

Gateway Determination

Planning proposal (Department Ref: PP-2024-2261): to amend Canterbury-Bankstown Local Environmental Plan 2023 to implement the Campsie Town Centre Master Plan.

I, the Acting Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Canterbury-Bankstown Local Environmental Plan 2023* to implement the Campsie Town Centre Master Plan should proceed subject to the following conditions:

Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be revised to:

Affordable housing

- 1.1 Update the proposed approach to affordable housing contributions to provide alignment with the recently gazetted Clause 6.38 Affordable Housing Contributions of the Canterbury Bankstown Local Environmental Plan (Canterbury Bankstown LEP) 2023.
- 1.2 Provide an explanation of the proposed phased implementation approach and Affordable Housing Contribution Scheme elements that Council intends to incorporate with the existing provisions.
- 1.3 Confirm whether the 2021 and 2022 feasibility analysis remains relevant to support the proposed contributions.
- 1.4 Provide an updated estimate of potential affordable housing dwellings to be delivered within the precinct.

Economic development

- 1.5 Provide an updated estimate of the number of jobs projected for Campsie.
- 1.6 Revise the approach to late night trading hours to provide alignment with the recently gazetted late night trading hours for Bankstown City Centre contained in Schedule 2 Exempt Development of the Canterbury Bankstown LEP 2023.

Explanation of provisions

- 1.7 Provide an explanation and justification for the proposed:
 - zoning amendments
 - minimum lot size amendments.
- 1.8 Remove the options to deliver affordable housing and 50% employment generating floor space under the proposed incentive clause. The proposed incentive clause is to support the delivery of onsite infrastructure only. Further justification is also required in relation to the type of infrastructure and its location, as well as feasibility considering also the application of affordable housing contributions.

- 1.9 Update references to amendments to permitted residential development within the current B5 Business Development and B6 Enterprise Corridor zones to remove references to the B6 Enterprise Corridor zone.
- 1.10 Remove the proposed sustainability bonus and redistribute the proposed Floor Space Ratio (FSR) bonus to the draft base FSR Map where appropriate.
- 1.11 Remove the proposed 'tall building clause'.
- 1.12 Remove the proposed amendments to Canterbury Bankstown LEP 2023 Clause 6.10 Active Street Frontages. Note, the amendments to Canterbury Bankstown LEP 2023 Active Street Frontage Map are supported.
- 1.13 Remove the proposed 'no net loss of existing employment floor space in the B4 Mixed Use Zone' provision. Council may wish to consider an alternative approach that is design-led and strategically justified rather than targeting sites based on existing uses.
- 1.14 Clarify the extent of the proposed application of the underground floor space provision for Campsie. The existing Canterbury Bankstown LEP 2023 Clause 6.37 Underground Floor Space does not include function centre, restricted premises or retail premises. The planning proposal is to be updated to explain why these uses are appropriate.
- 1.15 Clarify the objectives and application of the proposed foreshore protection provisions.
- 1.16 Explain the proposed additions to the Terrestrial Biodiversity Map under Clause 6.4 Biodiversity of the Canterbury Bankstown LEP 2023.

Heritage

- 1.17 Update the planning proposal to clarify how the proposed heritage items respond to the Campsie masterplan, particularly variations to the Campsie master plan proposed heritage map.
- 1.18 Provide an assessment of all proposed heritage items against the listing criteria in the NSW Heritage Office Guidelines and Statement of Significance prior to exhibition.

Flooding

- 1.19 Address the findings and recommendations of the Flood Risk Assessment, including:
 - explain how the recommendations are addressed within the planning proposal package
 - address the development within and in proximity to the floodway and flood storage, including the duration of inundation and the potential impacts of potential filling and raising of development sites on flood behaviour
 - address consistency against all requirements with the 9.1 Direction 4.1 Flooding, including but not limited to addressing the proposed intensification on land identified as high hazard
 - update mapping within the planning proposal package
 - address consistency with the DPHI Shelter in Place Guideline published 9 January 2025.

Infrastructure

- 1.20 Clarify the proposed mechanisms for delivering identified infrastructure, including open space, through site links, local roads, public domain improvements and community facilities.

Reserving land for public purposes

- 1.21 Demonstrate ownership of the four sites that are currently road reserves proposed to be zoned RE1 Public Recreation.
- 1.22 Update the planning proposal to clarify:
- the properties included within this proposal and the updated property details that were provided by Council separately to the planning proposal package
 - the proposed Land Reservation Acquisition mapping including clearly distinguishing land proposed for reservation and land nominated as 'Local Open Space RE1'
 - the nominated acquisition authority for each proposed land reservation.
- 1.23 Address all requirements of Practice Note 'PN16-001 Classification and reclassification of public land through a local environmental plan' for all properties proposed for reclassification prior to exhibition and specify existing and proposed land use zones for each site.

