown, Campsie, Wiley Park, Lakemba and Punchbowl, where housing stress is most common.
- Formulate affordable housing contributions rates concurrent with determining built form planning controls as part of the master planning process to be undertaken for centres.

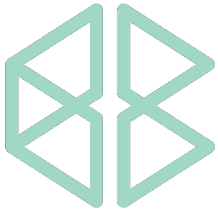
Section 10.5–Viability testing to support the Scheme in Bankstown

- 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.
- A staged implementation approach would be taken to allow the market to adjust.

10.1 Housing stress and the need for more affordable housing

With a 2019 population of around 380,000, Canterbury Bankstown is the most populous local government area within the Greater Sydney Region. The population is forecast to grow to 500,000 by 2036.

According to demographic trends, more people are renting. The share of households renting has risen by approximately 4% since 2006, becoming the most prevalent tenure type in Canterbury Bankstown, with outright and mortgage base ownership not far behind. Most households in Canterbury Bankstown pay \$450–\$549 in rent, and most household earnings range from \$400–\$1,249 per week (equivalised).



Year	Owned outright	Owned with a mortgage	Being purchased under a rent/buy scheme	Rented	Being occupied rent-free	Being occupied under a life tenure scheme	Other tenure type
2016	32,638	31,908	121	38,521	985	295	446
2011	33,712	31,827	380	32,784	801	231	483
2006	34,717	27,825	345	31,528	755	208	360
Growth (Total)	-2,079	4,083	-224	6,993	230	87	86
Growth (CAGR %)	-3.04%	7.09%	-40.78%	10.54%	14.22%	19.09%	11.31%

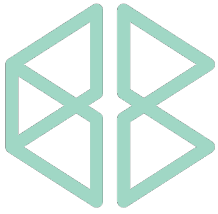
Source: ABS Census 2006, 2011 and 2016 (TableBuilder Pro)

Figure 6: Tenure type totals and growth rates in Canterbury Bankstown (2006–2016)

The Background Report found 17.8% of households were experiencing mortgage stress and 39.1% were experiencing rental stress. The Background Report reads (page 13):

In the Canterbury Bankstown LGA, the overall proportion of households experiencing housing stress (either rental or mortgage stress) at the 2016 Census was higher than the average for Greater Sydney (11.8%), with 18.6 per cent of households earning in the lowest 40 per cent paying rent or housing repayments greater than 30 per cent of their household income. As of 2016, in Canterbury Bankstown there were 15,441 households that were renters experiencing rental stress. This represents 39.1% of renting households in the LGA (compared to 26.4% in Greater Sydney). As of 2016, in Canterbury Bankstown there were 5,707 households that had mortgages and were experiencing mortgage stress. This represents 17.8% of households with a mortgage in the LGA (compared to 10.3% in Greater Sydney).





Almost 22,000 households experience housing stress in Canterbury Bankstown, or 18.6% compared to 11.8% in Greater Sydney. Households on moderate, low or very low incomes and key workers, who spend more than 30 per cent of their income on housing are impacted in their ability to pay for essential items like food, clothing, transport and utilities and are said to be experiencing housing stress. Affordable housing is targeted specifically to these groups to assist these households to remain in the private housing market.

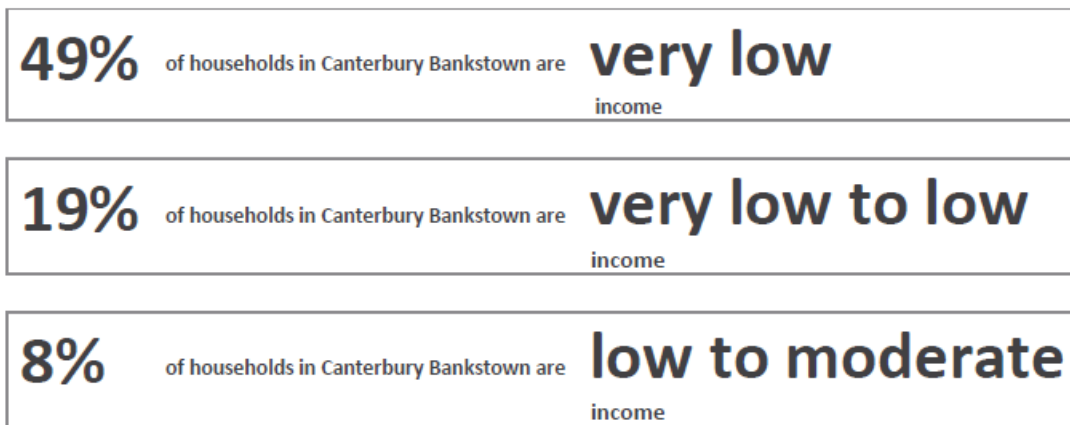


Figure 7: Household income in Canterbury Bankstown (Background Report, page 18)

As shown in Figure 8, the top suburbs by number of households experiencing rental and mortgage stress are Bankstown, Campsie and Lakemba.

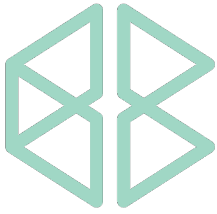
Figure 8: Top ten suburbs – households experiencing housing stress (Background Report, page 15)

Area	Number of households in stress	Total number of households	Percentage of households in stress
Campsie - Clemton Park	2,136	8,858	24.1
Bankstown CBD	1,989	6,714	29.6
Lakemba	1,640	5,195	31.6
Greenacre - Mount Lewis - Chullora	1,441	6,946	20.8
Punchbowl	1,413	5,914	23.9
Yagoona	1,197	5,513	21.7
Wiley Park	949	3,335	28.5
Belmore	859	4,550	18.9
Chester Hill	783	3,761	20.8
Riverwood	703	2,627	26.8
Revesby - Revesby Heights	685	5,358	12.8

Figure 8: Top ten suburbs – households experiencing housing stress (Background Report, page 15)

Implications

- Households are increasingly experiencing housing stress, particularly rental households.



10.2 Existing mechanisms to provide affordable housing

10.2.1 Definition

Affordable housing is where households who are considered to have very low, low or moderate incomes are paying less than 30% of their gross income on rent or mortgage repayments. This ratio is considered generally sufficient to meet other basic living costs such as food, clothing, transport, medical care and education.

The Housing SEPP (*formerly SEPP 70*) defines affordable housing as:

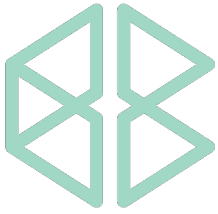
For the purposes of the definition of affordable housing in section 1.4 (1) of the Act, very low income households, low income households and moderate income households are those whose gross incomes fall within the following ranges of percentages of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) or the Rest of NSW (Greater Capital City Statistical Area) according to the Australian Bureau of Statistics:

<i>Very low income household</i>	<i>less than 50%</i>
<i>Low income household</i>	<i>50 or more but less than 80%</i>
<i>Moderate income household</i>	<i>80–120%</i>

10.2.2 Social housing

As of 30 June 2018, there were 11,437 social housing residential dwellings in Canterbury Bankstown. Public housing accounted for 77% of these dwellings and community housing accounted for 22%.

According to the NSW Department of Communities and Justice's guide to expected waiting times for social housing at 30 June 2020, the waiting time for a one bedroom dwelling is 5–10 years and the waiting time for all other dwellings is 10+ years. There are over 2,800 applicants on the waitlist for social housing. The issue is social housing is not meeting demand.



	Public Housing		Aboriginal Housing Office		Community Housing		Indigenous Community Housing		Total
	No.	%	No.	%	No.	%	No.	%	
Burwood	368	82.9	5	1.1	70	15.8	1	0.2	444
Canada Bay	783	78.9	6	0.6	203	20.5	0	0.0	992
Canterbury-Bankstown	8,841	77.1	106	0.9	2,510	21.9	16	0.1	11,473
Inner West	2,034	57.5	130	3.7	1,327	37.5	44	1.2	3,535
Strathfield	537	80.9	3	0.5	124	18.7	0	0.0	664
Sydney	4,769	88.8	46	0.9	549	10.2	7	0.1	5,370
Sydney district	17,332	77.1	296	1.3	4,783	21.3	68	0.3	22,478
NSW	111,341	73.4	4,603	3.0	30,757	20.3	4,971	5.3	151,672

source: FACS Administrative Data, unpublished.

Figure 9: Existing supply of affordable housing in Canterbury Bankstown

10.2.3 State Environmental Planning Policy (Affordable Rental Housing) 2009

The State Environmental Planning Policy (Affordable Rental Housing) 2009 encourages development to provide affordable housing by offering bonus floor space.

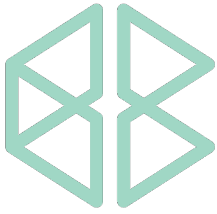
In relation to the existing supply of affordable housing, *accurate data has been difficult to obtain as there are a number of housing providers managing affordable housing across the city* (Housing Strategy, page 78).

The issue is the availability of the affordable housing supply is limited to 10–15 years.

10.2.4 Council's Planning Agreements Policy

At the Ordinary Meeting of 23 June 2020, Council adopted amendments to the Planning Agreements Policy in accordance with the Affordable Housing Strategy. Where a planning proposal is seeking an uplift of residential floor space that exceeds 1,000m² of gross floor area, the equivalent of at least 5% of the increased residential floor space may be dedicated to Council in the form of dwellings or as a monetary payment for the purpose of affordable housing. An alternative rate may be negotiated subject to feasibility testing (page 14). To date, there are no planning agreements for affordable housing.

The issue is the process to negotiate with landowners focuses on site specific planning proposals, rather than precinct master plans which involve multiple landowners over a wide area.



10.2.5 Rationale for more affordable housing in Canterbury Bankstown

The AHS Background Report reads (page 27):

The data above provides evidence that not enough affordable housing is provided through the market. Less than one percent of the rental market for two-bedroom apartments is considered affordable for a very low-income household. People on very low incomes are priced out of almost the entire rental market, and usually enter housing stress, receive rental assistance or live in social housing to meet basic housing needs. In Canterbury Bankstown, 49% of households are considered to have a very low-income (less than 50% of Greater Sydney median income), which indicates that Canterbury Bankstown is significantly vulnerable to rising housing costs in the context of Greater Sydney.

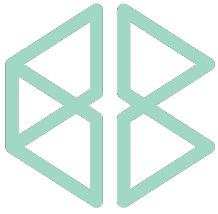
In 2016, 72% of two-bedroom houses in Canterbury Bankstown were affordable for renters on a low-income. There is a scarcity of social housing in the LGA and the expected wait time for social housing is over ten years. Very low- and low-income households are also likely to be excluded from affordable purchases in Canterbury Bankstown LGA in the future, given increasing housing costs and only a small pipeline of social dwellings. Moderate-income households have more options for rent, although this represents between 3 and 8 percent of the population. One hundred percent of the rental market for two-bedroom houses is affordable for medium income households and 91% of the market of three-bedroom houses are affordable for moderate income households.

As per the Draft Canterbury Bankstown Housing Strategy, the City will deliver 50,000 homes by 2036. The LSPS aims for 80% of this growth to be directed to activity centres, where there is a greater proportion of renters experiencing housing stress. Increasing the stock of studio, one and two-bedroom dwellings in the LGA is likely to provide dwellings at a more affordable price point for rent and purchase, however historically these are still unaffordable for very low and low income renters (a growing demographic). Further increases to housing costs, disproportionate to income growth, is likely to maintain or increase levels of housing stress in the LGA.

The implication is stronger intervention is required to achieve affordability for the relevant target groups of very low to moderate income households.

Implications

- Social housing is not meeting demand.
- The availability of the affordable housing supply under the Affordable Rental Housing SEPP is limited to 10–15 years.
- Planning agreements focus on site specific planning proposals, rather than precinct master plans.
- Stronger intervention is required to achieve affordability for the relevant target groups of very low to moderate income households with a focus on locations where lower income households are paying over 30% of their income on rent.



10.3 Affordable Housing Contribution Scheme

State and local policies recommend that Council prepare an Affordable Housing Contribution Scheme. The intent of the Scheme is for Council to own affordable housing dwellings that are rented to tenants within the very low to moderate income households. Councils that currently operate a Scheme in the Greater Sydney Region include Canada Bay, Randwick, Sydney, Waverley and Willoughby Councils.

Whilst the Scheme will not resolve the wider issue of housing stress in the Greater Sydney Region, it is an additional mechanism to provide more affordable housing to support very low to moderate income households who are experiencing housing stress as shown in Figure 10. The Scheme would apply to centres that are subject to Council’s master planning process and where uplift is proposed to occur.

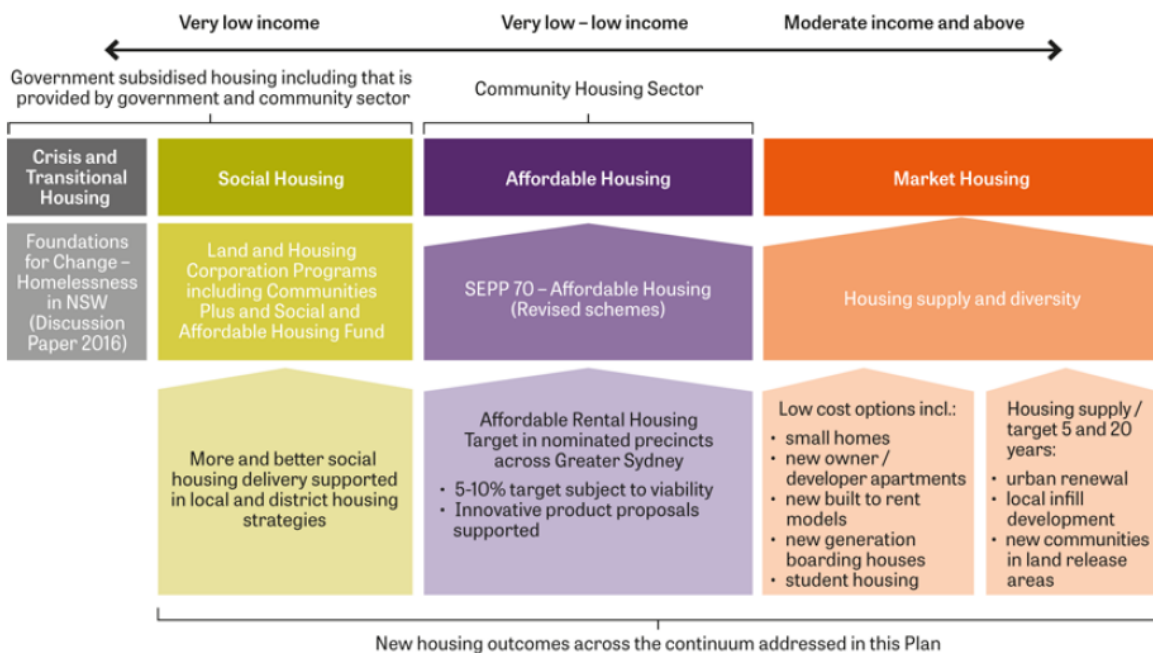
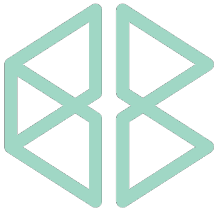


Figure 10: Housing continuum, initiatives and programs (Greater Sydney Region Plan, page 69)

The Scheme sets out how, where and at what rate contributions can be collected for affordable housing. A contribution is to be calculated based on the total residential gross floor area of the development to which the development application relates. The possible ways to make the contribution include:

- dedication of one or more affordable housing dwellings subject to certain criteria, or
- dedication of land subject to certain criteria, or
- a monetary contribution, or
- any combination of the three.

There are no ‘savings’ or ‘credit’ for existing floor space on the site, even if the building is being adapted and reused.



Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may partner with a registered community housing provider to manage the tenancies. The community housing provider would select tenants within the very low to moderate household income brackets. Section 1.2 of this planning proposal summarises the Affordable Housing Contribution Scheme.

Implications

- State and local policies recommend that Council prepare an Affordable Housing Contribution Scheme to support households who are experiencing housing stress.

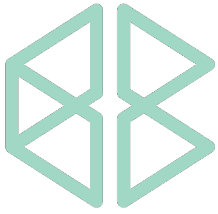
10.4 Preliminary economic advice

Council commissioned Hill PDA to provide preliminary economic advice, which informed the Background Report to the Affordable Housing Strategy. The key findings are (page 74):

- *The contribution rates may not be viable in all scenarios due to factors such as land purchase price, construction cost escalation and market absorption of the end products. It is likely that larger projects seeking higher uplifts have a greater capacity of absorbing an affordable housing contribution levy.*
- *Our results revealed that areas with a strong residential market such as Bankstown and Canterbury show that development is not adversely affected if an affordable housing contribution provision is introduced. However, secondary markets ... show a sensitivity towards the affordable housing levy. We would recommend either a lower affordable housing contribution or permit a site by site open-book assessment in areas considered to be secondary residential locations.*
- *Our sensitivity analysis showed that as the residential unit market recovers to previous peak values, more favourable development margins are achievable, increasing a project's possibility of absorbing the contribution rate levy in the developer margin.*
- *To ensure a wide acceptance to the concept of affordable housing, we would recommend the following:*
 - *Adequate transition period to ensure current DAs are not affected*
 - *Early communication to the industry to ensure the cost of providing affordable housing are priced into development site acquisition. This is to avoid unrealistic owner expectations.*

The key recommendations are (page 75):

- *Affordable housing should be focused on key areas to support a strong employment base and social cohesion.*
 - *Affordable housing could be prioritised in the centres of Bankstown, Campsie, Wiley Park, Lakemba and Punchbowl where housing stress is most common.*
 - *Affordable housing should be directed towards very low and low income households.*
 - *Key worker housing should be prioritised in Bankstown and Campsie.*
- *Council-led planning intervention that generates affordable housing stock is required in Canterbury Bankstown to address social and economic inequality. This can include:*
 - *Leveraging affordable housing during voluntary planning agreements.*



- *Implementing an affordable housing contribution scheme to acquire new dwellings in value capture scenarios.*
- *Based on these findings it is appropriate to formulate affordable housing contributions rates concurrent with determining built form planning controls as part of the master planning process to be undertaken for centres.*

Implications

- Prioritise affordable housing in the centres of Bankstown, Campsie, Wiley Park, Lakemba and Punchbowl, where housing stress is most common.
- Formulate affordable housing contributions rates concurrent with determining built form planning controls as part of the master planning process to be undertaken for centres.

10.5 Viability testing to support the Scheme in Bankstown

According to the Department of Planning, Industry and Environment's *Guideline for Developing an Affordable Housing Contribution Scheme* (page 19), *as part of developing an affordable housing contribution scheme and preparing a planning proposal to amend an LEP to levy developer contributions, councils will need to prepare and provide evidence that affordable housing contribution rates are viable.* The viability testing is to ensure that the rates are viable and will not impact on development feasibility and overall housing supply.

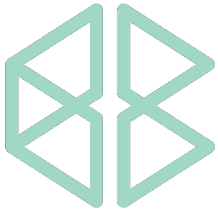
Council commissioned Atlas Urban Economics to undertake viability testing to understand the economic impacts of the proposed affordable housing contributions in the Bankstown City Centre.

The viability testing recommends that 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.

A staged implementation approach would be taken to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

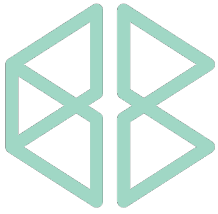
DATE OF DETERMINATION OF DEVELOPMENT APPLICATION	BUSINESS ZONE	RESIDENTIAL ZONE
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.



Implications

- 3% of the total residential gross floor area of development in the business zone and 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution subject to indexation on a quarterly basis.
- A staged implementation approach would be taken to allow the market to adjust.



Section D – Infrastructure (Local, State and Commonwealth)

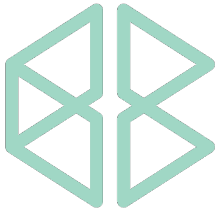
11. Is there adequate public infrastructure for the planning proposal?

This planning proposal does not result in additional development or further demands on public infrastructure. The proposed uplift and associated infrastructure impacts have been addressed within the Bankstown City Centre Planning Proposal (Part A).

Section E – State and Commonwealth interests

11. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway Determination?

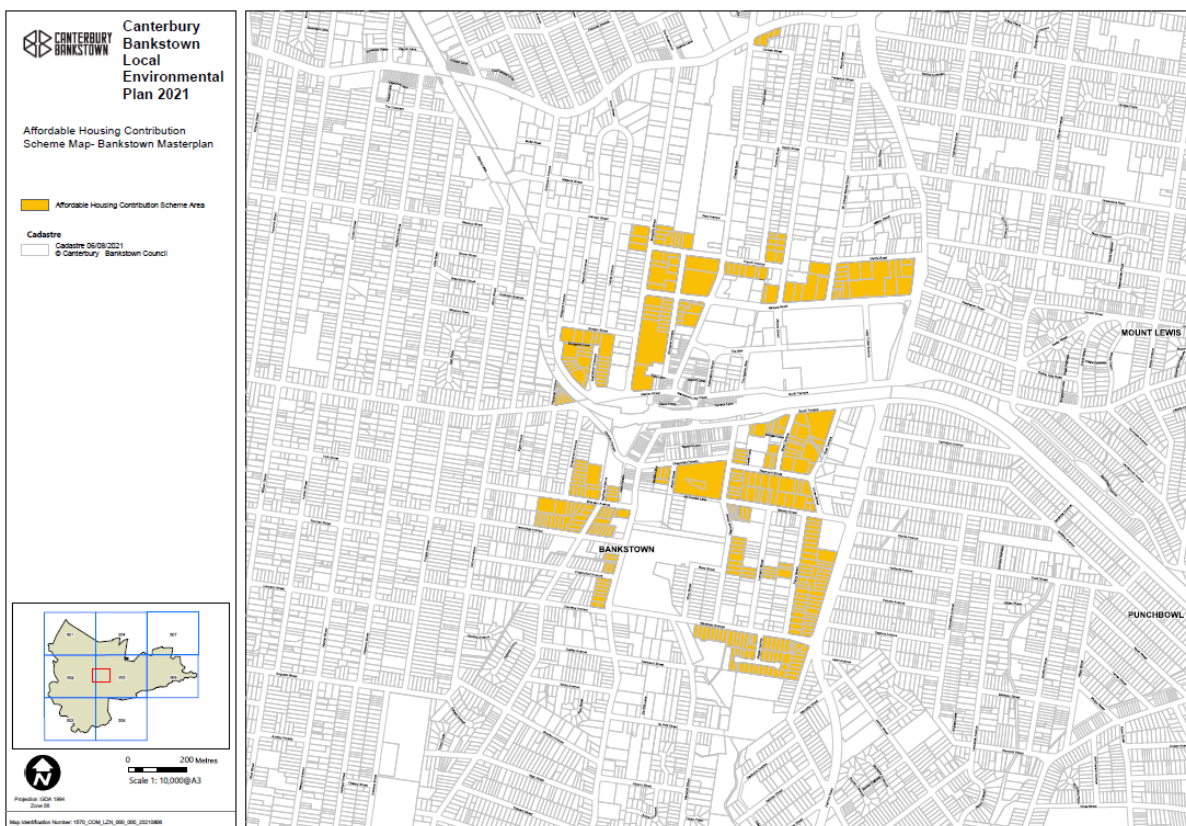
An update to this section of the planning proposal will occur following consultation with the State and Commonwealth public authorities in accordance with the Gateway Determination.



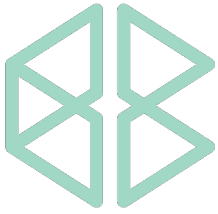
Part 4 – Maps

This planning **proposal** includes the proposed *Affordable Housing Contribution Scheme Map* (refer Attachment G for full size version).

This map has been adjusted from the Incentive Floor Space Ratio Map and Incentive Height of Building Map extents located in the Bankstown City Centre Planning Proposal (Part A) to exclude sites which Council has identified community infrastructure as the delivery priority.



Note: Council adopted the Bankstown Master Plan at its Ordinary Meeting of 28 September 2021. This map may be updated following certain site testing as required by the Council resolution of 28 September 2021.

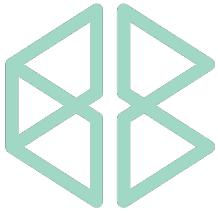


Part 5 – Community Consultation

This planning proposal will be placed on public exhibition alongside the Bankstown City Centre Planning Proposal (Part A) in accordance with the Gateway Determination and Canterbury Bankstown Community Participation Plan for a minimum of 28 days, comprising of:

- Notification in the local newspaper that circulates in the area affected by this Planning Proposal.
- Display on Council's corporate 'Have Your Say' website.
- Written notification to affected property owners.
- Written notification to public authorities stipulated in the Gateway determination.
- Written notifications to community housing providers known to be operating in the area.

