

ITEM 5.2 Planning Proposal for 1 and 1A North Terrace, Bankstown (Bankstown Central shopping centre)

AUTHOR Planning

PURPOSE AND BACKGROUND

This report seeks Council support to amend building height, Floor Space Ratio, and residential restrictions on development in Zone B4 Mixed Use for the site at 1 and 1A North Terrace, Bankstown.

ISSUE

Council is in receipt of an application to prepare a Planning Proposal for the site known as the “Bankstown Central” shopping centre located at 1 and 1A North Terrace, Bankstown. The application seeks to amend the building height, Floor Space Ratio (FSR) and restrictions on development relating to ground and first floor residential uses in Zone B4 Mixed Use (Clause 6.9) within the Bankstown Local Environmental Plan 2015 (BLEP 2015). The Planning Proposal does not propose any change to the B4 Mixed Use Zoning of the site and will facilitate residential apartments (including ‘build to rent’), hotel accommodation, student accommodation, serviced apartments, commercial office and new retail floor space on the site.

The Planning Proposal aims to redistribute the substantial density currently permitted on site towards the Bankstown railway station and future Metro station. Increased height controls are also proposed in this area to deliver taller towers commensurate with those proposed for similar sites under the Bankstown Masterplan. The proposed changes would increase the overall Floor Space Ratio (FSR) for the site by 12% from a maximum 3.5:1 to 3.9:1. The envisaged development would be delivered in several stages taking into consideration commercial leases currently in place over the site.

At 114,073m² (11.4ha) the subject land is the largest landholding in the CBD and is one of the most significant proposals in the Canterbury Bankstown Local Government Area (LGA) in terms of projected jobs growth, housing and economic investment. The Planning Proposal would facilitate a total of approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal would create capacity for approximately 1,255 new dwellings plus 694 student housing units, equivalent to around 10% to 15% of the CBD’s target of 12,500 dwellings by 2036 in Council’s Housing Strategy. The proposal achieves consistency with the applicable State Government and Council Strategic Policies as it would facilitate a development outcome that would be consistent with Council’s policies including the Local Strategic Planning Statement (LSPS) “Connective City 2036”, the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater

Sydney Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public benefits and required infrastructure works and upgrades:

- 5,000m² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

A detailed assessment of the application submitted to Council indicates the proposal demonstrates strategic and site specific merit as it would:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high-quality public transport infrastructure, established services and facilities.
- Provide housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

Whilst the Council staff and Local Planning Panel consider there is strategic merit to progress to Gateway, the following actions need to be taken should Gateway approval be granted by DPE and before the Planning Proposal is finalised:

- Finalise the planning mechanism within the BLEP 2015 to limit total residential floor space to maintain jobs and employment growth on the site and in the CBD.
- Prepare a draft site-specific development control plan (DCP) to ensure a development outcome that is consistent with the future intended built form of the surrounding area.
- Revised traffic and economic reports to provide clarification, further modelling and justification on certain technical aspects as identified in the peer reviews and comments from TfNSW.
- Continue dialogue with Transport for NSW to undertake traffic modelling to test appropriateness of the proponent's adopted car parking and traffic generation rates to inform the site specific DCP.
- Draft a Planning Agreement that delivers the required infrastructure to support the redevelopment of the site in a staged manner.

RECOMMENDATION That -

1. The application to amend the Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following (refer to **Figure 4** for a map of the precincts):
 - a. Permit a maximum FSR between 3:1 to 7:1 in four separate precincts and an FSR of 3.9:1 for the site overall.
 - b. Permit a maximum building height of 86m for the Town Centre Precinct, 83m for the North Terrace Precinct, 50m, 67 and 70m for the Rickard Road Precinct and 35m, 46m and 55m for the Stacey Street Precinct.
 - c. Insert a subclause to exclude the subject site from obtaining up to 0.5:1 bonus FSR under Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core'. This is to provide certainty regarding the maximum FSRs that will apply to the site.
 - d. Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the intended outcomes as follows:
 - i. Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and
 - ii. Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.
2. Before the plan is finalised:
 - a. Council exhibits a draft Planning Agreement generally in accordance with the planning agreement Letter of Offer received from the proponent dated 4 February 2022 (including the proponents Statement of Intent dated 4 February 2022) to deliver public benefits / infrastructure to meet the needs for the future worker, resident and visitor population, as outlined in Section 4 of the Council report. This

- b. A site specific DCP is prepared and exhibited with the Planning Proposal to define the development controls for all of the development and ensure close integration with the master planning for the Bankstown CBD, and specify the staging of the future development, as outlined in the Council report and this recommendation. The site specific DCP should be finalised before any development applications are submitted and a further clause should be added to the Planning Proposal to this effect. Along with the matters referred to in the Council report the DCP should include details about:
 - i. how affordable housing will be provided on the site, consistent with the Statement of Intent provided by the applicant.
 - ii. car parking rates
 - iii. staging of the construction
 - iv. detailed built form controls
 - v. communal and public open space
 - vi. sustainability / environmental performance
 - vii. long term arrangements for bus lay-bys (in conjunction with TfNSW).
 - c. Council and the proponent continue to work with Transport for NSW (TfNSW) to address traffic and transport related matters raised in TfNSW's preliminary comments received on the Planning Proposal. This should involve resolving the permanent location of the Bankstown bus interchange whether it is located on or off the subject site noting that the removal of the bus layover on the current site will require a rethinking of the way buses move through and layover in Bankstown.
3. The Planning Proposal and the relevant supporting reports are updated prior to the exhibition of the Planning Proposal.
4. After the Planning Proposal, DCP and Planning Agreement have been exhibited, a report be provided to Council outlining submissions received and the proponent's response to the issues raised from the exhibition and if necessary, from the Council report (for this current recommendation).
5. The Planning Agreement is to be finalised and executed before the LEP Amendment is made and published on the NSW Legislation website.
6. Council seek authority from the Department of Planning and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

ATTACHMENTS

[Click here for Attachment A](#)

[Click here for Attachments B to F](#)

- A. Canterbury Bankstown Local Planning Panel Meeting Report and Attachments dated 7 March 2022
- B. Minutes of Canterbury Bankstown Local Planning Panel Meeting dated 7 March 2022
- C. Applicant's Revised Draft DCP dated March 2022
- D. Applicant's Revised Landscape Concept Plan dated March 2022
- E. Applicant's Revised Planning Proposal dated March 2022
- F. Applicant's Revised Urban Design Statement dated March 2022

POLICY IMPACT

The Planning Proposal, once finalised and made, would amend the building heights, Floor Space Ratio and permissibility of residential development at ground and first floor level on certain parts of the subject land.

The Planning Proposal will facilitate a development outcome that would be consistent with Council's policies including the Local Strategic Planning Statement (LSPS) "Connective City 2036", the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater Cities Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

The LSPS "Connective City 2036" classifies Bankstown as the major centre for the LGA and the economic heart of the city, with 25,000 jobs and 25,000 students by 2036. The LSPS envisages an expected doubling of jobs, an increase in students and visitors and an increase in high density housing in the Bankstown CBD. The assessment of the application submitted to Council indicates the proposal would support this direction.

FINANCIAL IMPACT

There is no financial impact to Council as a result of this proposal.

Independent peer reviews undertaken on behalf of Council have identified opportunities for new social and community facilities, public infrastructure and traffic works required to ensure that the redevelopment of the site functions well, delivers a high quality urban precinct with a mix of appropriate commercial and residential uses and is of a scale that is appropriate for the aspiration of Bankstown CBD to evolve into the future as a key place for jobs growth, education, commercial investment, and higher density residential accommodation.

The Planning Proposal will deliver a range of infrastructure items that would benefit the public at no cost to Council including a new 5,000m² public park, a multi-purpose indoor sports facility, incubator/co-working office space and new cycleways along Rickard Road and The Appian Way.

COMMUNITY IMPACT

Should a Gateway Determination be issued by the Department of Planning and Environment, community and stakeholder consultation will occur as directed by the Gateway conditions and the outcomes reported back to Council after the conclusion of the exhibition period.

Council officers have negotiated with the proponent a Letter of Offer that outlines public infrastructure and public benefits for Council's consideration. This report recommends further negotiations with the proponent to ensure that the public benefits within the Letter of Offer and future draft Planning Agreement are appropriately staged for delivery.

The subject site is the largest privately owned landholding in the Bankstown CBD and the scale of the development has the potential to transform the site into a highly activated and permeable precinct that delivers on Council's vision for local jobs in close proximity to housing, existing and future public transport and a new public park that integrates with the CBD.

The proposal will include new commercial, office, student accommodation and housing that will help to make the Bankstown CBD a more vibrant place and destination. There will be an overall positive impact by creating new jobs growth and provision of housing, hotel and student accommodation located close to existing transport infrastructure.

The key public benefits that would form part of a Planning Agreement with Council and will include works such as a new public park, an extension of Jacobs Street, a multi-purpose indoor facility, incubator space and completion of cycleways along Rickard Road and The Appian Way. Further negotiations with the proponent will be required to finalise the planning agreement in regard to the delivery and staging.

DETAILED INFORMATION

1. SITE DESCRIPTION

The subject site (site) at 1 and 1A North Terrace, Bankstown comprises the following 12 lots as shown in Table 1 and Figure 1.

Table 1: Subject site details

Property Address	Property Description	Current Zone	Site Area
1 and 1A North Terrace, Bankstown	Lot 1 DP 795649 Lot 89A DP 405477 Lot 45 DP 618721 Lot 1 DP 237386 Lot 1 DP 1289891 Lot 23 DP 1117290 Lot 11 DP 746201 Lot 26 DP 1142237 Lot 1 DP 128989 Lot 31 DP 1142236 Lot 22 DP 1117290 Lot 18 DP 1117290	B4 Mixed Use Zone under BLEP 2015	114,073m ²

The site contains a regional shopping centre development known as “Bankstown Central” (previously known as “Bankstown Centro”) which was originally established in 1966. The site is bound by North Terrace to the south, Jacobs Street, The Mall and The Appian Way to the west, Rickard Road to the north and Stacey Street to the east. The site has dimensions of approximately 500m east to west and 270m north to south. The total site area is 114,073m². The Bankstown Central shopping centre is a 2-3 level retail development with associated car parking, loading facilities, landscaped areas. Bankstown Central accommodates anchor tenants including Myer, Target, Big W, Kmart, Woolworths, Dan Murphy’s and a new Coles Supermarket to open in 2022 in addition to approximately 260 specialty stores including a food court. The Bankstown Central site is the largest privately owned landholding within the Bankstown CBD.

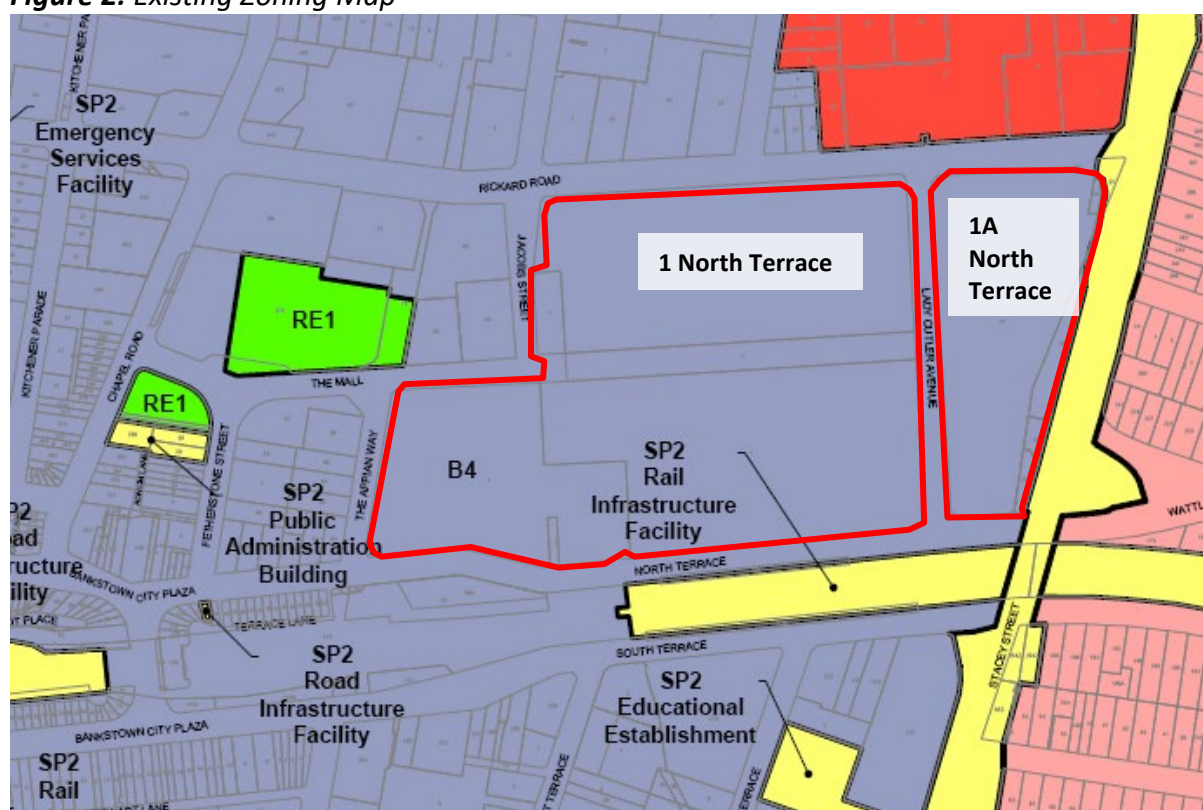
Adjacent to the site to the south is the T3 Bankstown Railway line, to the west is the established commercial shops and offices of the Bankstown CBD, to the north is a mix of medical centres and allied health services and residential apartments and to the east is the arterial road Stacey Street with a low density residential housing area further to the east. The NSW Government is converting the T3 Bankstown Railway Line between Sydenham and Bankstown to a Metro rail line which will commence operation in 2024. The Metro line conversion will result in a new Bankstown Metro Rail Station constructed to the east of the existing Bankstown Railway Station and importantly will establish a north-south pedestrian link across the existing rail line delivering improved connectivity in the CBD.

The site is located in the heart of the Bankstown CBD and approximately 16km south west of the Sydney CBD, approximately 10km east of the Liverpool City Centre and the Parramatta CBD is located approximately 10km north.

Figure 1: Site Map (site outlined in red)



Figure 2: Existing Zoning Map



2. PROPOSAL

Background and Overview of Proposal

In December 2019, Council received an application to amend the BLEP 2015. The Planning Proposal is the culmination of several years of discussions between Council and the proponent and represents a concept master plan that has been the subject of iteration and adjustment

in response to Council feedback. The Planning Proposal reflects the design principles developed by specialist urban design consultants commissioned by Council in 2018 to prepare an urban design study to guide redevelopment of the site. Council provided the proponent with the urban design principles in 2019 prior to lodgement of the application with Council.

Following a preliminary assessment by Council and liaison with the proponent, Council wrote to the proponent in March 2020 to request additional information and clarification of the proposal. In July 2020 the proponent submitted an amended Planning Proposal package in response to Council's additional information request. Council wrote to the proponent in December 2020 and further information, including revisions to the Planning Proposal were submitted to Council in July 2021. Further revisions to the Planning Proposal were made and submitted to Council in February 2022, reflecting the outcome of Council's assessment of the application and the preceding discussions between Council and the proponent and the proponent's consultants.

Table 2 summarises the current and proposed controls (as amended in February 2022 by the proponent). Figure 3 shows the proponent's indicative concept site plan.

Figure 3: Applicant's indicative master plan



The Planning Proposal would enable the proponent to achieve its long term vision for the site that would be delivered in stages to enable the following:

- A mix of uses across the site with height and density focussed along North Terrace and near the existing Bankstown railway station and future Metro station.
- Reconfiguration of the existing shopping centre layout to accommodate the proposed additions and staged construction around the existing central retail core.
- New public open spaces such as a new 5,000m² public park and a pedestrian boulevard running east west along northern end of site between Jacob Street and Lady Cutler Drive and public plazas throughout the site.

- Extension of Jacobs Street between The Mall and Northern Terrace for road traffic and pedestrians.
- Removal of the bus interchange from the site and creation of a new permanent layover, with bus stops as required, outside of the site along the proposed Jacobs Street extension. This will be subject to ongoing discussions with TfNSW and an agreement between the proponent, Council and TfNSW on the new location.

Table 2: Summary of proposed controls and intended outcomes of the Planning Proposal

Control	Amendment sought by applicant
Zone	B4 Mixed Use Zone
FSR	3.9:1 (across the entire site) <i>Refer to Table 3 below for FSR details per Precinct</i>
Height of Building	Maximum building height of 86m (controlled by PANS-OPS ceiling of RL 108.2) <i>Refer to Table 3 below for building height details per Precinct</i>
Additional gross floor area for more sustainable development in Bankstown CBD commercial core (Clause 4.4A) <i>This clause provides a bonus of 0.5:1 for development that meets the sustainability criteria.</i>	Insert a subclause to exclude the subject site from the application of this clause. This is because the Planning Proposal does not seek to apply the existing 0.5:1 bonus on the basis the proposed FSRs include uplift that already factors in the maximum FSR sought to ensure certainty that future development will be able to achieve the FSRs proposed. Sustainability requirements will be included in the site specific DCP and BASIX will continue to apply to the residential component of the mixed use development or residential apartment buildings on the site.
Restrictions on development in Zone B4 Mixed Use (Clause 6.9) <i>This clause requires the ground and first floors of new buildings, or changes of use of existing buildings, to be used for commercial or other non-residential uses.</i>	Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the following intended outcomes: <ul style="list-style-type: none"> • Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and • Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.

Council has progressed the draft consolidated Canterbury Bankstown LEP which has been publicly exhibited and is with the Department for finalisation. While this report refers to amending the Bankstown LEP 2015, to avoid any doubt, this application seeks to amend the equivalent clauses and maps within the Canterbury Bankstown LEP once it becomes effective.

Figure 4: Proposed precinct map including proposed maximum FSRs and height of buildings

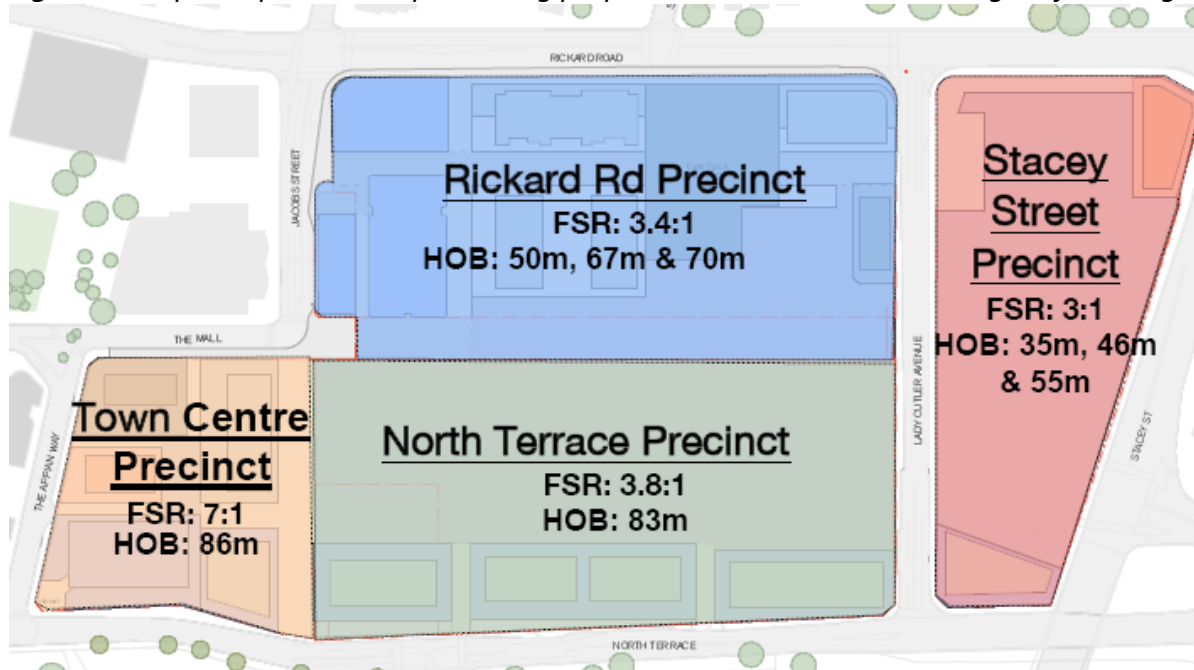


Figure 5: Existing Floor Space Ratio Map

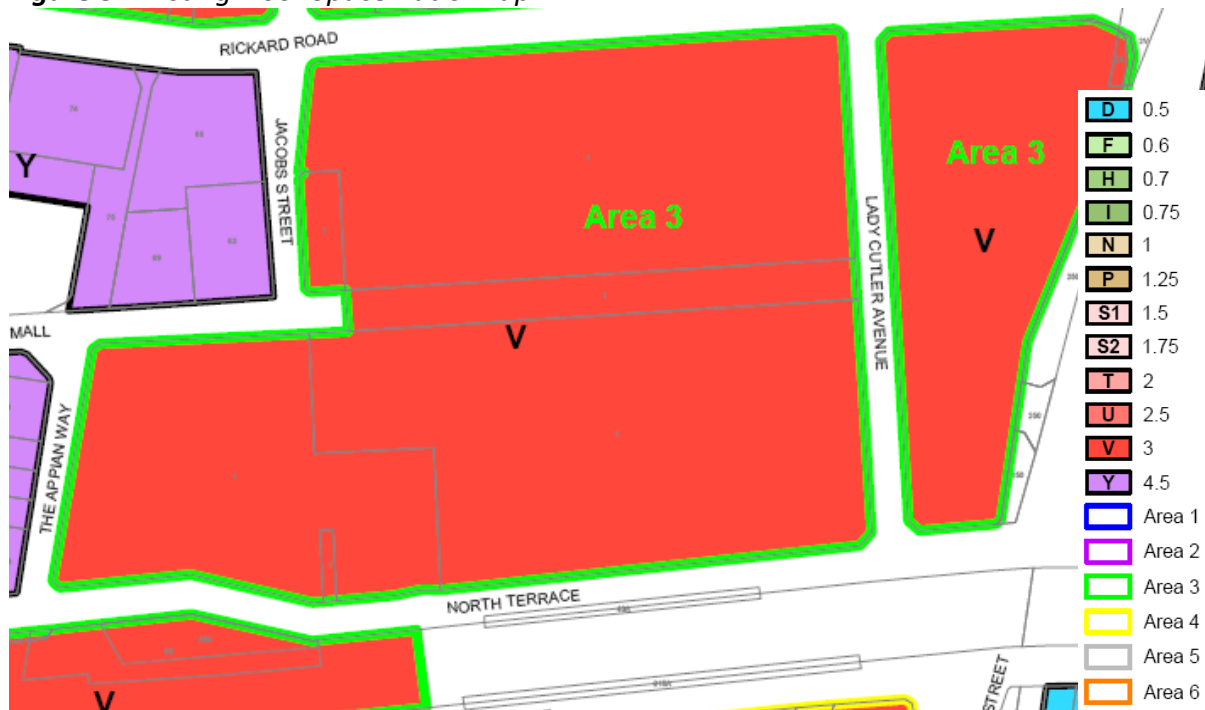


Figure 6: Applicant's Proposed Floor Space Ratio Map

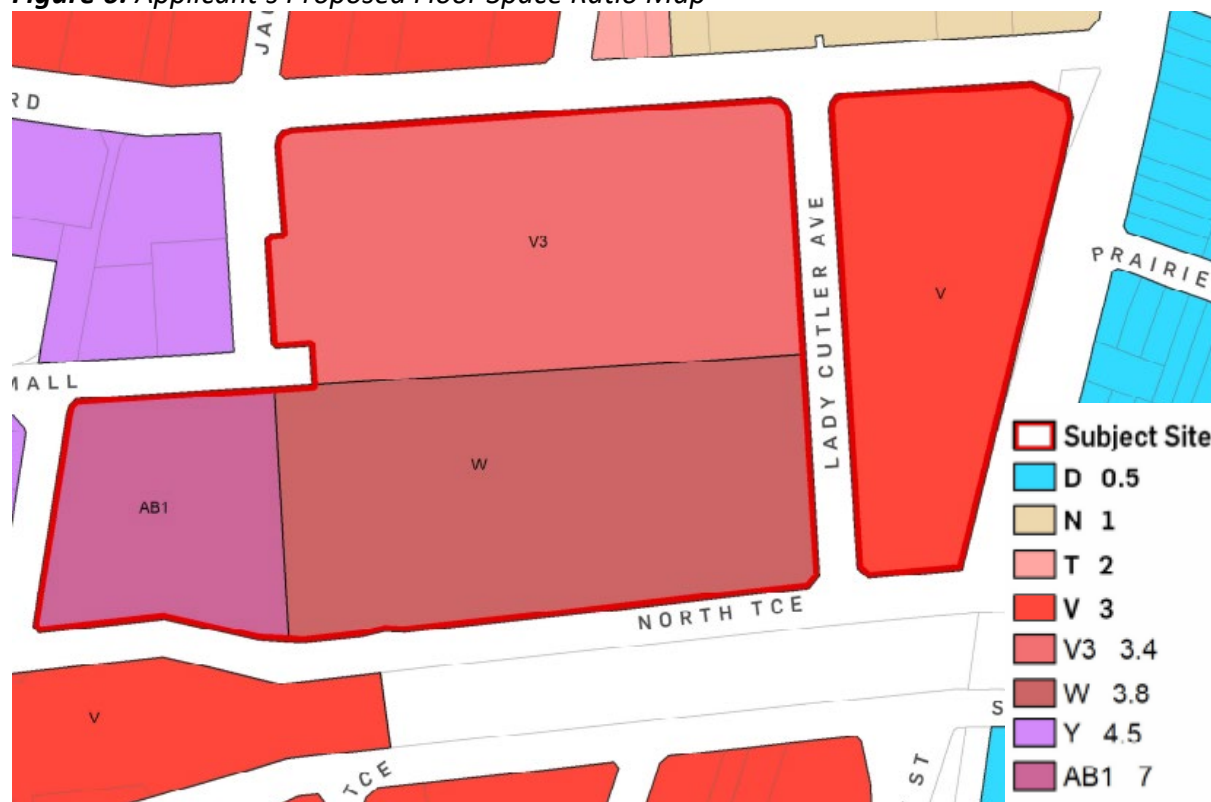


Figure 7: Existing Building Height Map

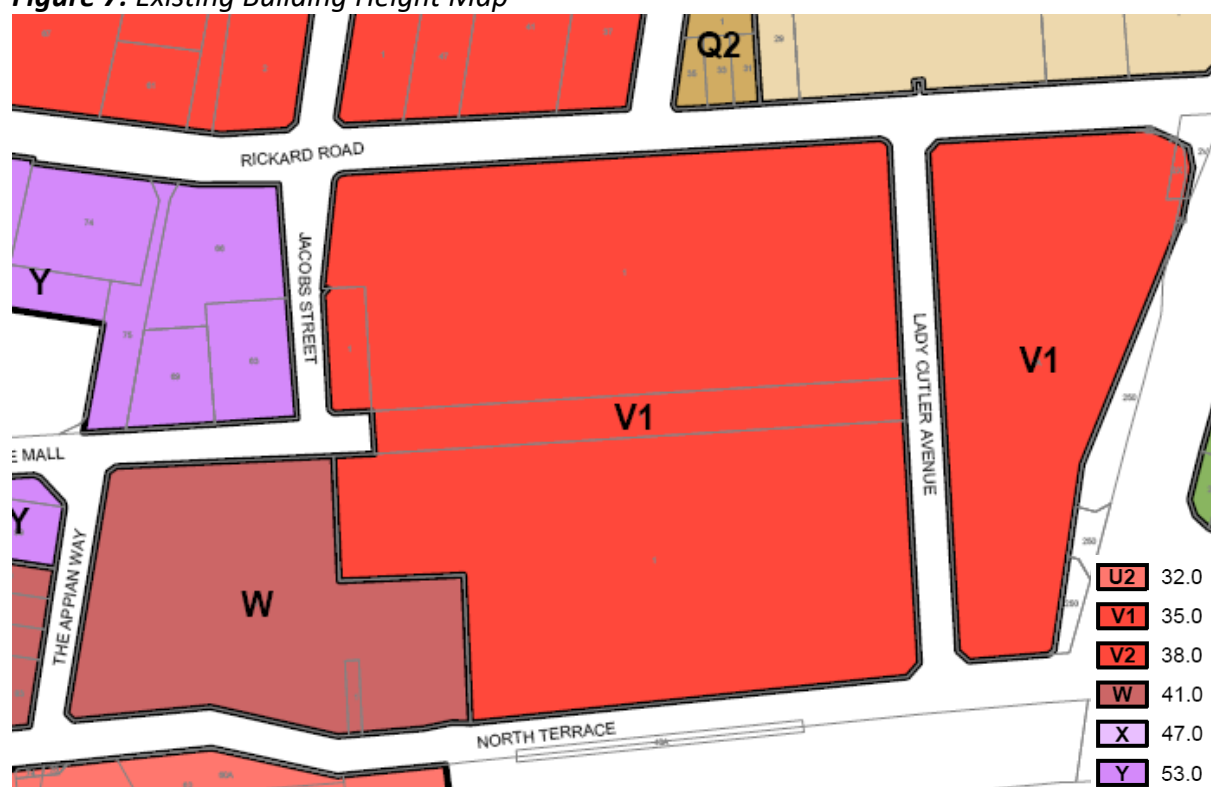


Figure 8: Applicant's Proposed Building Height Map

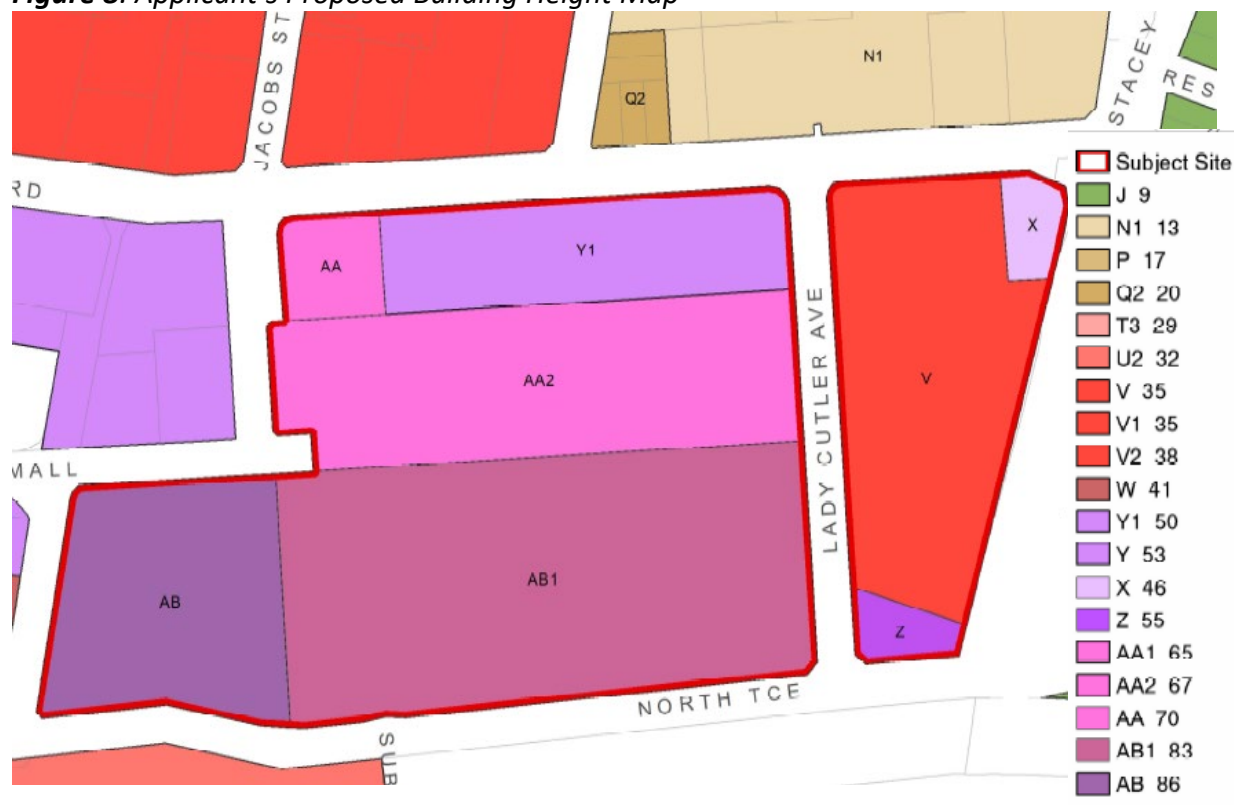
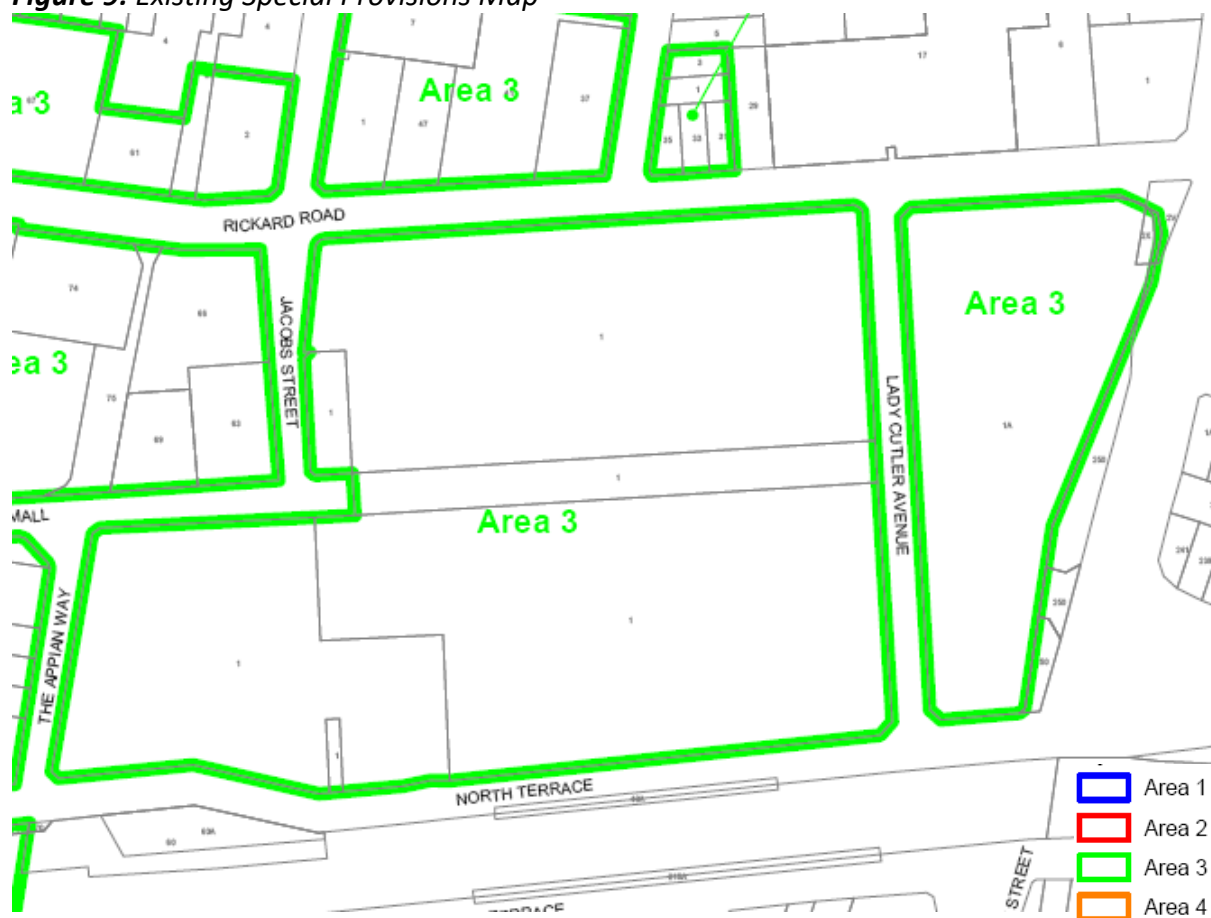


Figure 9: Existing Special Provisions Map



The Planning Proposal is supported by the following technical studies and supporting documentation submitted by the proponent:

- Planning proposal report prepared by Urbis.
- Applicant's Response to Request for Information, Draft Site Specific Development Control Plan and Revised Planning Proposal Supporting Reports (July 2020) including:
 - Revised Planning Proposal Diagrams prepared by FJMT.
 - Bankstown Market Assessment prepared by Urbis.
 - Updated Transport Impact Assessment prepared by GTA Consultants.
 - LEP Mapping prepared by Urbis.
 - Retail Development Potential Assessment prepared by Urbis.
- Revised Planning Proposal Maps and Metrics prepared by Urbis and FJMT (February 2022).
- Concept Design and Urban Design Report prepared by FJMT.
- Preliminary Traffic Impact Assessment prepared by Colston, Budd, Rogers and Kafes.
- Revised Transport Impact Assessment prepared by GTA Consultants.
- Preliminary Aeronautical Height Assessment prepared by Landrum & Brown Worldwide.
- Community Needs Analysis prepared by Urbis.
- Economic Analysis 'Becoming the Magnetic Centre of the Region' prepared by Urbis.
- Draft BLEP 2015 Mapping prepared by Urbis.
- Landscape Concept Master Plan prepared by FJMT and Urbis.
- Revised Draft Site Specific Development Control Plan prepared by Urbis.
- Record of Feedback from Council on concept Master Plan submitted by proponent.
- Letter of Offer and Affordable Housing Statement of Intent prepared by Vicinity Centres.

A site specific draft Development Control Plan has been submitted by the proponent that provides objectives and development controls to guide the future development of the site. The Development Control Plan submitted with the Planning Proposal will be amended by Council for exhibition concurrently with the Planning Proposal and draft Planning Agreement.

Council commissioned external consultants to prepare traffic, social and economic peer reviews of the application.

Development Outcome and Yields

The Planning Proposal includes the following key elements (refer to Table 3 below for details):

- The redevelopment of the site from a shopping centre to a genuine mixed-use precinct, including retail, commercial offices, hotel and serviced apartments, residential (including build to rent), student and key worker accommodation (for health workers and the like) that will complement the location of the Western Sydney University Campus (Bankstown) and potential future new Bankstown Hospital.
- The significant improvement in the public domain in the heart of the CBD, including the provision of new public open space in the form of a public park and new pedestrian focussed boulevards and plazas.
- Creation of four precincts for the site (Town Centre, Rickard Road (north and south), North Terrace and Stacey Street, refer to Figure 4) to assist with master planning the large site consistent with the intended staging and retention of large sections of the current shopping centre.
- Provide a variety of height controls across the site up to 86m and to consolidate density towards the future metro station and North Terrace and height transition to surrounding properties in line with the Bankstown Master Plan.

- Allow residential apartment buildings along the northern side of the site to Rickard Road without the need to provide commercial uses at ground and first floor level.

To achieve the above, the proposal seeks to facilitate the following development yields:

- Retail: 15,041m² (in addition to existing 91,000m² retail floor space)
- Commercial offices: 119,117m²
- Hotel: 439 rooms plus 89 serviced apartments
- Residential: 1,255 apartments
- Student Accommodation: 694 units
- Childcare: 891m²
- New public open space: 5,000m² public park plus 5,615m² pedestrian focussed plazas and boulevards.

The table below provides details of the potential Gross Floor Area that would result from the proposed maximum Floor Space Ratios and building heights for each Precinct.

Table 3: Summary of proposed FSRs, building height and resultant yield by precinct

Precinct	Proposed Max FSR*	Maximum Proposed Building Height (storeys approximates only)	Proposed Gross Floor Area Yield
Town Centre	7:1	86m (RL 108.2 PANS-OPS), approx. 25 storeys	106,437m ²
Rickard Road	3.4:1	Precinct North - 50m and 70m, Approx. 15 to 20 storeys Precinct South - 67m, approx. 19 storeys	127,882m ²
North Terrace	3.8:1	83m, approx. 20 - 25 storeys (subject to mix of uses)	139,824m ²
Stacey Street	3:1	North Tower – 46m, approx. 11-13 storeys South Tower – 55m, approx. 16 storeys Remaining central shopping centre core retained at 35m	73,380m ²
Total	3.9:1	-	447,523m²

**Note: The bonus 0.5:1 FSR currently permitted on the site under Clause 4.4A “Additional gross floor area for more sustainable development in Bankstown CBD commercial core” in BLEP 2015 currently applies to the site. The above density calculations quoted do not include the 0.5:1 bonus FSR as this is not proposed to apply to the site under the proponent’s Planning Proposal.*

The Planning Proposal will increase from the existing 3.5:1 (inclusive of the 0.5:1 sustainability bonus under Clause 4.4A) to a maximum FSR of 3.9:1 for the site overall. It is not proposed to apply the LEP sustainability bonus to the site. The total GFA of the site when developed to the maximum proposed FSR is 447,523m², which is 48,268m² more than the maximum possible floor space under the existing 3.5:1 FSR across the site.

It is estimated that the concept proposal would yield approximately 1,255 apartments plus 694 student housing units. The hotel accommodation component will result in 439 rooms plus 89 serviced apartments.

Each precinct will contain a different proportion of residential and non-residential land use. Due to the indicative nature of the development concept, the proponent has not submitted a detailed breakdown of the exact GFA of each land use proposed for each tower in each Precinct. The Planning Proposal will set the overarching parameters for the overall maximum floor space and minimum commercial/non-residential requirements for the site with the future development applications for the site to provide details on how each precinct will provide the mixed development outcomes consistent with the intent as set out by the planning proposal.

Figure 9A: Initial 3D render of concept development outcome for the site submitted with the application



Letter of Offer for Delivery of Public Infrastructure

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public infrastructure works located on or near the site to support the intensification proposed for the site:

- 5,000m² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

2.1 Canterbury Bankstown Local Planning Panel

In accordance with the Minister for Planning's *Local Planning Panels Direction* for Planning Proposals, the Local Planning Panel considered Council's assessment report and draft Planning Proposal on 7 March 2022 to provide advice to Council whether the matter should proceed to Gateway. The Panel's comments and recommendations, as provided in Attachment B, are:

Panel Comments

"The Panel supports the Planning Proposal which is consistent with the relevant Council and State Government strategic plans as outlined in the report to the Panel.

The Panel suggests the inclusion of the following matters as part of the recommendation to the Council:

- a Clarification of ownership and timing of delivery of the public park*
- b Ensuring that the proposed DCP be prepared prior to public exhibition and finalised prior to any development applications arising from the Planning Proposal being assessed.*
- c Ensure that the DCP will include (along with the various matters identified in the report) the following matters:*
 - car parking rates*
 - affordable housing target*
 - staging of the construction*
 - detailed built form controls*
 - communal and public open space*
 - long term arrangements for bus lay-bys (in conjunction with TfNSW).*
- d Confirming that the Planning Agreement will be finalised and executed prior to the amended LEP coming into operation and that the Planning Agreement benefits will be in addition to the standard development contributions.*
- e Finalising in the planning agreement the staging of the delivery of the benefits.*

The Panel also notes that Council has put forward its view to TfNSW about possible solutions for the long term bus arrangements, but that the issue still needs to be resolved. The Council staff recommendation highlights the importance of resolving this issue, and that is supported by the Panel."

Panel Recommendation

"The application to amend the Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following (refer to Figure 4 in the Council report for a map of the precincts):

1.
 - a. *Permit a maximum FSR between 3:1 to 7:1 in four separate precincts and an FSR of 3.9:1 for the site overall.*
 - b. *Permit a maximum building height of 86m for the Town Centre Precinct, 83m for the North Terrace Precinct, 50m, 67m and 70m for the Rickard Road Precinct and 35m, 46m and 55m for the Stacey Street Precinct.*
 - c. *Insert a subclause to exclude the subject site from obtaining up to 0.5:1 bonus FSR under Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core'. This is to provide certainty regarding the maximum FSRs that will apply to the site.*
 - d. *Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the intended outcomes as follows:*
 - i. *Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and*
 - ii. *Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.*
2. *Before the plan is finalised:*
 - a. *Council exhibits a draft Planning Agreement generally in accordance with the planning agreement Letter of Offer received from the proponent dated 4 February 2022 (including the proponents Statement of Intent dated 4 February 2022) to deliver public benefits / infrastructure to meet the needs for the future worker, resident and visitor population, as outlined in Section 4 of the Council report. This would be subject to the standard development contributions under s7.11 and s7.12 being payable in addition to the public benefits being provided consistent with Council's Planning Agreement Policy. The planning agreement is to include clarification of details of ownership / easement, construction and short and long term maintenance of the public park together with the timing of providing each of the benefits (including the whole of public park at one time).*
 - b. *A site specific DCP is prepared and exhibited with the Planning Proposal to define the development controls for all of the development and ensure close integration with the master planning for the Bankstown CBD, and specify the staging of the future development, as outlined in the Council report and this recommendation. The site specific DCP should be finalised before any development applications are submitted and a further clause should be added to the Planning Proposal to this effect. Along with the matters referred to in the Council report the DCP should include details about:*
 - (i) *how affordable housing will be provided on the site, consistent with the Statement of Intent provided by the applicant.*
 - (ii) *car parking rates*
 - (iii) *staging of the construction*
 - (iv) *detailed built form controls*
 - (v) *communal and public open space*

- (vi) *long term arrangements for bus lay-bys (in conjunction with TfNSW).*
- c. *Council and the proponent continue to work with Transport for NSW (TfNSW) to address traffic and transport related matters raised in TfNSW's preliminary comments received on the Planning Proposal. This should involve resolving the permanent location of the Bankstown bus interchange whether it is located on or off the subject site noting that the removal of the bus layover on the current site will require a rethinking of the way buses move through and layover in Bankstown.*
3. *The Planning Proposal and the relevant supporting reports are updated prior to the exhibition of the Planning Proposal.*
4. *After the Planning Proposal, DCP and Planning Agreement have been exhibited, a report be provided to Council outlining submissions received and the proponent's response to the issues raised from the exhibition and if necessary, from the Council report (for this current recommendation).*
5. *The Planning Agreement is to be finalised and executed before the LEP Amendment is made and published on the NSW Legislation website.*
6. *Council seek authority from the Department of Planning and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979."*

Community Submissions

Prior to LPP Meeting, Council placed an advertisement in the Torch Newspaper and sent letters to surrounding property owners and occupiers to advise that the Planning Proposal was to be considered by the Panel's at the Local Planning Panel Meeting on 7 March 2022, advise on where information on the Planning Proposal could be obtained and to invite submissions on the matter.

There were no submissions received by Council in relation to the Panel's consideration of this Planning Proposal.

Response to Local Planning Panel Recommendations

Council staff agree with the Local Planning Panel recommendations, and they have been incorporated into this report. The clarifications, proposed DCP controls, and planning agreement matters will be addressed prior to exhibition of the Planning Proposal, should it receive a Gateway Determination to progress.

2.2 Relevant Planning Applications for the Site

Development Application for Commercial Development

A recent development consent has been issued on this site which is a relevant consideration. On 19 July 2021 development consent was granted to DA-528/2020 for a commercial development in the north western corner of the site at the Rickard Road and Jacob Street intersection as shown in Figures 11-13 below:

- Demolition of the existing bus interchange and associated buildings near the north-west corner of the site.
- The construction of a new commercial development comprising two eight-storey commercial office towers with rooftop plant and one part five/part six-storey commercial office tower, with ground levels containing retail, wellness and food & beverage uses in an 'Eat Street' configuration.
- Construction of two levels of basement car parking, providing 322 car parking spaces.
- Changes to the existing shopping centre and existing at-grade car parking.
- The provision of access, basement car parking, and associated public realm works and landscaping.

Overall, the buildings incorporate 29,686m² of office floor space and approximately 6,000m² of retail floor space. The approved development was designed to the maximum 35m building height currently applicable under the BLEP 2015.

The approved development is consistent with the Planning Proposal insofar as the footprint of the approved development sits wholly within the Rickard Road North Precinct and will maintain a clear 20m wide pedestrian access boulevard that acts as an extension to The Mall. The northern most tower (Tower 2) is located in the proposed 70m building height under the Planning Proposal. Subject to an LEP amendment being made consistent with this planning proposal, the proponent will be required to obtain a new development consent for any increase in the height of Tower 2 to achieve the proposed 70m building height.

Figure 10: Approved development site plan (DA-528/2020). Red arrow shows The Mall pedestrian access (20m wide)

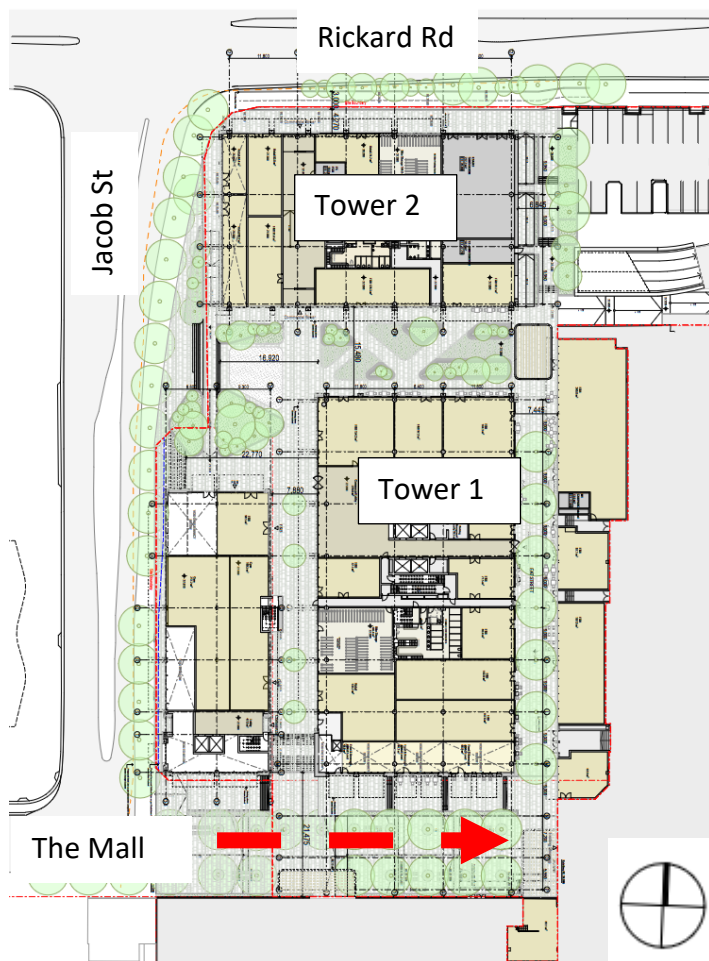


Figure 11: Approved commercial development (DA-528/2020) as viewed from Jacob Street. The extension of The Mall is shown on the right.

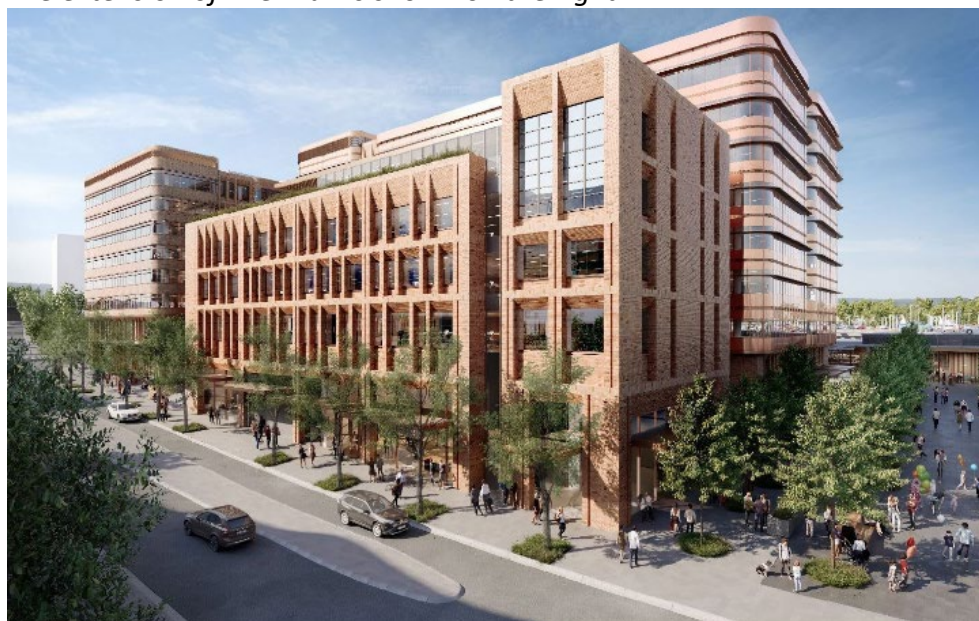


Figure 12: Approved commercial development (DA-528/2020) as viewed from the extension of The Mall pedestrian access, looking north.



3. ASSESSMENT OF KEY ISSUES

In relation to the proposed amendments to the BLEP 2015, Council's assessment findings indicate the application has strategic merit as it will:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high quality public transport infrastructure.
- Provide a diverse range of housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

It is noted that the applicant has since provided an updated Planning Proposal and supporting documents to align these documents with the proposal considered by the Local Planning Panel. These documents were provided after the Local Planning Panel Meeting of 7 March 2022 and reflect the assessment of the Planning Proposal by Council Officers and bring these documents up to date given the changes to the Planning Proposal since its lodgement in 2019. The documents are attached to this report and include the following:

- Revised Draft Development Control Plan.
- Revised Landscape Concept Plan.
- Revised Planning Proposal.
- Revised Urban Design Statement.

These updated documents do not impact the Council Officer assessment or the change the recommendations of this report.

4.1 Consistency with Strategic Planning Framework

4.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan (GRSP) 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 proposal will facilitate economic investment in the Canterbury Bankstown LGA during the construction and operational phases, provide significant new employment generating floor space and housing and will assist with Bankstown further evolving into its strategic centre role.

The Planning Proposal is consistent with several planning objectives in the GSRP. These include:

- Objective 4: Infrastructure use is optimised.
- Objective 6: Services and infrastructure meet communities' changing needs.
- Objective 7: Communities are healthy, resilient and socially connected.
- Objective 10: Greater housing supply.
- Objective 14: A Metropolis of Three Cities - integrated land use and transport creates walkable and 30 minute cities.
- Objective 22: Investment and business activity in centres.

4.1.2 South District Plan

The GSC released the South District Plan on 18 March 2018 to give effect to the GSRP. The South 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 redevelopment of the site that would result from this proposal will deliver a genuine mixed use precinct and increased opportunities for social interaction on the site through a new public park, pedestrian boulevards and plazas and improved interface with the new Metro station and relationship with surrounding land uses and street network. The proposal aligns with the following South District Planning Priorities:

- Planning Priority S3 – Providing services and social infrastructure to meet people's changing needs.
- Planning Priority S4 – Fostering healthy, creative, culturally rich and socially connected communities.
- Planning Priority S9 – Growing investment, business opportunities and jobs in strategic centres.
- Planning Priority S12 – Delivering integrated land use and transport planning and a 30-minute city.

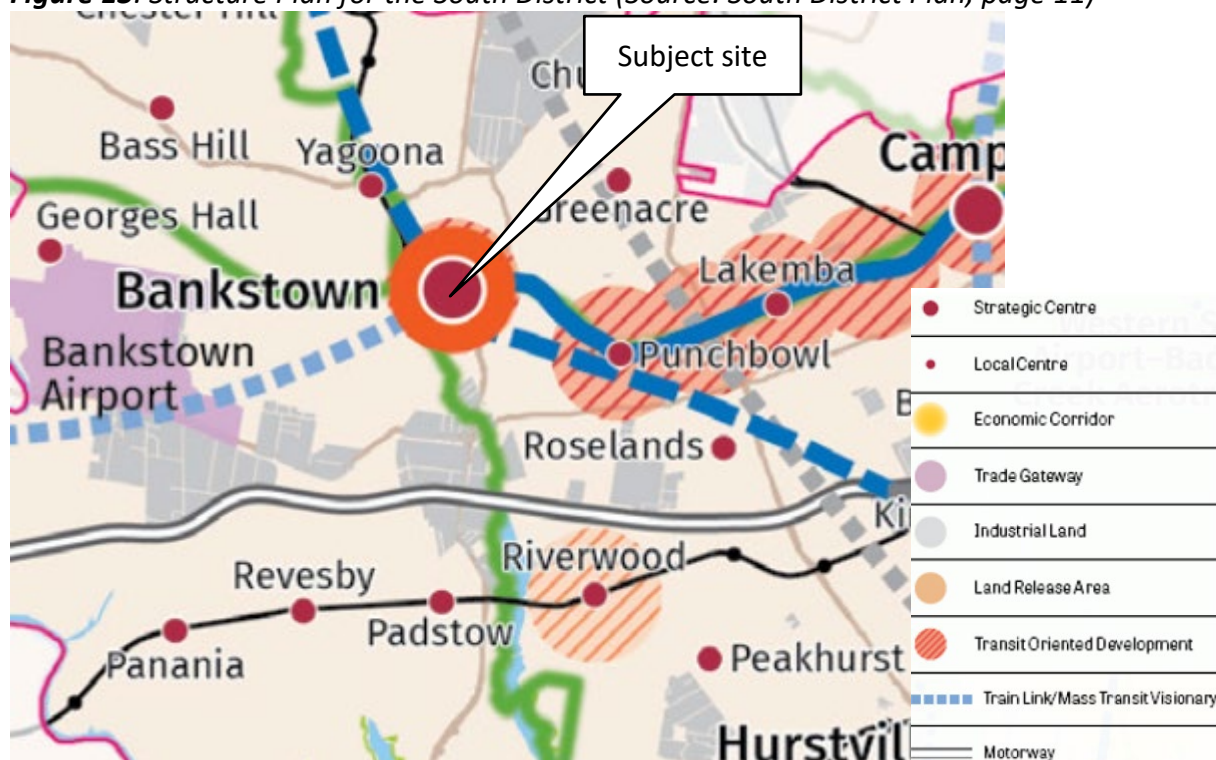
The application will enable the delivery of transit-oriented development and co-locate facilities and services which is consistent with the principles for strategic centres in the South District Plan. The proposal will contribute to the 30 minute city vision of the Plan by providing employment opportunities and new housing within the same location and adjacent to a future Metro station with high frequency services to other strategic centres and the broader Sydney Region.

The proponent has committed to the delivery of public infrastructure and benefits including a new public park, an indoor multi-purpose facility, incubator space/co-working offices, cycleways and extension of Jacob Street to improve connectivity within the Bankstown CBD. These facilities will enhance walkability and cycling within the Bankstown strategic centre.

The proposal will deliver approximately 8,000 jobs to 2036 which is a significant contribution towards the South District Plan 2036 baseline target of 17,000 jobs for Bankstown. The proposal will also achieve consistency with the following Bankstown specific actions within the South District Plan:

- Encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy.
- Facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate.
- Encourage activation of secondary streets.
- Improve integration with existing and future rail and bus transport infrastructure in the Bankstown city centre.

Figure 13: Structure Plan for the South District (Source: South District Plan, page 11)

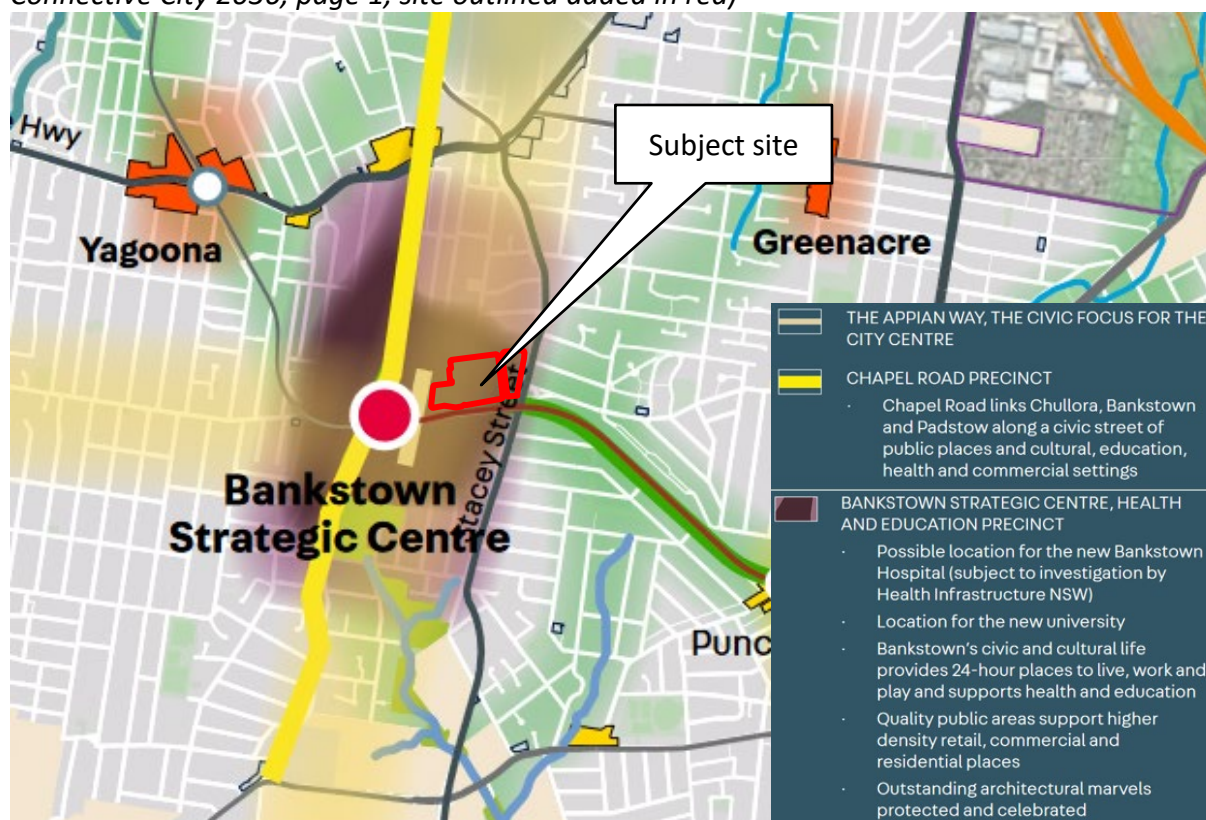


4.1.3 Local Strategic Planning Statement – ‘Connective City 2036’

The LSPS Connective City 2036 establishes a hierarchy of centres within the LGA and identifies Bankstown and Campsie as Strategic Centres, consistent with the GSRP and South District Plan and provides 10 “Evolutions” that will shape and deliver the objectives of the LSPS. The LSPS grants Bankstown “City Centre” status which is the highest categorisation in the city and notes that Bankstown along with Campsie, as the other Strategic Centre in the LGA, will be the key focus for jobs, cultural activities and housing.

The LSPS sets a housing target of 50,000 additional dwellings accommodating 80% of increased housing supply in established centres and sustainable growth in local village and small village centres. The LSPS nominates the Bankstown City Centre as the “economic heart of the City”, with targets for 25,000 jobs and 25,000 students by 2036. The LSPS also seeks to encourage visitor accommodation, affordable housing and provide for art and cultural services. The Planning Proposal is well positioned to deliver jobs (through retail and commercial office floor space), housing, visitor/hotel accommodation and social and community facilities in accordance with the objectives of the LSPS.

Figure 14: The LSPS 'Connective City 2036' plan showing the location of the site (Source: *Connective City 2036*, page 1, site outlined added in red)



The Planning Proposal is consistent with the primary objectives of the LSPS as it relates to the site, including providing high density housing near public transport, evolution of larger centres into vibrant urban places, provision of commercial and street-fronting retail space, local jobs and civic places. The Proposal will facilitate the delivery of residential accommodation and employment floor space on a site that is suitable for the scale and intensity proposed given the size of the site, its location within the CBD and near public transport infrastructure, the minimal overall amenity impacts to the adjacent areas and connectivity to nearby centres.

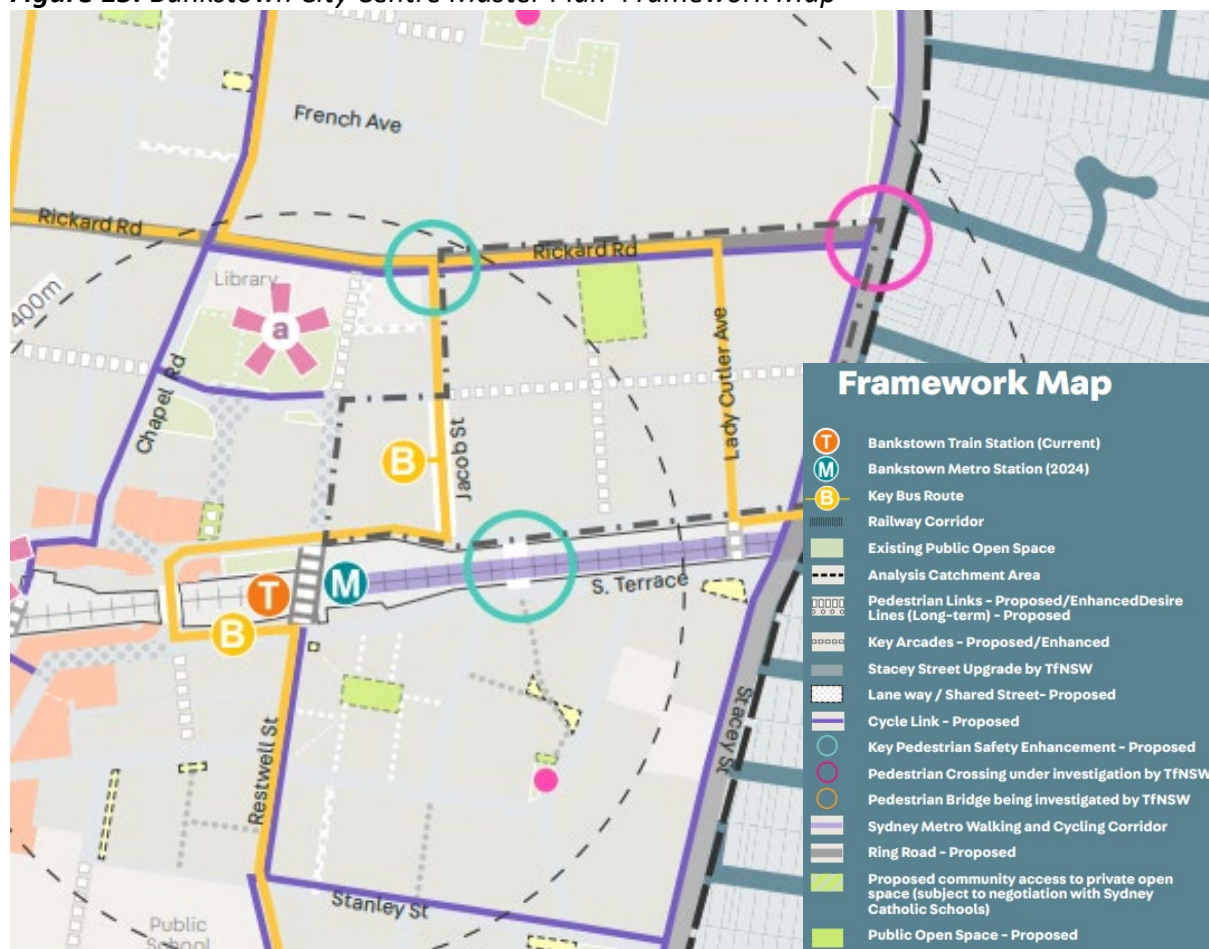
4.1.4 Bankstown City Centre Master Plan

As recommended in the Bankstown City Master Plan (Master Plan), Council resolved for the Bankstown Central application to proceed independently of the Master Plan, as it requires more detailed analysis and assessment given the size and complex nature of the site. The Master Plan provides direction on desired future through-site links, the location of open space and the seeking a minimum 50% of total floor space on the Town Centre Precinct of the Bankstown Central site to be employment-generating uses. The Master Plan identifies the opportunity for multi-purpose indoor sports facilities to be delivered as part of any redevelopment of key sites such as Bankstown Central (Action 1.1.5).

The adopted Master Plan also includes indicative height principles for the site based on the intensification strategy, noting that height of building controls and other matters will be tested and resolved separately through the Planning Proposal process. It is noted that the incentive clause mechanisms within the Master Plan do not apply to the Bankstown Central site in recognition of the large size of the site and its ability to be staged over time and deliver a significant proportion of future housing and jobs growth.

The Planning Proposal to implement the Bankstown Master Plan was submitted to the Department of Planning and Environment in March 2022. Council staff have been supportive of considering a separate Planning Proposal for this site given its size, complexity, public benefit offer, and the need for further detailed analysis and design considerations to be addressed during the preparation of a site specific DCP. Notwithstanding, the Bankstown Masterplan has provided principles for this site which have been reflected in the Planning Proposal.

Figure 15: Bankstown City Centre Master Plan 'Framework Map'



Indicative height principles based on Intensification Strategy at Section 2.3 of this Plan. Height to be resolved through separate Planning Proposal

***** Bold Form - Marker Sites

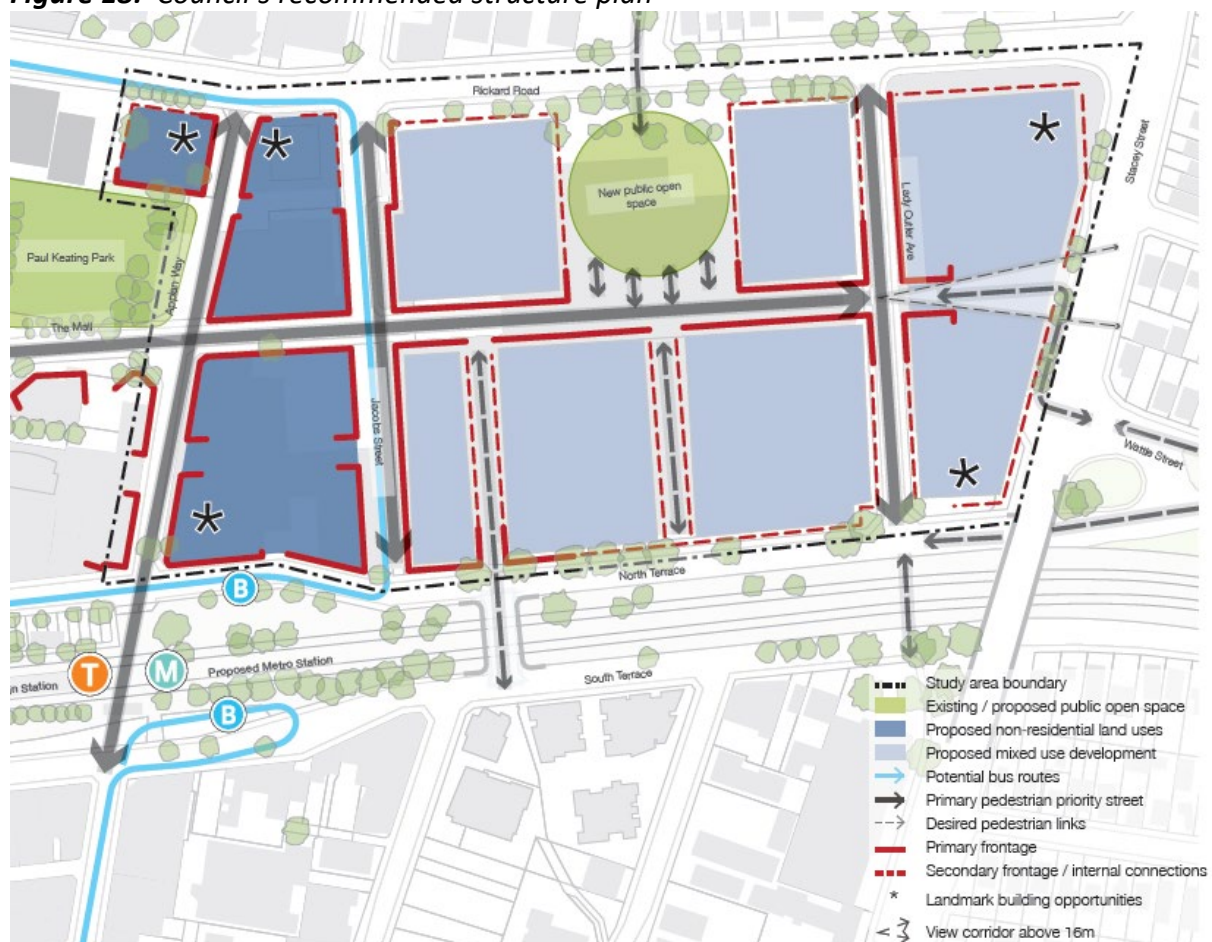
Council officers have held constructive discussions with the landowner and provided feedback on future master planning for the Bankstown Central site since 2015. Urban design and structure planning work was also undertaken in 2019 and urban design principles provided to the proponent as a guide for a future Planning Proposal in December 2019.

Ordinary Meeting of Council held on 26 April 2022

1. A new central open space/public park of 5,000m².
2. Jacobs Street is extended between Rickard Road and North Terrace.
3. An east-west link as an extension of The Mall running between Jacobs Street and Lady Cutler Drive.
4. Land bound by the Appian Way, Rickard Road, Jacobs Street and North Terrace to be reserved for commercial land uses. Residential land uses to be minimised in order to facilitate employment generating floor space and uses.
5. Pedestrian linkages between North Terrace and the new east west link.
6. Active frontages onto all streets and open spaces.
7. Breaking up the site into smaller city blocks with new roads and internal pedestrian connections to make the site more permeable for pedestrians, outward facing with active frontages and better integrated with the surrounding area.
8. Optimise the site layout to facilitate the easy movement of people to and from public transport facilities and interchanging with other transport modes.
9. Encourage walking by locating car parking on the periphery of the centre.
10. Appian Way is the primary north south pedestrian link for the centre (noting the 'centre' includes land beyond the site to the east).

The structure plan suggested by Council in 2019 illustrates these 10 structuring elements (see Figure 19 below).

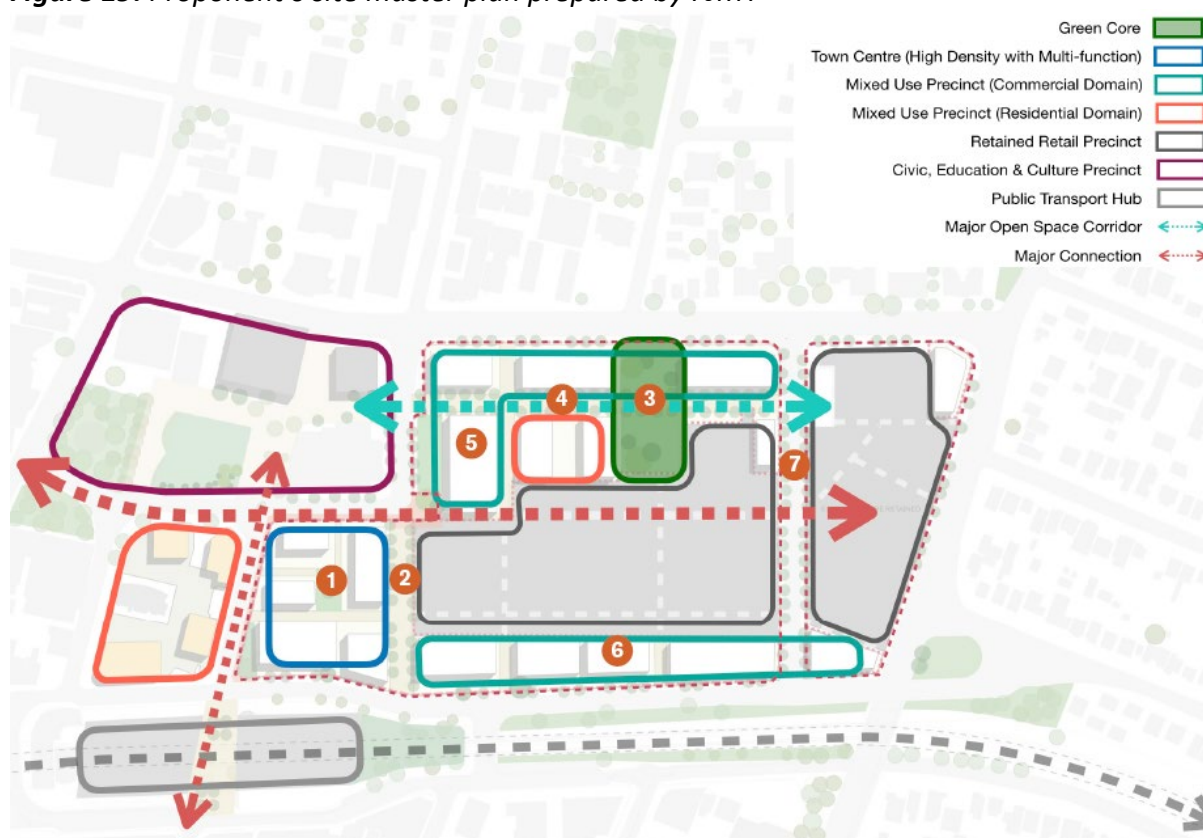
Figure 18: Council's recommended structure plan



The structure plan submitted by the proponent adheres to most of the principles developed by Council, and importantly provides a 5,000m² public park located on Rickard Road, extends Jacob Street and commits to 50% minimum employment generating uses for the Town Centre Precinct. Some of the differences between the 10 key urban design “structuring elements” developed by SJB Architects and the Planning Proposal include:

- The main east-west link is to the north of The Mall.
- The extension of The Mall through the site is to be pedestrian only and an internalised link through the shopping centre rather than an ‘open to the air’ thoroughfare.
- No new north south links between The Mall and North Terrace due to retention of the core central areas of the existing shopping centre.
- No changes to the Stacey Street Precinct in terms of providing pedestrian links.

Figure 19: Proponent’s site master plan prepared by FJMT



The proposed departures from Council’s suggested structure plan do not necessarily hinder achieving the desired outcomes. Of the above differences, a significant departure is that the east-west link suggested as an open extension of The Mall has been provided as an extension from Civic Drive to Lady Cutler Avenue. The Planning Proposal will facilitate instead of a dedicated street, an internalised east-west pedestrian link extending from The Mall to Lady Cutler Avenue. This new internalised pedestrian link will deliver similar positive pedestrian only connectivity outcomes within an all-weather protected environment. A pedestrian only link is also consistent with Council’s Bankstown Complete Streets policy.

The proponent’s east west link to the north off The Mall in addition to the internalised east-west extension of The Mall will also improve connectivity between the northern part of the site, the eastern edge of the CBD and the CBD core and rail/Metro stations to the west and south-west by linking with The Appian Way and Jacob Street extension.

Whilst an “open to sky” east west link as an extension of The Mall is not proposed in the proponent’s concept design due to the physical constraints imposed by the continued operation of the shopping centre, it is the position of Council staff that this Planning Proposal does not prevent such a thoroughfare being delivered as a longer term outcome for the site. The Planning Proposal vision includes retention of a vast majority of the existing shopping centre, which physically limits the ability to deliver a new pedestrian or slow traffic street through the middle of the site.

The other remaining inconsistencies between the proposal and Council’s suggested structure plan are relatively minor and will be further examined and addressed in the site specific DCP to be prepared and publicly exhibited by Council concurrently with the Planning Proposal and Planning Agreement. The key matters that will be addressed in the site specific DCP will include, but not limited to:

- Character statements and design objectives for each precinct
- Staging
- Active street frontages
- Podium and tower setbacks.
- Street wall height
- Building separation
- Landscaped areas
- Public open space and landscaping
- Solar access
- Environmental sustainability
- Car parking and vehicle loading, and
- Design quality (incl. principles for varied building heights).

Environmental Sustainability

To ensure future development on the site achieves a high standard of environment sustainability and building performance, the site specific DCP will include the requirement for an Environmentally Sustainable Design (ESD) report to be submitted with DAs to confirm what building design measures will be implemented to reduce construction waste and to minimise energy and water consumption once operational.

The DCP will also require commercial development to be designed consistent with the requirements of the National Construction Code, the National Australian Built Environment Rating System (NABERS), as well as certification under the Green Star and WELL rating systems. Future residential redevelopment of the site will be required to comply as a minimum with the relevant BASIX and NatHERS requirements. Further, the site specific DCP will include sustainability requirements such as the following which will also be implemented as part of the Bankstown City Centre Development Control Plan:

- Deep soil landscape controls for increased tree canopy across the site
- Reduced heat reflectivity and absorption controls for new buildings
- Revised natural ventilation controls
- Natural refrigerants for all cooling systems
- Stormwater collection and reuse
- Green roofs and green wall design, and

- Maximum car parking rates.

4.3 Floor Space Ratio

The Planning Proposal seeks an increase in FSR for the site overall from 3.5:1 to 3.9:1 which equates to approximately 48,300m² of additional floor space. The existing and proposed FSRs for each precinct are as follows:

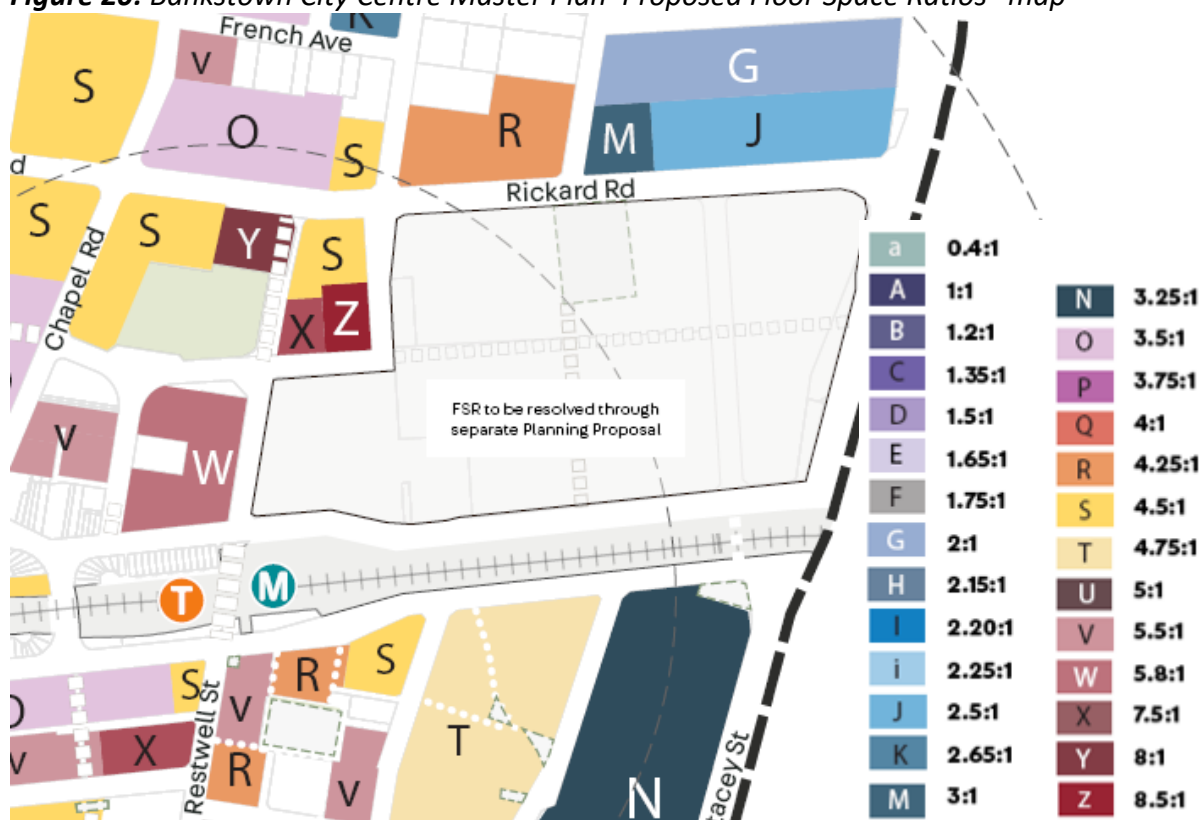
Table 4: Summary of current and proposed Floor Space Ratios for the subject site

Precinct	Current FSR	Current FSR + sustainability bonus (CI 4.4A)	Proposed FSR	Difference
Town Centre Precinct	3:1	3.5:1	7:1	+ 3.5:1
North Terrace Precinct	3:1	3.5:1	3.8:1	+ 0.3:1
Rickard Road Precinct	3:1	3.5:1	3.4:1	- 0.1:1
Stacey Street Precinct	3:1	3.5:1	3:1	- 0.5:1

The FSR of 7:1 proposed on the Town Centre Precinct seeks to capitalise on the location of that precinct close to the CBD core and within 50m of the Bankstown railway station and future Metro station. The increased FSRs for the Town Centre Precinct (7:1) and North Terrace (3.8:1) are supported by Council officers as the higher FSR is located in areas that are best suited to higher building density, and thus employment and dwelling floor space, due to their proximity to mass transit transport services, the minimal environmental impacts likely to occur on the surrounding area as a result of tall towers in these locations, and the location of nearby proposed public facilities including parks and open space within short walking distance. Further discussion of the solar impact analysis of this proposal is provided below under 4.4. Building Height.

Higher FSRs in these locations will also provide a logical transition in FSRs proposed within the Bankstown City Centre Master Plan on adjoining sites to the west and south which ranges from 4.25:1 to 8.5:1 (refer to the figure below). In context of the Master Plan, the proposed FSRs for the site are consistent with those on other strategically important sites within close proximity to the future Metro Station.

Figure 20: Bankstown City Centre Master Plan ‘Proposed Floor Space Ratios’ map



To ensure employment floor space is delivered to assist Council in achieving its jobs growth target the Planning Proposal will include a planning mechanism in BLEP 2015 to impose a minimum non-residential development floor space control of 50% for the Town Centre Precinct and a minimum 40% non-residential floor space across the entire site. The details of the planning mechanism will be included in the Planning Proposal prior to exhibition.

The precinct based approach to applying different FSRs to each precinct is considered a logical and practical means of locating density in the right location and delivering the vision for the site and the Bankstown CBD. The precinct based FSRs will be reflected in the draft BLEP 2015 maps and assist with the staged delivery of public benefits linked with a Planning Agreement.

The proposed FSRs in this Planning Proposal are consistent with Council’s objectives for the future growth of the Bankstown CBD in the LSPS and in the Master Plan and to cater for the expected worker and resident population by 2036. The use of an overall FSR is mainly to assist with comparisons with the current overall FSR under BLEP 2015. This has no impact on the FSRs sought for the proposal which remain as per the proposed FSRs for each precinct as outlined in Table 4 and an overall FSR for the site is not proposed to be applied as an LEP Amendment.

4.4 Building Height

The Planning Proposal will allow the site to deliver increased building heights consistent with Council’s and the State Government’s future desired character and adopted strategic vision of the Bankstown CBD.

The tallest building heights are proposed on the western and southern sides of the site, forming a cluster of taller towers in a future CBD core. This approach is supported as it is located closer to the Bankstown Railway and future Metro Station and forms a synergy with future development on the Compass Site (83-85 and 99 North Terrace and 62 The Mall) which permits towers up to 83m/approx. 25 storeys, Western Sydney University at 83m and the 'Hoyts' cinema site (63 The Mall) up to 74m/19 storeys. The proposed building heights will progressively lower in height across the site from south west to north and east to provide a scale transition with the areas to the north and east of the site.

The proposed heights are constrained to the maximum PANS-OPS building heights permitted under aeronautical constraints imposed by proximity of the site with Bankstown Airport. The maximum building height limit of RL 108.2 is consistent with the Airspace Constraints Study commissioned by Council as part of the Bankstown City Centre Master Plan. It is anticipated that referral of the Planning Proposal to the Bankstown Airport operator, Sydney Metro Airports and the relevant Commonwealth authorities such as Civil Aviation Safety Authority (CASA), would be undertaken by Council consistent with the conditions of a Gateway determination.

The recommended building heights have been assessed for solar access impacts and found that height has been located in areas to minimise impacts. The proposed building heights will maintain solar access to key public spaces including the future public park facing Rickard Road located on the site and the future extension of The Appian Way that will form a new pedestrian plaza between the existing heavy rail line and the new Metro station (to be delivered by 2024). A majority of the overshadowing will fall onto the railway corridor to the south of the site, to the east of the future Metro Station.

The site specific DCP to be prepared by Council will ensure the varied distribution of heights is controlled to provide a visually interesting skyline as the site develops with some variation in tower heights. Development controls such as building separation, podium/street wall heights, setbacks, solar access, car parking and landscaped areas will assist with providing appropriate built form outcomes consistent with the objectives of the Planning Proposal and strategic vision for Bankstown CBD.

The Planning Proposal building heights are compatible with the building heights envisaged for the site as part of Council's suggested structure plan of 2019. The structure plan recommended landmark towers in the north east, north west, south west and south east corners of the site and opportunities for the tallest towers to be located in the south west corner (referred as the Town Centre Precinct in this Planning Proposal), along North Terrace and on the eastern side of the site.

Council's suggested structure plan recommends towers up to RL108.2 (approximately 25 storeys) in the Town Centre and Stacey Street Precincts which is the maximum permitted under PANS-OPS aeronautical operational constraints imposed by Bankstown Airport airspace safety requirements (refer to

Figure 22 below).

Council's assessment of the proposal has given regard to the design principles for the site in the suggested structure plan and the Bankstown Master Plan, and it supports locating the tallest towers in the Town Centre Precinct (up to 86m) and along the southern edge of the North Terrace Precinct (up to 83m). The location of these taller building heights aligns with the Bankstown Master Plan which proposes towers ranging in height from 19 to 25 storeys closest to the Town Centre Precinct including sites ranging from 15 to 25 storeys on the southern side of the railway line (see Figure 21).

Figure 21: Bankstown City Centre Master Plan 'Proposed Building Heights' map

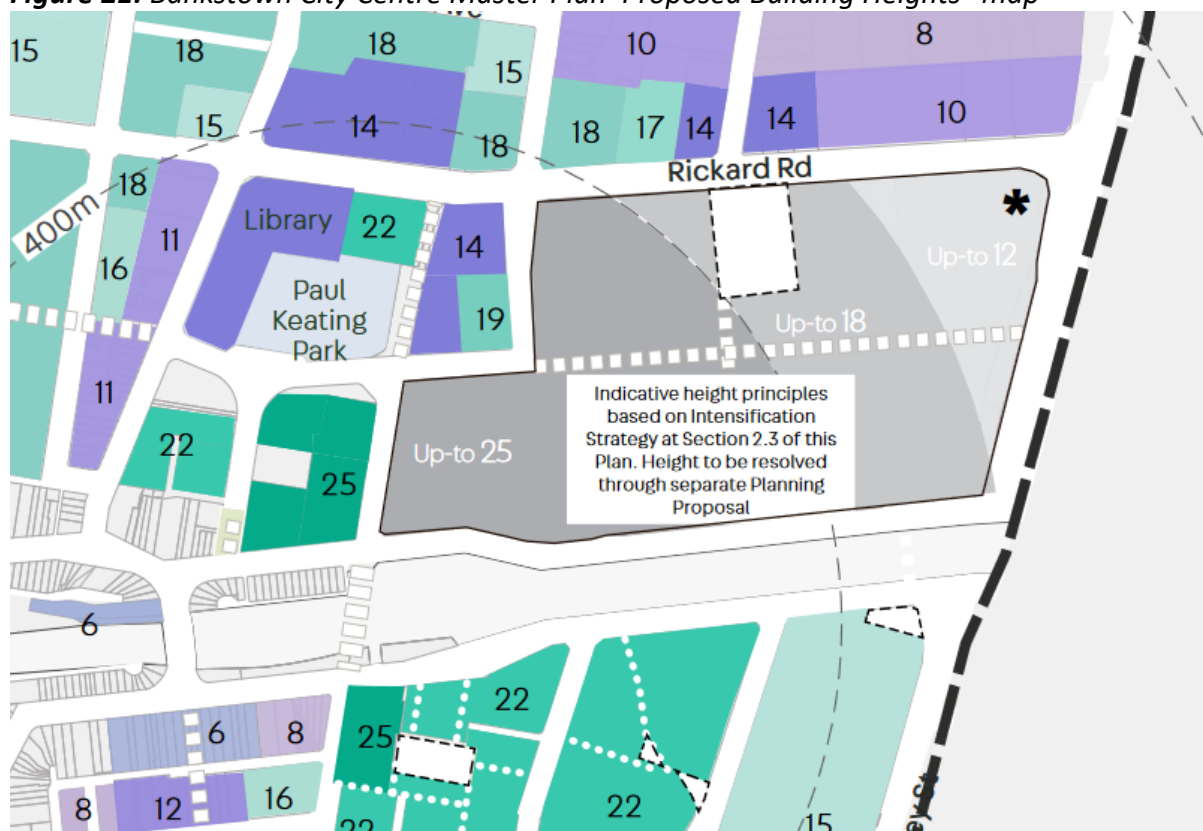
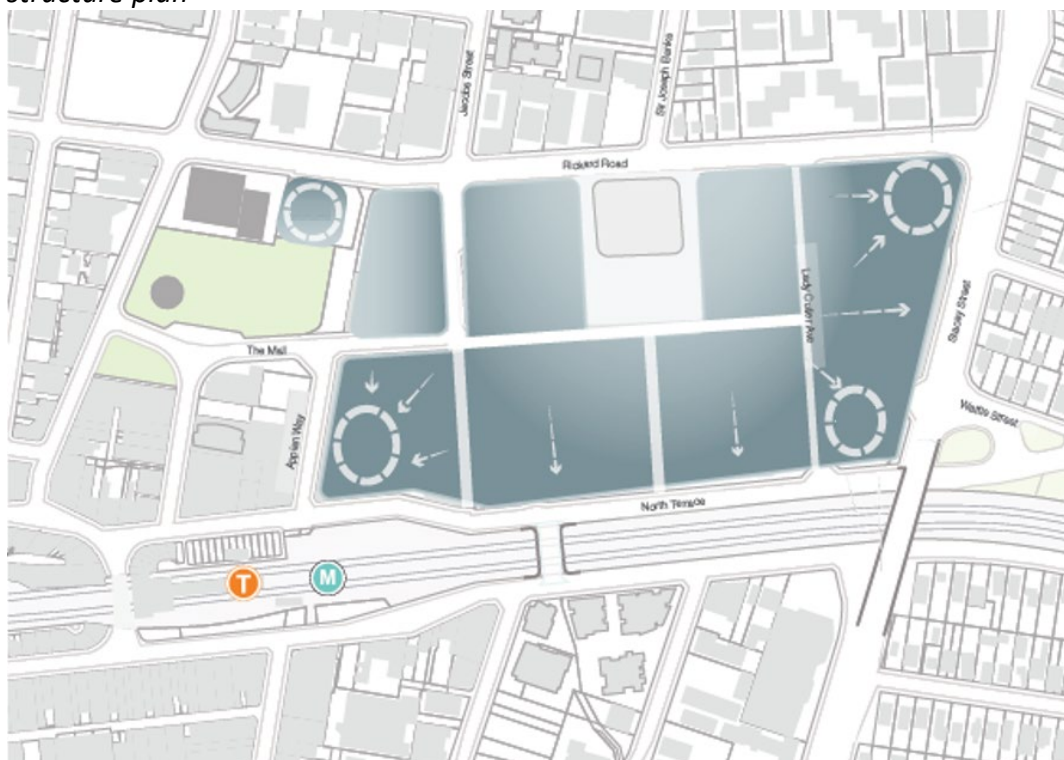


Figure 22: Recommended landmark tower locations (circled) from Council's suggested structure plan



A discussion of the key matters addressed during the assessment of building height implications for each Precinct is provided below.

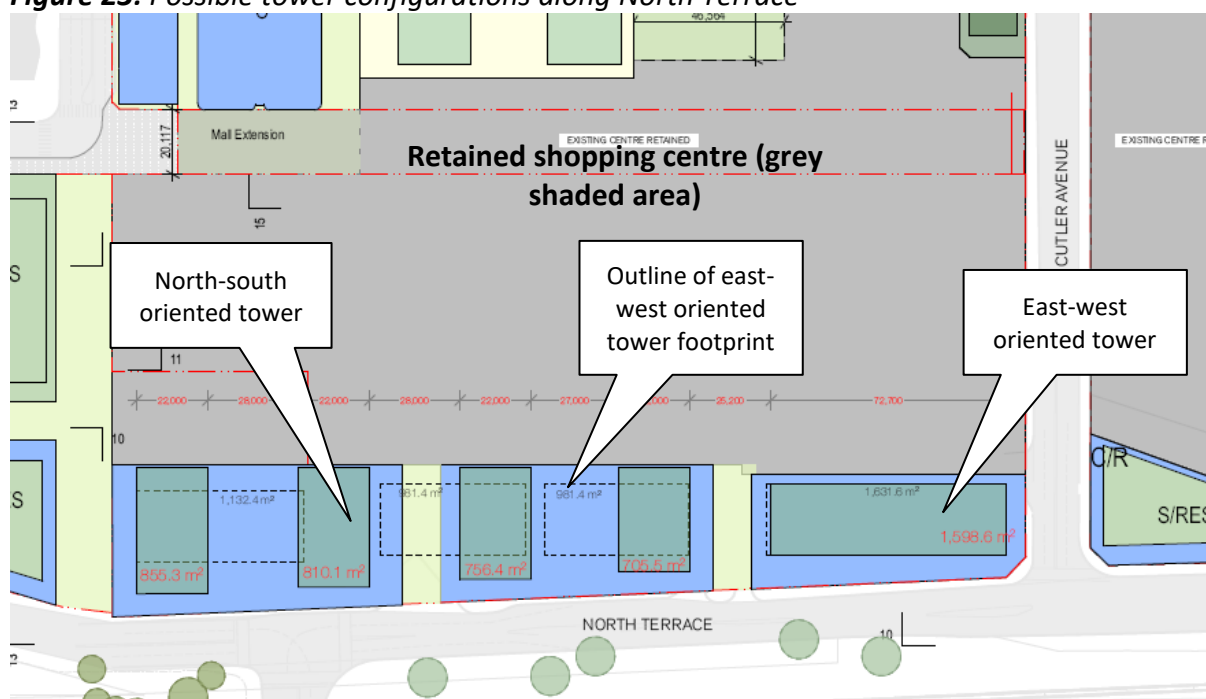
Town Centre Precinct and North Terrace Precinct

Council's assessment of the building heights for the Town Centre precinct considered potential solar access impacts on The Appian Way and onto the proposed pedestrian concourse to be constructed between the existing Bankstown railway station and the future Metro station as an extension of Restwell Street. Council's Bankstown Master Plan designates The Appian Way and Restwell Streets as 'Key Streets' and development must maintain solar access to 50% of these streets between 12pm-2pm on the Winter Solstice.

The solar analysis conducted for the proposal illustrates that 86m tower heights (RL 108.2) has no impact on the solar access achievable on the future Metro Station concourse between 12-2pm, nor will the proposal cast shadows onto the Appian Way after 11.30am on the Winter Solstice.

The Planning Proposal seeks to enable towers up to 83m along the North Terrace frontage of the site (on the southern edge of the North Terrace Precinct). Because the concept design seeks to retain the central core of the existing shopping centre, this will create a relatively narrow strip of land along North Terrace where four towers are proposed to be located. The proponent provided building footprints showing towers up to 72m in length may be provided in this location in an east-west orientation due to the constraints of the site. See figure below.

Figure 23: Possible tower configurations along North Terrace



The figure above also shows indicative alternative tower forms orientated north-south which could have 22m lengths to North Terrace. Council's preference is for towers along North Terrace to have a north-south orientation to minimise visual bulk and building mass. Taller, narrower tower forms in a north-south orientation would also have the potential to minimise solar access impacts to the residential development to the south along South Terrace. It is intended to manage this issue by including objectives, and development controls if necessary in the site specific DCP to ensure towers along North Terrace minimise visual bulk and mass and maximises building separation to provide visual interest and higher amenity of occupants on and off the site in accordance with SEPP 65 and the Apartment Design Guide.

The site specific DCP will require any towers on the site to demonstrate through solar access modelling that the private open space and key living spaces of adjoining residential properties will not be adversely impacted on the Winter Solstice by future development on the site.

Stacey Street Precinct

Two towers are proposed to 'bookend' the Stacey Street precinct which comprises land bound by Stacey Street, Rickard Road, Lady Cutler Drive and North Terrace. The northern tower height of 46m will act as a marker for the eastern edge of the Bankstown CBD. The southern tower will have a maximum building height of 55m and will provide a transition to the taller towers to the west in the North Terrace Precinct. The site specific DCP will include controls to ensure noise, odour and other amenity impacts from road traffic on Stacey Street and noise from the railway line are appropriately managed to ensure amenity of residents within future residential towers will be protected.

The tower heights proposed in the planning proposal give regard to the building height 'Intensification Strategy' of the Bankstown Master Plan which provides a coherent approach to applying heights across the Bankstown CBD with the tallest buildings and thus greater population density near the Bankstown railway station/future Metro station and reducing building heights the further distance from that central point. The proposed tower heights of 46m (corner Stacey St and Rickard Rd) and 55m (corner Stacey St and North Terrace) also consider the fact that the majority of the Stacey Street Precinct will remain a lower scale retail shopping centre building as part of this Planning Proposal.

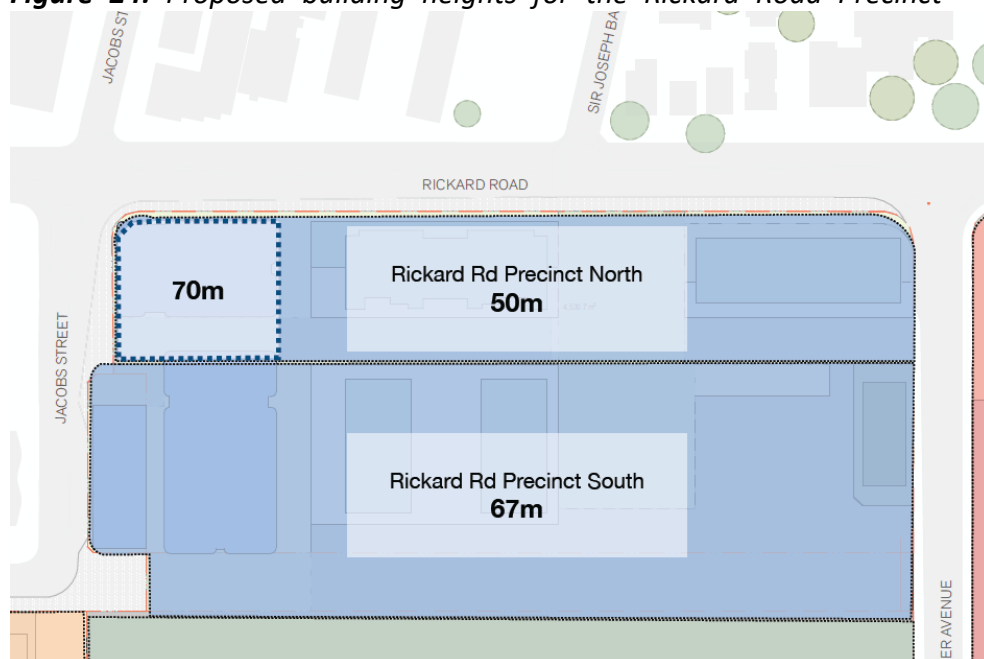
The Stacey Street Precinct is proposed to be developed as the final two stages by the proponent. The proponent has advised that leases for the two largest tenancies within the Stacey Street Precinct, Woolworths and Big W, expire in 2046. Dan Murphy's lease expires in 2036. The constraints imposed by the large size of these anchor tenancies, and the long term lease expirations, will dictate when the Precinct will be available for redevelopment. For these reasons, the Planning Proposal will not increase the building height above the central core of the existing shopping centre and the existing 35m maximum building height will be maintained for the majority of the Stacey Street Precinct.

Rickard Road Precinct

The Rickard Road Precinct is split into two precincts, with the Rickard Road North Precinct proposing a predominant maximum building height of 50m with a 70m building height on the western end of the North Precinct, at the intersection of Jacob Street and Rickard Road. This 70m building height is taller than Council's suggested structure plan which recommends a 35m building height (approximately 10 storeys) along the entire northern side of the Rickard Road Precinct. The proposed 50m height is acceptable as it will be consistent with the 48m to 61m maximum building height along the northern side of Rickard Road opposite the site under the Bankstown Master Plan. The taller tower element up to 70m on the western edge of the North Precinct is supported by Council, despite the departure from Council's suggested structure plan on the basis that a 70m building height:

- Demarcates an important corner within the CBD to the site and acts a landmark tower that signals the entrance to the northern 'core' of the CBD and creates a strong visual presence on the Bankstown Central site.
- Creates a small cluster of taller towers along this part of Rickard Road that transitions from the 70m tower element (approx. 20 storeys), to Council's 11 storey Civic Tower and terminating at the proposed WSU Bankstown campus tower (19 storeys, 83m). The proposed 70m height is similar to the maximum building heights opposite to the northern side of Rickard Road of 17 and 18 storeys.
- Achieves this additional height without impacting solar access to key public open space on and off-site.
- Enhances the prominence and stature of Rickard Road as a key thoroughfare/boulevard which is a roadway of a scale that is able to support taller towers in this location.

Figure 24: Proposed building heights for the Rickard Road Precinct – North and South



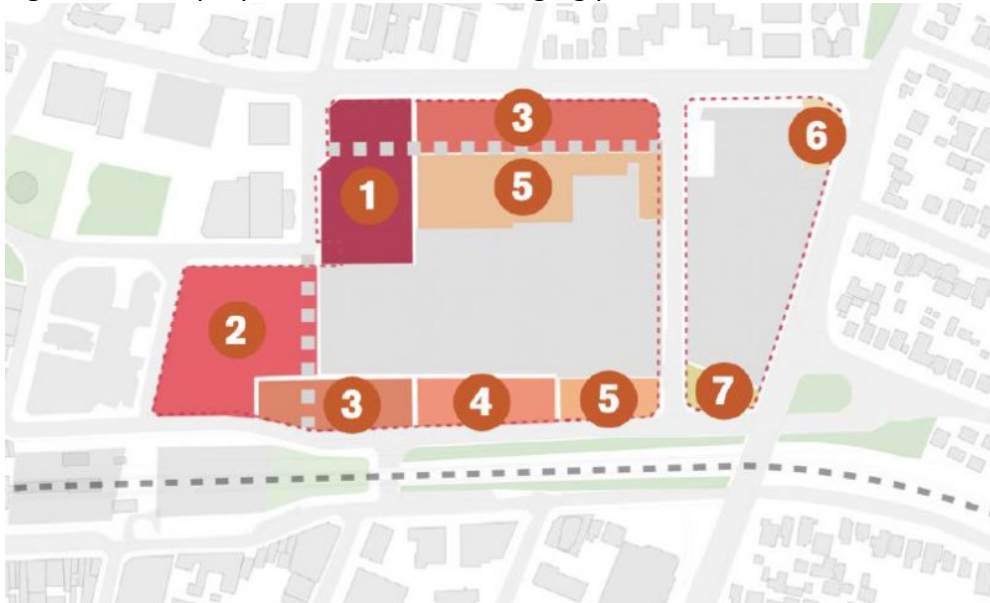
4.5 Staging

The Planning Proposal envisages delivery over seven stages (refer to **Figure 25**). The proposed staging is largely influenced by the timing of commercial lease expiration of large retail tenants within the Bankstown Central shopping centre site. The staging of the Planning Proposal is important to understand how redevelopment will occur over the site over the coming years, as well as how a future planning agreement for public benefits would be linked to each stage:

Stage	Indicative Timeframe
Stage 1: Bus Precinct	2020-2025
Stage 2: Town Centre	2022-2027
Stage 3: North Terrace West + Rickard Road North	2023-2029
Stage 4: North Terrace Centre	2028-2032
Stage 5: North Terrace East + Rickard Road South	2030-2034
Stage 6: Stacey Street Precinct North	2032-2036
Stage 7: Stacey Street Precinct South	2034-2038

The proponent has provided reasonable detail regarding the constraints and Council is supportive of the staging of the delivery of the project, however the key public benefits including the public park, multi-purpose indoor facility and incubator space should be delivered as early as possible to ensure the increased resident and worker population on the site is able to use these facilities once they commence occupying the site.

Figure 25: The proponent's indicative staging plan



In light of the above, Council makes the following comments regarding the proponent's proposed staging:

- It is not desirable or practical for delivery of the new public park to be split across two stages with no certainty regarding when the second part of the park will be completed. The first part of the park completed would be located within the surrounding existing car parking with poor connectivity and activation with the existing centre.
- The Jacob Street extension should be carried out in a single stage, not split across two stages (Stages 2 and 3). This is to ensure that vehicle traffic, including buses, is able to move efficiently through the Bankstown CBD particular given the conversion of The Appian Way to pedestrian focussed shared zone.

Council recognises that despite the lease expiration timing issue, the delivery of the project is dependent on a number of external factors and broader economic influences. Council is cognisant that the staging provided by the proponent is indicative only and there is no guarantee that the timing proposed for the commencement of each stage of the project will proceed as nominated by the proponent.

Notwithstanding, the delivery of public infrastructure works that are required to support the intensification of the site must delivered in a logical sequence that is linked to the redevelopment stages and incorporated into the Planning Agreement that Council will continue to negotiate with the proponent to maximise certainty around the delivery of these items.

4.6 Affordable Housing

The proposal as originally lodged in 2019 included provision of 5% affordable housing on-site which was equivalent to around 48 affordable rental units. A peer review of the planning proposal commissioned by Council identified a future need for affordable housing for persons living in the Bankstown CBD noting that *"High density Bankstown CBD living is likely to become a place for not only lone person households but also couples with children too due to the*

services within reach and affordable housing choice". The peer review report supports the provision of 5% affordable rental housing on the site.

Over the course of the assessment of the application, Council exhibited and adopted the Bankstown Master Plan in late 2021. The Master Plan includes mechanisms to incentivise new development to deliver affordable housing, new infrastructure and employment generating floor space through an incentive height and floor space system. For sites to receive a Floor Space Ratio uplift of more than 1:1 above the current maximum FSR controls, the delivery of one of the following will be required:

- The delivery of on-site infrastructure,
- The delivery of affordable housing, or
- The delivery of substantial employment generating floor space (greater than 50%).

The Master Plan stipulates that development that is providing onsite infrastructure, or more than 50% employment generating floor space will not be required to contribute to affordable housing. The Master Plan defines 'on-site infrastructure as any of the following:

- Through-site links.
- Open space (new or expansions of existing).
- Sports and recreational facilities.
- Multi-purpose facilities.

While the application is being progressed separately to the Bankstown Master Plan Planning Proposal, it is important that it reflects its principles. One of the key principles of the Master Plan is for key sites to include delivery of 50% employment generating floor space in the Town Centre Precinct. The proposal adopts this requirement for the Town Centre Precinct and also proposes 40% employment generating floor space across the site overall and new public open space and a multi-purpose sporting facility. If the site were within the Master Plan area, there would be no requirement to deliver affordable housing. It is acknowledged that the controls within the Master Plan in relation to uplift were not necessarily envisaged to apply to large sites of the scale of the Bankstown Central site (11.4ha) and therefore comparisons of the site with surrounding, smaller sites which are subject to the Master Plan incentive planning mechanisms, is not an instructive comparison.

It is important to note that the site is not currently built to its maximum potential and the proponent has the ability to submit a Development Application for shop top housing across the site. If a DA was submitted under current planning rules it would not be required to deliver any affordable housing or public infrastructure as identified in this Planning Proposal.

As noted in this report, the Planning Proposal has the potential to supply 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan. This is a significant contribution towards fulfilling the targets of Council and may reduce development pressures on other areas within the LGA. In addition, the Letter of Offer submitted by the proponent will include provision of public infrastructure that will benefit the residents and workers on the site in the future, as well as people that visit from outside of the site.

The proponent has submitted an Affordable Housing Statement of Intent which makes the following comments:

- The provision of affordable housing will be explored by the land owners.
- The proposal will facilitate key worker accommodation within the site which could help support the delivery of employment generating uses on the Site and across the Bankstown CBD including future infrastructure like a new hospital in the CBD, the provision of allied health services and expansion of education uses within the CBD, including WSU.
- Subject to its financial viability, the proponent will consider the provision of a component of affordable housing on the site as the design of the residential components are developed.
- The proponent is in discussions with WSU regarding the potential for student accommodation to be delivered on the site to support its initial demand.
- It is the proponent's intention to retain ownership of any affordable housing delivered on the site. This poses a barrier as to how affordable housing will be incorporated into the Build to Rent (BTR) given such housing will not be able to be transferred to Council or other party to be managed.

For the reasons above, Council has accepted that affordable housing will not be a mandatory requirement of the Planning Proposal as the required minimum employment generating floor space will be delivered across the site.

4.7 Public Benefit/Infrastructure Needs

The proponent has provided a Letter of Offer that outlines a commitment to deliver a range of public infrastructure and community benefits to be delivered following the finalisation of the Planning Proposal and the making of the LEP Amendment. The items in the Letter of Offer are summarised in the table below and include the proponent's proposed method of delivery and timing. Further negotiation is required between Council and proponent to ensure the scope of works, delivery and timing is acceptable. The items contained in the Letter of Offer will be ultimately included as part of a Planning Agreement to be exhibited and finalised post Gateway.

Table 5: Requested items for Public Benefit and required infrastructure works

Public Infrastructure/benefit	Proponent's Delivery and Timing
1 An easement over a 5,000m ² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza. The Proponent will deliver the works and create an easement over the park in favour of Council to facilitate public access. The park would remain in the ownership of Vicinity.	To be delivered in stages with the northern portion of the park to be delivered prior to the issue of the Occupation Certificate (OC) for Towers L and M. The southern portion of the park to be delivered prior to the issue of the OC for Towers Q and R. Capped at a total cost of \$5.5 million excluding demolition and costs associated with reconfiguring the Centre to construct the park. Council comment: The staged delivery of the park is not supported as there is no certainty when the second portion will be delivered. This is an important component of the long term success of this site and should be delivered in a single stage. The total cost has yet to be reviewed by Council.
2 Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way to North Terrace	The Proponent to demolish and clear the land of all structures and improvements where the Jacobs Street extension is to be located within the eastern side of the Town Centre Precinct. That part of the site would be then handed over to Council to construct the road

	<p>prior to the first OC being granted for redevelopment of the Town Centre Precinct.</p> <p>Upon Council's completion of the road works the land will be subdivided, and ownership transferred to Council. All costs associated with the land subdivision would be borne by the Proponent.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However, the transfer of ownership of the future Jacobs Street extension to Council should occur at the time of the first OC as they are likely to be multiple OCs related to this Precinct.</p> <p>It is Council's expectation that the design and construction of the Jacobs Street extension would be delivered by the applicant (in consultation with Council) as a requirement of any future DA for the Town Centre Precinct as is the standard practice for other large scale redevelopment in the Canterbury Bankstown LGA.</p>
3 Deliver a 1,000m ² Multi-Purpose Facility (MPF) for two indoor courts and enter into long term lease with Council to operate.	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax in relation to the MPF. The intention being the MPF is leased with a "peppercorn" rent with ongoing maintenance and operational costs to be borne by Council and offset with income generated from its operation.</p> <p>The delivery of the MPF will be subject to DA approval and the MPF GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>If a suitable location is not identified and agreed between the proponent and Council the proponent will provide a monetary contribution of up to \$4million to Council for construction of the facility elsewhere within the Bankstown area.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed 'peppercorn rent' arrangement, however the costing for the \$4million monetary contribution has not yet been reviewed by Council. Council has yet to form a position on offsetting the MPF GFA as additional FSR over and above the proposed FSR of 3.9:1 with this to be resolved through the preparation of the planning agreement.</p>
4 Deliver 200m ² of Incubator Space to be fitted out as a warm shell open plan layout suitable for use as office space and enter into long term lease with Council to operate.	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax. The intention being the Incubator Space is leased with a "peppercorn" rent with ongoing maintenance and operational costs to be borne by Council and offset with any income generated from its operation.</p> <p>The delivery will be subject to DA approval and the Incubator Space's GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed 'peppercorn</p>

	rent' arrangement, however Council has yet to form a position on offsetting the incubator space GFA as additional FSR over and above the proposed FSR of 3.9:1.
5	<p>Completion of proposed town centre separated cycleway along the southern side of Rickard Road and the eastern side of The Appian Way frontages to the site in accordance with Complete Streets requirements.</p> <p>Works to be delivered in accordance with Complete Streets requirements and staged to align with the delivery of each adjoining building within the detailed concept masterplan.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However, in the event there is an opportunity to deliver the works prior to when the proponent proposes, Council should be able to seek funding for the works from the proponent and the item removed from the Planning Agreement.</p>

4.8 Transport and Access

Vision for Bankstown CBD under the Master Plan and Complete Streets

The Complete Streets CBD Transport and Place Plan was adopted by Council in October 2019. The Complete Streets plan provides a vision and detailed framework to transform Bankstown into a more liveable, safe and attractive City. The core principle of Complete Streets is to provide well-designed, quality streets so that whether by foot, bike, bus, train or car it is easy to get into and around the city centre safely and conveniently. Complete Streets seeks to make the Bankstown CBD a desirable destination to live, work and visit, famous for its cultural diversity and walkable streets.

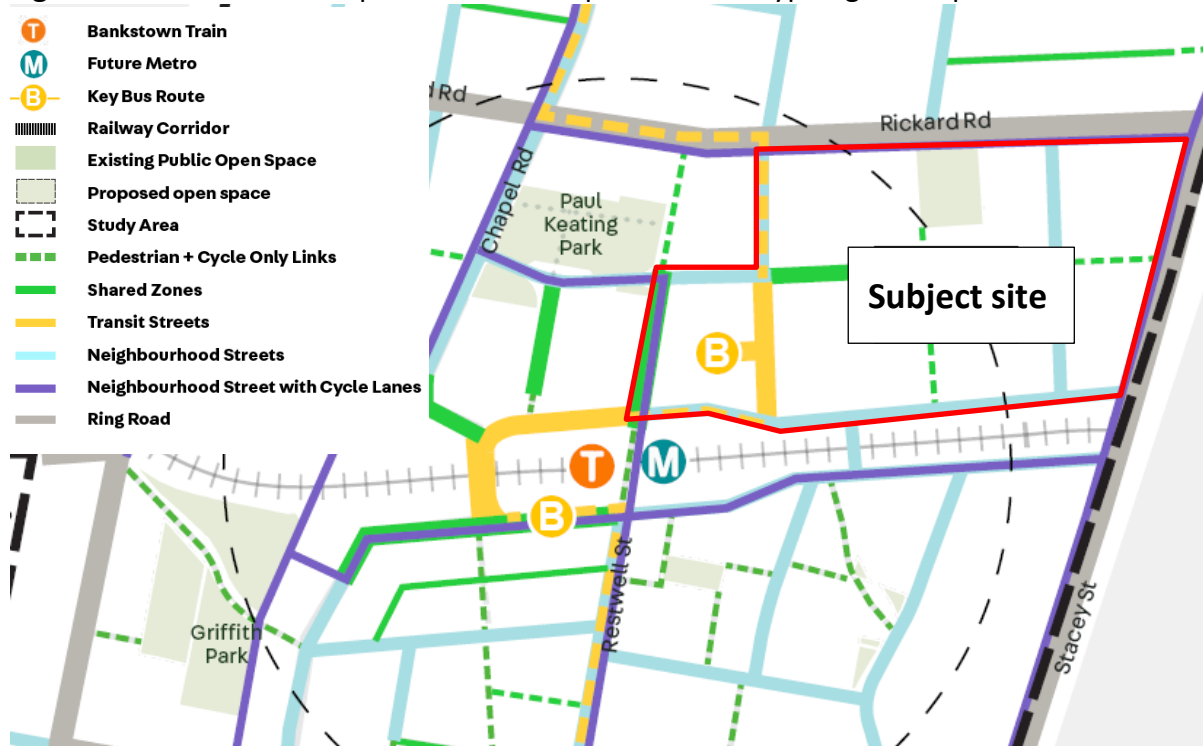
The key strategies of Complete Streets relevant to the Planning Proposal are:

- Strategy D – Simplify bus routes and better integrate station and layover space.
- Strategy E – Slower, safer CBD streets.
- Strategy F – High amenity CBD streets.
- Strategy H – Connect regional cycling links through the CBD.
- Strategy J – Create pedestrian priority 'Activity Spine' linking key destinations with transport

Council provided the proponent with these principles prior to the lodgement of the application and the Planning Proposal has addressed these requirements through providing the Jacob Street extension, providing an east-west extension through the site, including pedestrian focused boulevards and plazas, and committing to deliver the cycleway along Rickard Road and The Appian Way.

Complete Streets has been developed through detailed microsimulation traffic modelling undertaken by independent traffic consultants. The modelling included consideration of how the Bankstown CBD street network will respond to and require changes to accommodate traffic and parking demands from future development and increasing pedestrian/cycling movements. Complete Streets also has considered the potential Bankstown Central redevelopment and provides recommended street changes on and around the site to cater for the planned growth on the site (refer to the figure below).

Figure 26: Bankstown Complete Streets 'Proposed Street Typologies' map



The Bankstown City Centre Master Plan builds on the vision and detailed traffic modelling work completed in Complete Streets by providing new building height and density controls as well as identifying new public open space and other public infrastructure that is required for Bankstown to develop into the future. A key change that is included in the Bankstown Master Plan is the introduction of a maximum parking rate for private development in the inner core area (approximately 400m walking distance from Bankstown railway station). Outside this core area, a reduced minimum and upper maximum parking rate will apply. The rates have been informed by Council's Off-Street Parking and Servicing/Loading Study for Bankstown.

Figure 27: Master Plan changes to car parking within the core city centre and outside of core city centre. Site is shown in red.



The table below provides a review of the proponent's proposed reduced car parking rates against the rates in the Bankstown Master Plan for the inner core area. The car parking rates in the Master Plan will be included as part of the Bankstown City Centre DCP to be prepared in conjunction with the Bankstown City Centre Planning Proposal.

Table 6: Review of proponent's car parking rates against Bankstown Master Plan

Land use type	Recommended Planning Proposal rate	Bankstown City Centre Master Plan Rate – maximum car parking rate (inner CBD core area)	Supported by Council?
Office premises	0 to 0.5 spaces / 100m ² GFA	1.25 space / 100m ² GFA	Yes
Retail premises	3 to 3.5 spaces / 100m ² GFA	1.25 space / 100m ² GFA	Yes – however further justification is required to demonstrate reasonableness of higher rate against the Master Plan.
Residential apartment buildings and shop top housing	1, 2 and 3 Bedroom and visitors: Ranging from 0 to 1 space / dwelling	1 Bedroom: 0.5 space / dwelling 2 Bedroom: 1 space / dwelling 3 bedroom: 1.5 space / dwelling Visitor: 1 space / 10 dwellings	Yes – however slight adjustments to the rates are recommended to align with RMS Guide to Traffic Generating Development
Hotel	0 to 0.2 spaces / room	Not addressed in Master Plan	Further detail required post-Gateway. See assessment discussion below under 'Assessment of the Traffic and Transport Implications of the Planning Proposal'
Student accommodation	0.1 spaces / apartment	Not addressed in Master Plan	
Child care centre	Nil	Not addressed in Master Plan	

Permanent Bus Interchange Location - Council's Position

A key public transport issue that affects the Bankstown CBD and Planning Proposal that has yet to be progressed by TfNSW relates to the future permanent location of the bus interchange for Bankstown that is currently within the Bankstown Central site. The issue of the permanent location of the bus interchange is not yet resolved despite several years of Council requesting TfNSW prioritise the matter for resolution in consultation with Council and Vicinity.

On 14 May 2021, Council approved a development application for minor partial demolition of elements of the existing Bankstown Central shopping centre. The approved works will accommodate the relocation of the existing bus interchange to a new interim location for bus layover within the site, between The Mall and North Terrace, with associated line markings, pedestrian crossings and bus stops. The new temporary bus layover will provide 10 bus layover bays (both on-site and on-street).

These works have commenced, and it is expected the temporary interchange will commence operation in 2022. Once operational, the existing bus interchange on the Bankstown Central site fronting Jacob Street will close and be converted to a customer car park.

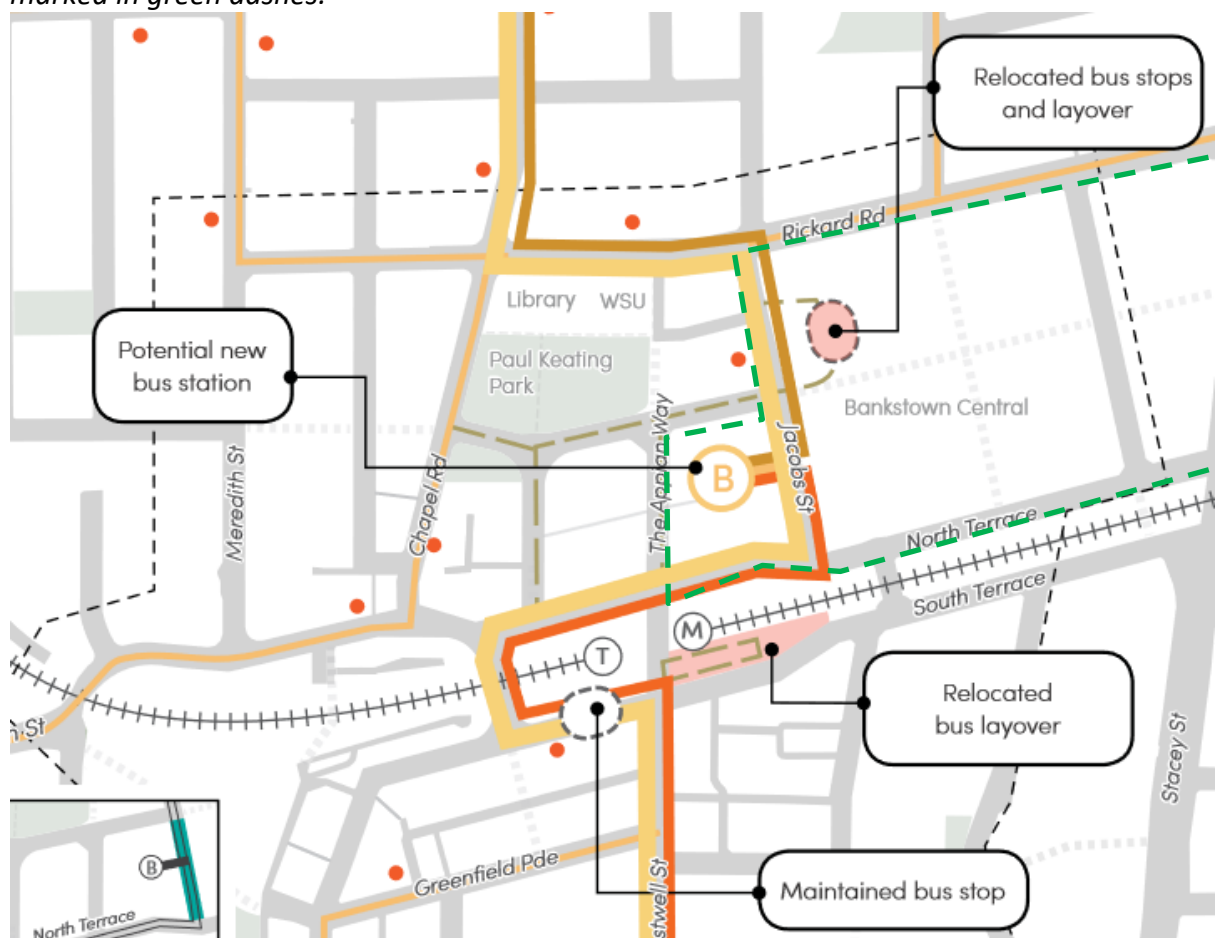
Figure 28: Approved temporary bus layover (DA-529/2020) & map with location shaded



Council's Complete Streets nominates the bus interchange in the Town Centre Precinct as a new permanent location as part of a reconfiguration and rationalisation of the bus routes that run through the Bankstown CBD noting that this is ultimately a decision for TfNSW. The reasons for this preferred permanent location are:

- Simplified north-south bus services along one route.
- Results in an amalgamated bus interchange (currently two) on the north side of the future Metro station. This location allows service to be integrated with the future Metro and service key destinations, including the future WSU campus, Bankstown Central and Saigon Place.
- Includes layover space and allows for the removal of existing layover space south of the railway.
- Less bus movements across the bridge (due to amalgamated bus interchange).

Figure 29: Future public transport network map (from Complete Streets p127). The site is marked in green dashes.



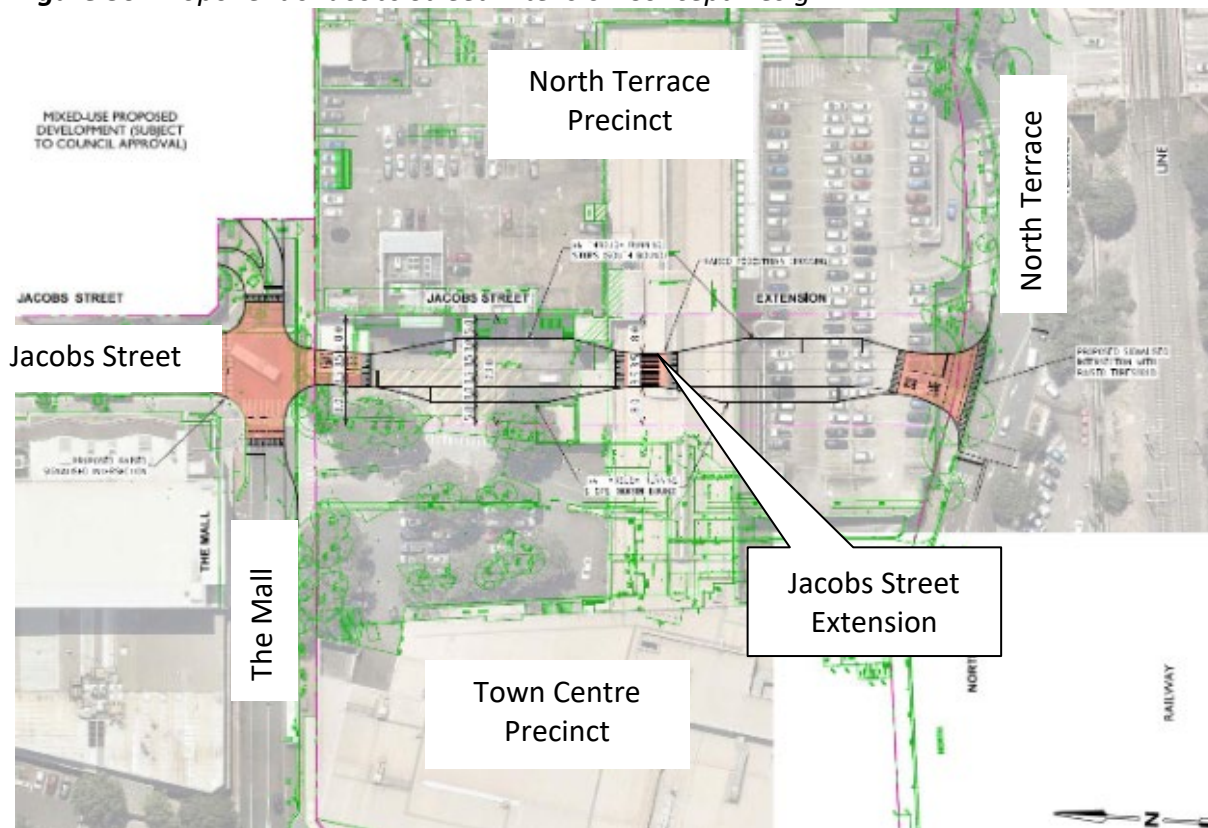
Permanent Bus Interchange Location – Proponent’s Position

The proponent considers that the provision of a bus station within the CBD – such as on the Bankstown Central site – is considered unnecessary. Rather, the adoption of an on-street bus stop arrangement is considered preferable for the long-term planning of the CBD for the following reasons:

- It supports the provision of a productive CBD by avoiding the inefficient use of land.
- It improves bus operating travel times by avoiding deviations off the road network carrying the bus services.
- It places bus services in the public domain where buses are visible (not hidden within a station) and will promote public transport use.
- It improves the experience for users of the buses by allowing persons to wait in weather protected but open-air areas, with high levels of amenity and security provided from adjacent land use.
- Aligns with the Complete Streets objective of simplifying bus routes through the CBD and with the arrangement envisaged within that document for Bankstown Plaza South.
- Is proximate to other transport services including Bankstown railway station/future Metro station.

To achieve this outcome, the proponent's traffic consultant proposes to remove the bus interchange from its current location and create an interim bus layover in the future Jacob Street extension as shown in the concept diagram below. This would be delivered in a staged approach to allow changes to the surrounding road network to occur before the Jacob Street extension and bus layover is constructed and becomes operational.

Figure 30: Proponent's Jacobs Street Extension Concept Design



The proponent's revised traffic impact assessment makes the following statement regarding the future permanent location for the bus interchange:

"Recent discussions between WSP and Transport for NSW (TfNSW) indicate that terminating bus services will not need to remain within the CBD indefinitely and should indeed be positioned outside of the CBD e.g. to its north. This advice is consistent with TfNSW's Guidelines for Planning of Bus Layover Parking (Sept 2018), which states the following regarding the location of layover bays:

The location of bus layover should support productive places. To this end locating layover outside of centres where compact form and walkability are key features should be considered. Where layover is located within a centre it should be located away from streets with high levels of active frontages and areas of pedestrian activity. Within centres options to minimise the footprint of the layover should be thoroughly investigated".

Permanent Bus Interchange Location – Way Forward

While it is evident that Council and the land owner (Vicinity) have differing opinions on the permanent location of the bus interchange, both parties are willing to work towards a solution that aligns with the objectives of Bankstown Complete Streets and intended outcomes of the Planning Proposal.

TfNSW has yet to provide any response or clarification on the preferred location for the bus interchange. At the meeting in February 2022 between Council and TfNSW, TfNSW Officers advised the project will be progressed however no certainty has been provided when a decision will be made. It is noted that TfNSW did not object to the relocation of the existing bus interchange under DA-529/2020 and provided recommended conditions of development consent for Council to include in the DA determination.

Council awaits a response from TfNSW on this matter and will participate in discussions with TfNSW and Vicinity on resolving the permanent location for the bus interchange or layover. However, given Council has requested a decision from TfNSW for several years, the assessment of the Planning Proposal can no longer be delayed and must progress. The Planning Proposal can proceed towards Gateway while the bus interchange matter is resolved by TfNSW, Council and Vicinity. Any revisions necessary to accommodate the bus interchange on the site can be made post-Gateway as stipulated by conditions of the Gateway determination.

Early Engagement with TfNSW

Council has continued to engage with TfNSW during the preparation of the Bankstown Complete Streets Place Strategy and during the preparation of the Bankstown City Centre Master Plan. Similarly, Council has engaged with TfNSW early in the process for this Planning Proposal and requested initial high level feedback on the Planning Proposal in August 2021 following receipt of the amended proposal and response to information request from the proponent in July 2021.

TfNSW provided preliminary comments to Council regarding the Planning Proposal on 24 December 2021. Council met with TfNSW in February 2022 to discuss the letter and will continue to engage with TfNSW as the Planning Proposal progress. However, Council notes that most of the issues raised by TfNSW in their preliminary comments are broader transport issues that have already been addressed in the Bankstown Complete Streets Place Strategy and Bankstown Master Plan.

Following the meeting with TfNSW, Council provided copies of the Bankstown Complete Streets Place Strategy including the associated traffic modelling files, the adopted Bankstown City Centre Master Plan including its supporting traffic study to assist with TfNSW's further review of the broader traffic and transport implications across the Bankstown CBD. As noted above, Council has sought to engage with TfNSW across all significant strategic planning projects.

The table below provides a response to each of the matters raised by TfNSW and how the matters have either already been addressed in previous work completed by Council or are proposed to be addressed once there is greater certainty regarding the Planning Proposal, post-Gateway.

The proponent has also provided a response to the TfNSW letter and clarified the scope for further work to be done post-Gateway as it pertains to this Planning Proposal. Council concurs with the proponent's response and approach to separate traffic and transport matters that are relevant to the Planning Proposal and for other matters that fall outside the scope of the Planning Proposal and require a separate response by Council.

Transport for NSW Issue	Council Response
<p><u>Existing conditions assessment</u></p> <p>Define the existing conditions of the transport system serving the master plan site, addressing the levels of performance for all transport modes, including walking, cycling and freight.</p>	<p>Response: Council has completed this work as part of Bankstown Complete Streets.</p> <p>Council and the proponent's traffic consultant can work together to review and amend the existing traffic modelling prepared for Bankstown Complete Streets if necessary to reflect any changes to existing conditions since the model was completed.</p>
<p><u>Connections</u></p> <p>Assess the impacts and opportunities arising from the master plan proposal on travel demands and operation of the rail and bus networks and future Metro.</p> <p>Define a clear, permeable and accessible precinct network of walking and cycling connections to help achieve a sustainable transport system to accommodate the master plan proposal.</p>	<p>Response: Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site. The Bankstown City Centre Master Plan also provides details on how walking and cycling will integrate with the future Metro.</p> <p>Details on the pedestrian and cycling connections will be included in the site specific DCP and will be consistent with Bankstown Complete Streets. The proponent will be required to address this in the DA stage of the project.</p>
<p>Investigate opportunities for a permanent bus interchange in consultation with TfNSW and Council.</p>	<p>Response: Council has approached TfNSW on this matter with no clear direction or resolution from TfNSW. Council will continue to prioritise this matter and seek to progress towards a decision with TfNSW and Vicinity.</p> <p>Council considers this matter can progress concurrently with the Planning Proposal and should be resolved before exhibition of the Planning Proposal occurs.</p>
<p><u>Traffic generation rates</u></p> <p>Traffic generation rates should be identified through empirical evidence (i.e. surveys of similar land uses with comparable characteristics) with consideration of cumulative impacts of other known traffic generating developments within the area of influence.</p>	<p>Response: Council's traffic impact assessment peer review has identified some additional information that is required to provide justification for traffic generation rates used by the proponent.</p> <p>Council will request this information post-Gateway and update the Planning Proposal and support reports prior to exhibition.</p>
<p><u>Transport Modelling</u></p> <p>The following three stage modelling approach should be considered:</p> <ol style="list-style-type: none"> 1. Strategic transport modelling using existing model resources (i.e. STM and STFM) to identify travel demands, patterns and mode splits. 2. Appropriate modelling software that considers route choice based on travel time delay and dynamic/coordinated traffic signal operations (i.e. 	<p>Response: 'Aimsun' microscopic modelling has already been independently completed which informed the Bankstown Complete Streets analysis and recommendations.</p> <p>Council has provided the microscopic modelling results to TfNSW along with the supporting reports and documents including the Traffic Modelling Report, Transport and Place Analysis and Workshop Summary.</p>

Transport for NSW Issue	Council Response
<p>microsimulation, hybrid model, or mesoscopic model).</p> <p>3. Intersection modelling - based on the flows from the above modelling exercise.</p>	
<p>The above modelling approach should include a base year model, future years base case (without development), and a separate model with full development and background traffic growth. Consultation should be undertaken with TfNSW and Council to agree on the year the future base should be modelled.</p>	<p>Response: As above, Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site.</p>
<p>The proponent's traffic consultant should collaborate with TfNSW and Council to identify and agree on the geographical boundary/extent of the model study area which will be based on the output from the strategic models (Item #1 above), key travel links to measure impacts of development traffic on travel time and intersections to be modelled.</p>	<p>The detailed microsimulation model completed for Bankstown Complete Streets can be reviewed and adjusted by Council and/or the proponent in consultation with TfNSW if required. There should be no need to create a new traffic model.</p> <p>This matter can be undertaken post-Gateway and resolved before the matter is reported to Council post-exhibition.</p>
<p><u>Identified Road and Transport Infrastructure</u> Based on the above modelling outputs, identify transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use. Staging based on trigger points linked to GFA/masterplan stages should be identified.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>Bankstown Complete Streets identifies transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use across the entire CBD including the Bankstown Central site.</p> <p>The proponent has provided an indicative staging plan that comprises seven stages to 2036 and potentially beyond. Council will work with the proponent and TfNSW as required to ensure necessary transport infrastructure is delivered at each stage of the development. This can be addressed within the site specific DCP and be required to be detailed at the DA stage when the final design and development yields are confirmed.</p>
<p>The proponent's traffic consultant will be required to work in collaboration with Council and TfNSW to develop a precinct network of walking and cycling connections linked to the master plan site to help achieve a sustainable transport system.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>The Bankstown Complete Streets already identifies Council's preferred and recommended walking and cycling in and around the Bankstown Central site. The proponent's concept development plan also has considered how pedestrian movements will be integrated as the site redevelops.</p> <p>The site specific DCP can include refinements and more detailed controls in relation to these matters. Council intends to work with the proponent and will consider input from the proponent's traffic consultant in developing the site specific DCP.</p>

Transport for NSW Issue	Council Response
<p><u>Funding of transport and road network infrastructure</u></p> <p>High level strategic/concept engineering plans overlayed on an aerial to scale should be developed to determine feasibility including any third party land components.</p>	<p>Response: These matters fall outside the scope of the Planning Proposal.</p>
<p>Strategic cost estimates of any identified walking, cycling, and road infrastructure required in support of the Planning Proposal should be prepared. These costs should align with the NSW Global Rates.</p>	<p>The Bankstown Complete Streets is a holistic vision and comprehensive plan that identifies required transport infrastructure for the Bankstown CBD. Further, the Greater Sydney Commission's <i>Collaboration Area – Bankstown CBD and Bankstown Airport Place Strategy</i> includes an action for TfNSW to lead the development of a place-based integrated transport strategy that considers the health, academic, research and training precinct, growth at Bankstown CBD and connectivity to, from and within the Collaboration Area. This work has yet to be finalised.</p>
<p>In consultation with Council, DPE and TfNSW, identify a planning/funding mechanism to deliver the identified transport infrastructure.</p>	<p>Ideally the issues raised by TfNSW should be resolved through the place-based integrated transport strategy for the Bankstown CBD. Any recommendations of the place-based integrated transport strategy would be expected to be incorporated in the Gateway determination.</p> <p>Council welcomes the opportunity to continue a dialogue with State Government agencies on this matter.</p>

Assessment of the Traffic and Transport Implications of the Planning Proposal

The Planning Proposal was supported by a Transport Impact Assessment which found that the additional traffic generated by the indicative development yield is unlikely to have a notable impact on the operation of the road network in the future, subject to the adoption of progressive car parking and traffic generation rates nominated by the proponent's traffic consultant. The Transport Impact Assessment also notes that approximately 4,775 car spaces would be required for the proposal, an increase of 1,475 car spaces over the existing parking provision on-site.

An independent peer review of the Transport Impact Assessment commissioned by Council concludes that the proposal will have an increased traffic and parking impact on the Bankstown CBD road network and provides six recommendations for further information to be provided to ensure the impacts can be managed. The six recommendations are provided below.

- *Recommendation 4 – Car parking:* further detailed justification will be required during subsequent applications to ensure adequate parking is provided for the various uses. This should consider all land uses, temporal parking demands, and the cross-utilisation of parking spaces.

- *Recommendation 5 – Traffic generation:* The rates for residential hotel and student accommodation are accepted. It is acknowledged that adopting reduced parking rates would result in reduced trip rates. Further clarification is regarding the retail and commercial trip generation used in the modelling. Further justification will be required during subsequent applications to ensure road network impacts are adequately considered and mitigated.

Comment: Council considers the car parking rates, and resultant traffic generation, for the proposal requires resolution prior to the Planning Proposal being finalised. Council will address Recommendation 4 and 5 by including car parking rates in the site specific DCP to be prepared by Council for the site, to be informed by further information (and traffic modelling) from the proponent. Applying maximum car parking rates for the site in the DCP will be considered, to minimise traffic impacts, consistent with Council’s Bankstown Complete Streets and Master Plan.

- *Recommendation 6 – Traffic Impacts:* justification is required for the adopted parking rates, insofar as where they have significant influences on generated trip volumes, and further intersection analysis is required to ensure that the ultimate road network impacts have been adequately considered across all scenarios.

Comment: Regarding Recommendation 6, Council Officers have requested the above additional information from the proponent and will address this component post-Gateway Determination on the basis the matter does not materially impact the overall conclusions of the traffic peer review report. Recommendations 1, 2 and 3 outline the following clarification and additional information should be submitted during the subsequent DA stages for the project to ensure site connectivity and traffic and parking impacts of future development is appropriately managed:

- *Recommendation 1 – Walking and cycling:* confirm safe and compliant connectivity to the surrounding network, and adequate internal provisions (i.e., bicycle parking, end of trip facilities etc.). A Green Travel Plan is recommended to be prepared with any DAs lodged.
- *Recommendation 2 – Public transport:* further stakeholder engagement will be required to ensure that the relocation of the bus interchange and creation of a transit only Jacob Street extension outcomes are consistent with the requirements of the subject site and TfNSW.
- *Recommendation 3 – Loading and logistics:* a Servicing Management Plan is to be prepared during subsequent DA stages to confirm the capacity of the existing loading dock to accommodate increased servicing demands generated by the proposed development, and the appropriateness of the existing loading dock to service the entire development safely and efficiently.

Comment: On the basis that recommendations 1, 2 and 3 raised in the peer review report can be resolved at the future DA stages of the project and have no consequential bearing on the assessment of the Planning Proposal, these matters will therefore not be pursued in this Planning Proposal as they relate to detailed design development beyond the higher level scope of this Planning Proposal stage of the project.

4.9 Economic implications

The Planning Proposal is supported by an economic analysis Market Depth Assessment and Retail Development Potential Assessment. Overall, the analysis suggests that a future retail redevelopment/expansion within the centre of the quantum proposed can be supported “within the next 10 years”. Further, the analysis concludes there is strong demand for residential apartments, short term accommodation, commercial offices and moderate demand for student accommodation.

The proposal will have significant direct and indirect economic implications on the Bankstown CBD and overall LGA by virtue of the magnitude of potential economic stimulation generated by redevelopment of the large 11.4ha site. The Planning Proposal has the capacity to deliver approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal indicates that it will also provide approximately 1,255 new dwellings which contributes 10% of the CBD’s target of 12,500 dwellings by 2036.

A peer review report prepared for Council by independent economic specialists which concludes that the economic analysis undertaken for the Planning Proposal is generally acceptable in context of the strategic policy direction of the State Government and Council for Bankstown CBD to 2036, however it recommends clarification is sought from the proponent prior to exhibition of the Planning Proposal. These clarifications include:

- Assess level of impact of proposed commercial office space on other centres in the LGA.
- Assess current commercial office stock and market to clarify underlying and developing demand and uptake of commercial stock.
- Consideration of existing short-term accommodation in the area and clarification of how catchment share estimates were calculated to establish visitor nights.
- Further details on the likely mix of tenancies in the proposed additional 15,041m² retail floor space.
- Refining student population numbers for the WSU Bankstown CBD campus and longer term targets within Council’s LSPS.

Council will work with the proponent to address the above matters during the post-Gateway phase of the Planning Proposal as the clarifications do not materially impact the underlying assessment and conclusions reached by the peer review consultant report or its support for the Planning Proposal.

Council recognises the difficulties in establishing a definitive forecast for some industries such as retail and hotel uses given the COVID-19 pandemic and possible long term structural implications on spending and travel habits. The peer review report acknowledges the major uncertainties created by, and likely to flow from, the COVID-19 pandemic and recommends a flexible approach should be considered for the commercial floor space, in particular, to develop into other uses (dependent on demand and market up-take) but while *“still maintaining a sufficient level of non-residential floor space in order for Bankstown to develop into one of the largest strategic, administration centre in the Sydney’s south-west”*. Council’s approach to require a minimum 40% non-residential floor space across the site and minimum 50% non-residential floor space on the Town Centre Precinct does not mandate a particular

retail, business or office premises use and therefore is consistent with this flexible approach recommended in the peer review report.

5. OTHER CONSIDERATIONS

Council has assessed this planning proposal against the justification matters outlined in the Department's *Local Environmental Plan Making Guide (December 2021)* and has prepared a draft Planning Proposal (as an attachment to the CBLPP report held at Attachment A). The purpose of the draft Planning Proposal is to demonstrate whether there is justification for a proposal to proceed to Gateway based on consistency with the relevant State planning policies and Ministerial Directions.

A key matter for consideration is management of the likely impacts resulting from the proposal, these are primarily; managing increased traffic and car parking demand, built form and building design, solar access on the surrounding area including key public spaces and ensuring a logical staged delivery of the future redevelopment of the site that maximises public benefits and the efficient operation of the site and Bankstown CBD.

Council's assessment concludes that the proposal presents both strategic and site-specific merit and identifies the need for some further information to be provided prior to exhibition, should Council decide to progress this Planning Proposal.