Mapping

- 1.24 Provide all existing and proposed maps, including:
- updated maps reflecting the supported changes to provisions described in the planning proposal in response to landowner submissions
 - a Heritage Map to reflect the proposed new local heritage listings
 - a Terrestrial Biodiversity Map to reflect the proposed additions to the map under Clause 6.4 Biodiversity of Canterbury Bankstown LEP 2023
 - a Land Reclassification map
 - updated Incentive Floor Space Ratio and Incentive Building Height maps to reflect total maximum FSR and building height, respectively.
 - updated draft Land Reservation Acquisition Map to identify land proposed for acquisition and the nominated acquisition authority.

9.1 Ministerial Directions

- 1.25 Address consistency with Ministerial Direction 3.1 Conservation Zones, including relevant recommendations of the Biodiversity Impact Report.
- 1.26 Clarify that all proposed rezoning of land is in accordance with the requirements of the Ministerial Direction 4.4 Remediation of Contaminated Land. Should further information be required to address this Direction, this is to be provided for review.
- 1.27 Clarify the Acid Sulfate Soils that are applicable to the site and address the requirements of Ministerial Direction 4.5 Acid Sulfate Soils. Include justification for any inconsistencies, including reasoning for not providing the required study.
- 1.28 Address consistency with Ministerial Direction 5.2 Reserving Land for Public Purposes having regard to Practice Note 'PN16-001 Classification and reclassification of public land through a local environmental plan' for all properties proposed for reclassification.
- 1.29 Address consistency with Ministerial Direction 6.1 Residential Zones in relation to the proposed downzoning of two areas from R3 Medium Density Residential to R2 Low Density Residential Zone, including:

- Carrington Square and surrounding properties
- Gould Street, Redman Street and Wonga Street, near Tasker Park.

The inconsistency is to be addressed having regards to the terms of the Direction. The planning proposal should also explain why the proposed down zoning is an appropriate mechanism to protect the identified special character areas, as opposed to heritage provisions.

- 1.30 Demonstrate consistency with Direction 4.1 Flooding in relation to the assessment of permitted uses and increased development/density of land, including the proposed intensification of land identified as high hazard.

Traffic and transport

- 1.31 Consult with TfNSW and Sydney Metro to ensure alignment with the station precinct interface and future corridor protection.
- 1.32 Consider opportunities to further align proposed maximum car parking rates with TfNSW's GTIA reference parking rates for Category 1a areas.
- 1.33 Consider how public domain improvements that are to be identified in upcoming Campsie Complete Streets Plan can be integrated with current funding and delivery mechanisms.

General

- 1.34 Ensure the planning proposal document is written in plain English, clearly and succinctly explains the proposed provisions, and is easily understood by the community.
- 1.35 Review the planning proposal to ensure all content and mapping is complete and accurate and consistent in its response to conditions.
- 1.36 Update the planning proposal to delete all references to 'draft Canterbury Bankstown LEP'.
- 1.37 Update employment zones should the new employment zones come into effect prior to the exhibition of this planning proposal.
- 1.38 Update the planning proposal to delete all references to 'Bankstown planning proposal' and ensure all references to 'draft' Bankstown clauses are updated to reflect the relevant provisions in the Canterbury Bankstown LEP 2023.
2. The planning proposal is to be revised to address Condition 1 above and forwarded to the Department for review and approval prior to the commencement of public exhibition.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and must be made publicly available for a minimum of 30 days; and
 - b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 3 months following the date of the gateway determination.

Consultation is required with the following authorities:

- Ausgrid
- ARTC: Australian Rail Track Corporation
- Civil Aviation Safety Authority (CASA)
- Aeria Management Group (Bankstown Airport)
- Department of Education
- Department of Communities and Justice
- Department of Industry
- Department of Climate Change, Energy, the Environment and Water (DCCEEW)
- Heritage NSW
- Infrastructure NSW
- Metropolitan Local Aboriginal Land Council
- National Broadband Network
- NSW Health
- State Emergency Services
- Relevant service providers
- Sydney Airport Corporation
- Sydney Water
- Sydney Trains
- Sydney Metro
- Transport for NSW.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. The planning proposal authority must comply with the requirements for public exhibition of planning proposals identified in LEP practice note 'PN16-001 Classification and reclassification of public land through a local environmental plan'.
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.
6. A public hearing is required to be held in accordance with Section 29 of the Local Government Act 1993 and the Practice Note PN 16-00
7. Prior to finalisation, the planning proposal is to be revised to:
 - a) Provide an inventory sheet for each proposed heritage item.
8. The planning proposal must be reported to council for a final recommendation 9 months from the date of the gateway determination.
9. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.
10. The LEP should be completed on or before 9 February 2026 from the date of the Gateway determination.



Dated 17 January 2025

Daniel Thompson
A/Executive Director
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces