



IRF24/942

Gateway determination report – PP-2024-684

Canterbury-Bankstown Local Environmental Plan 2023
New Employment Zones

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
A - Planning Proposal – March 2024
B - Local Planning Panel Report – 4 March 2024
C - Local Planning Panel Minutes – 4 March 2024
D - Ordinary Meeting Council Report – 26 March 2024
E - Ordinary Meeting Council Minutes- 26 March 2024
F - Land Zoning Map - Existing
G - Land Zoning Map - Proposed

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Canterbury-Bankstown
PPA	Canterbury-Bankstown Council
NAME	Canterbury-Bankstown Local Environmental Plan 2023 – New Employment Zones
NUMBER	PP-2024-684
LEP TO BE AMENDED	Canterbury-Bankstown Local Environmental Plan 2023 (Canterbury-Bankstown LEP 2023)
ADDRESS	Various (business and industrial zoned land)
DESCRIPTION	Various
RECEIVED	28/03/2024
FILE NO.	IRF21/
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objective of the planning proposal is to carry out an administrative ‘best fit’ translation of all existing business and industrial zones to the *Standard Instrument Local Environmental Plan Order 2006 (SILEP Order)* employment zones.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Canterbury-Bankstown LEP 2023 as per the changes below:

- Translate and replace the existing business and industrial zones with *SILEP Order* employment zones as per the table below.

Table 3 Zone translations

Existing business and industrial zone	New employment zones
B1 Neighbourhood Centre	E1 Local Centre
B2 Local Centre	E1 Local Centre
B4 Mixed Use	MU1 Mixed Use
B5 Business Development	E3 Productivity Support
B6 Enterprise Corridor	E3 Productivity Support
B7 Business Park	SP4 Enterprise
IN1 General Industrial	E4 General Industrial
IN2 Light Industrial	E4 General Industrial

- Replace the existing business and industrial zones in the Land Use Table with the new employment zones, including objectives and land use permissibility.
- Amend all reference to business and industrial zones in Canterbury-Bankstown LEP 2023 to the translated *SILEP Order* employment zones as per Table 3 above.
- Introduce a new clause '6.34 Development in local centres' to apply to smaller centres in the E1 Local Centre that was previously zoned B1. The intent of this clause is to provide additional considerations when assessing proposals for land uses not previously permitted in the B1 zone.
- Introduce a new Schedule 1 Additional Permitted Uses to permit *serviced apartments* on land in E3 Productivity Support (Area 1) that was previously zoned B6.
- Introduce a new Schedule 1 Additional Permitted Uses to permit *crematoria* on land in the E4 General Industrial zone that was previously zoned IN1.
- Introduce a new Schedule 1 Additional Permitted Uses to permit *animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies* on land in E4 General Industrial zone that was previously zoned IN2.
- Update mapping to reflect amendments.
- Add a savings provision.

The planning proposal contains an explanation of provisions that adequately explains how most of the objectives of the proposal will be achieved.

However, no adequate explanation of how the savings provision will be achieved. A condition has been included for the planning proposal to be updated to include details on the savings provision.

1.4 Site description and surrounding area

The planning proposal applies to all existing business and industrial zoned land in the Canterbury-Bankstown local government area (refer to Attachment F). The map below demonstrates the Canterbury Bankstown LGA and surrounding LGAs.

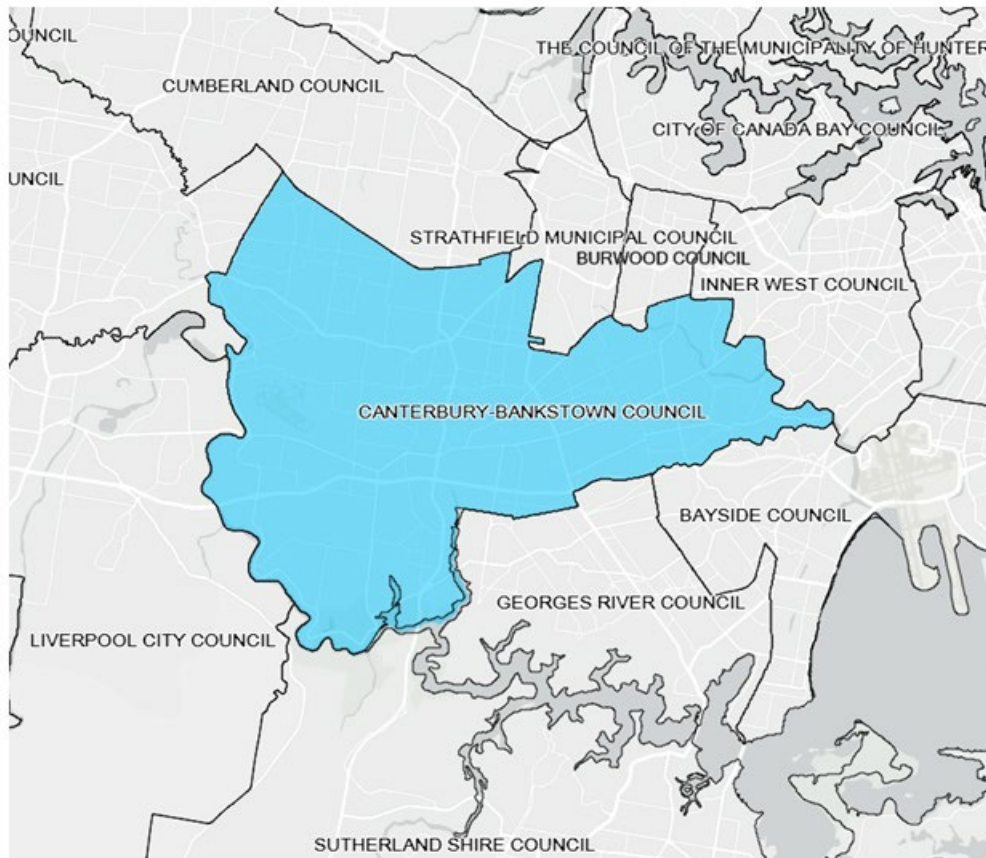


Figure 1 Canterbury-Bankstown map (Source: Hill PDA)

1.5 Mapping

The planning proposal includes mapping showing the proposed zoning changes to the Canterbury-Bankstown LEP 2023 Land Zoning Maps (LZN). These LZN maps are suitable for community consultation (refer to Attachment G).

It is noted however, that the amendments to the following maps have not been included:

- Lot Size Map – amendments to introduce 'Area 1', 'Area 2' and the renumbering of existing 'Area 1' to 'Area 3'.
- Land Zoning Map – amendments to introduce 'Area 1' to indicate where the new *Clause 6.34 Development in local centres* applies.
- Special Provisions Map – amendment to introduce 'Area 9' to indicate where existing clause 6.21(1)(c) applies.
- Additional Permitted Uses Map – amendment to introduce a new APU to indicate Schedule 1 clause x Use of certain land in E3 Productivity Support (serviced apartments).
- Additional Permitted Uses Map– amendment to introduce a new APU to indicate Schedule 1 clause X *Use of certain land in Zone E4 General Industrial (crematoria)*.
- Additional Permitted Uses Map– amendment to introduce a new APU to indicate Schedule 1 clause X *Use of certain land in Zone E4 General Industrial (animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies)*.

A condition has been included for the planning proposal to be updated to include the above maps (both existing and proposed).

1.6 Background

A timeline of events for this planning proposal and the broader Employment Zones reforms is outlined in the table below.

Table 4 Zone translations

Date	Event
May 2021	The department introduced the Employment Zones reforms aimed at replacing the existing business and industrial zones in all standard instrument LEPs.
December 2021	Five employment zones (E1 Local Centre, E2 Commercial Centre, E3 Productivity Support, E4 General Industrial and E5 Heavy Industrial) and 4 supporting zones (MU1 Mixed Use, SP4 Enterprise, SP5 Metropolitan Centre and W4 Working Waterfront) were introduced into the <i>Standard Instrument (Local Environmental Plans) Order 2006 (SILEP Order)</i> .
April 2023	The majority of local environmental plans in the State translated to the new employment zones.
April 2023	Canterbury-Bankstown LEP 2023 was being finalised so the employment zones translation was deferred.
23 June 2023	Canterbury-Bankstown LEP 2023 commenced.
4 March 2024	Canterbury-Bankstown Local Planning Panel (the LPP) resolved their general support of the new employment zones to proceed, subject to current permitted land uses in the IN2 zone being permitted in the new E4 General Industrial zone. This amendment by the LPP has been incorporated into the planning proposal submitted for Gateway determination, however Council has requested the Department consider as additional permitted uses on land in the former IN2 zone – see Section 3.4 Local planning panel (LPP) recommendation of this report for further discussion.
26 March 2024	Council's Ordinary Meeting resolved to proceed to Gateway and exhibition.
26 April 2025	Existing business and industrial zones will be repealed. Schedule 1 Part 1 of the <i>Standard Instrument (Local Environmental Plans) Order 2006 (SILEP Order)</i> specifies that the standard instrument for Canterbury-Bankstown LGA is the Canterbury-Bankstown LEP 2023 until 26 April 2025.

Bankstown City Centre Master Plan and Campsie Town Centre Master Plan

Two other planning proposals are currently being considered by the Department that directly relate to employment zones in the Canterbury-Bankstown LGA.

The Bankstown City Centre Master Plan was submitted to the Department in February 2022 and is currently under assessment awaiting Gateway Determination. In December 2023, the Department announced that it is preparing new planning controls for the Bankstown Accelerated Precinct.

The Campsie Town Centre Master Plan planning proposal was submitted to the Department in July 2022 for Gateway determination.

The Department will continue to assess both planning proposals including the most appropriate future zone.

This planning proposal to carry out an administrative 'best fit' translation of all existing business and industrial zones to *SILEP Order* employment zones, proposes to rezone Bankstown City Centre to MU1 Mixed Use and Campsie Town Centre to E1 Local Centre.

In the meantime, this planning proposal needs to restrict its commentary on the Bankstown City Centre Master Plan and Campsie Town Centre Master Plan planning proposals to background information only and remove references to the two planning proposals in all other sections, including but not limited to, intended provisions and justification of strategic merit.

A condition has been included restricting details of the Bankstown City Centre Master Plan and Campsie Town Centre Master Plan planning proposals to background information only.

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

While the planning proposal is not a direct result of an endorsed local strategic planning statement, strategic study or report, it is consistent with several priorities within Council's Connective City 2035 Local Strategic Planning Statement.

The proposed amendments are in response to the Department's employment zones reform introduced in May 2021. The planning proposal is required because the existing business and industrial zones will be repealed in April 2025.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is the best and only means of translating the new employment zones into Canterbury-Bankstown LEP 2023.

The amendments include: zone translations, replacement of zone names with new employment zone names, amendments to additional permitted uses, and mapping changes.

A planning proposal is the best means to achieve the intended outcomes as it is the only mechanism by which the proposed provisions, land use tables, and maps may be introduced, amended or removed from the LEP.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Regional Plan.

Table 5 Regional Plan assessment

Regional Plan Objectives	Justification
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A city of great places	<p>The planning proposal translates the business and industrial zones into the new employment zones maintaining Council's established centre's hierarchy. The proposed E1 Local Centre and MU1 Mixed Use zones provide an expanded range of mandated land uses including not only retail uses, but also community and recreational uses.</p> <p>The proposal is considered to be consistent with this objective.</p>
Jobs and skills for the city	<p>The planning proposal translates the business and industrial zones into the new employment zones maintaining Council's established centre's hierarchy and maintaining industrial land for industrial purposes.</p> <p>The proposal is considered to be consistent with this objective.</p>

3.2 District Plan

The site is within the South District and the Greater Sydney Commission released the South District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 6 District Plan assessment

District Plan Priorities	Justification
<p>Planning Priority S6</p> <p>Creating and renewing great places and local centres and respecting the District's heritage.</p>	<p>Planning Priority S6 seeks to ensure the important role of local centres is maintained.</p> <p>The proposal is consistent with this priority as it applies the new employment zones in locations that are consistent with existing business zones and is consistent with the adopted centres hierarchy in Council's <i>Connective City's 2036</i>.</p>
<p>Planning Priority S9</p> <p>Growing investment, business opportunities and jobs in strategic centres.</p>	<p>Planning Priority S9 seeks to ensure that a centres hierarchy of strategic centres and local centres are maintained.</p> <p>The proposal is consistent with this priority as it applies the new employment zones in locations that are consistent with existing business zones and is consistent with the adopted centres hierarchy in Council's <i>Connective City's 2036</i>.</p>
<p>Planning Priority S10</p> <p>Retaining and managing industrial and urban services land.</p>	<p>Planning Priority S10 seeks to ensure industrial and urban services land is planned, retained and managed.</p> <p>The proposal is consistent with this priority as it retains industrial land zoned IN1 and IN2 and translates these two zones to E4 General Industrial. B5 and B6 land is translated to E3 Productivity Support. B7 land is translated to SP4 Enterprise to maintain the unique nature of the Potts Hill Business Park.</p>