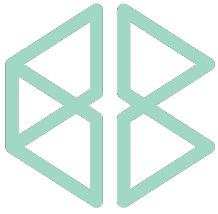
Each public authority and/or agency is to be provided with a copy of this Planning Proposal and any relevant supporting material and given at least 21 days to comment on the proposal as stipulated in the Gateway determination. This would include the NSW Land and Housing Corporation.



Part 6 – Project Timeline

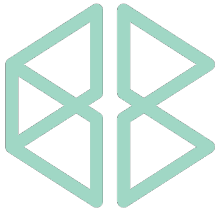
The project timeline below for this Planning Proposal has been amended to align with the Bankstown City Centre Planning Proposal (Part A).

Actual Date or Indicative Timeframe	Stage
11 October 2021	Matter reported to and supported by the Local Planning Panel – Refer Attachment H
26 October 2021	Consideration and decision by Council – Refer Attachment I
March 2022	Submit Planning Proposal to DPE for Gateway Determination
June 2022	Gateway Determination
October 2022	Complete any changes required by Gateway Determination (pre-exhibition)
November 2022	Commencement and completion of public exhibition period
December 2022	Consideration of submissions
February 2023	Post-exhibition review and additional studies
April 2023	Council meeting to consider outcomes of exhibition (Date to be confirmed)
May 2023	Submission to the Department for finalisation
August 2023	Gazettal of LEP amendment



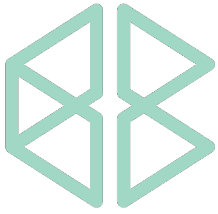
Attachment A – State Environmental Planning Policies

State Environmental Planning Policies	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	Yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Yes
State Environmental Planning Policy (Housing) 2021	Yes	Yes
State Environmental Planning Policy (Industry and Employment) 2021	No	N/A
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Yes	Yes
State Environmental Planning Policy (Planning Systems) 2021	Yes	Yes
State Environmental Planning Policy (Precincts—Central River City) 2021	No	N/A
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	No	N/A
State Environmental Planning Policy (Precincts—Regional) 2021	No	N/A
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	No	N/A
State Environmental Planning Policy (Primary Production) 2021	No	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	Yes
State Environmental Planning Policy (Resources and Energy) 2021	No	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Yes



Attachment B – Ministerial Directions

Local Planning Directions		Applicable	Consistent
Focus area 1: Planning Systems			
1.1	Implementation of Regional Plans	Yes	Yes
1.2	Development of Aboriginal Land Council land	No	N/A
1.3	Approval and Referral Requirements	Yes	Yes
1.4	Site Specific Provisions	No	N/A
Focus area 1: Planning Systems – Place-based			
1.5	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
1.10	Implementation of the Western Sydney Aerotropolis Plan	No	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	No	N/A
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
1.14	Implementation of Greater Macarthur 2040	No	N/A
1.15	Implementation of the Pyrmont Peninsula Place Strategy	No	N/A
1.16	North West Rail Link Corridor Strategy	No	N/A
1.17	Implementation of the Bays West Place Strategy	No	N/A
Focus area 2: Design and Place			
Focus area 3: Biodiversity and Conservation			
3.1	Conservation Zones	Yes	Yes
3.2	Heritage Conservation	Yes	Yes
3.3	Sydney Drinking Water Catchments	No	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A
3.5	Recreation Vehicle Areas	Yes	Yes
Focus area 4: Resilience and Hazards			
4.1	Flooding	Yes	Yes
4.2	Coastal Management	No	N/A
4.3	Planning for Bushfire Protection	No	N/A
4.4	Remediation of Contaminated Land	Yes	Yes
4.5	Acid Sulfate Soils	Yes	Yes
4.6	Mine Subsidence and Unstable Land	No	N/A
Focus area 5: Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Yes	Yes
5.2	Reserving Land for Public Purposes	Yes	Yes
5.3	Development Near Regulated Airports and Defence Airfields	No	N/A
5.4	Shooting Ranges	No	N/A
Focus area 6: Housing			
6.1	Residential Zones	Yes	Yes
6.2	Caravan Parks and Manufactured Home Estates	Yes	Yes



Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	No	N/A
7.2	Reduction in non-hosted short-term rental accommodation period	No	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	No	N/A
Focus area 9: Primary Production			
9.1	Rural Zones	No	N/A
9.2	Rural Lands	No	N/A
9.3	Oyster Aquaculture	No	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A