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 7 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>The planning proposal is broadly consistent with the Directions and Evolutions in Council's Connective City 2036 Local Strategic Planning Statement (LSPS). In particular:</p> <ul style="list-style-type: none"> • Retain and manage all industrial and business lands and so not support residential land uses, including aged care and live work units, in industrial and urban services lands. • Review land use controls for industrial and business lands including those around freight hubs to protect existing and emerging employment sectors, and to minimise sensitive and conflicting uses. • Ensure local urban services lands support local enterprise and allow for supporting office space. <p>The proposal is consistent with the LSPS, because the proposal:</p> <ul style="list-style-type: none"> • Provides an administrative 'best fit' translation of Council's existing business and industrial zones to the new employment zones. • Ensures the right zone is selected to reflect Council's strategic intent for an employment area and the department's strategic intent of the zone. • Updates the Land Use Table to align with the mandated permitted uses under the <i>SILEP Order</i> and local permitted and prohibited land uses as a direct translation of existing zones. • Apply a local provision to the smaller centres in the proposed E1 Local Centre zone with the intent to provide additional considerations when assessing proposals for land uses not previously permitted in the B1 zone. • Maintains Council's existing centres hierarchy.
Housing Strategy	<p>The planning proposal is generally consistent with Council's Housing Strategy (June 2020). In particular:</p> <p>Zone B1 and B2 permit shop top housing, seniors housing and residential flat buildings only where ground floor uses are non-residential. The planning proposal maintains Clause 6.21 that restricts ground floor to non-residential uses.</p>

Local Strategies	Justification
Employment Lands Strategy	<p>The planning proposal is broadly consistent with Council's Employment Lands Strategy (June 2020) while reflecting the mandated permitted land uses of the <i>SILEP Order</i>. In particular:</p> <ul style="list-style-type: none"> • Zones B1 and B2 – Permit shop-top housing, seniors housing and residential flat buildings only where ground floor uses are non-residential. The planning proposal maintains Clause 6.21 that restricts ground floor to non-residential uses. • Zones B5 and B6 prohibit all residential uses. The planning proposal is generally consistent as it translates the B5 and B6 to E3 Productivity Support that prohibits residential accommodation. Existing policies continue to apply including Schedule 1 APU 18 and APU 30. • Zones B2, B4 and B6 – permit tourist and visitor accommodation and Zones B1 and B5 prohibit tourist and visitor accommodation. The planning proposal is generally consistent with this recommendation with E1 Local Centre and MU1 Mixed Use permitting tourist and visitor accommodation. E3 Productivity Support is more complicated as it combines B5 and B6. The E3 Productivity Support zone proposes to permit hotel and motel accommodation and serviced apartments on certain B6 zoned land being the Hume Highway corridor. • Retain and manage all industrial and business lands and so not support residential land uses, including aged care and live work units, in industrial and urban services lands. The planning proposal retains industrial land zoned IN1 and IN2 and translates these two zones to E4 General Industrial. B5 and B6 land is translated to E3 Productivity Support. B7 land is translated to SP4 Enterprise to maintain the unique nature of the Potts Hill Business Park. • Rezone B5 elements of the Hume Highway and Canterbury Road, east of Punchbowl Road to B2 or B6, depending on proximity to existing centres. Maintain B5 elements of Canterbury Road, west of Punchbowl Road. The planning proposal is consistent with this recommendation as it applies the E3 Productivity Support zone. • Zone B7 no change. The planning proposal acknowledges the unique nature of Potts Hill Business Park zoned B7 and translates the business park to SP4 Enterprise. • Zone IN1 – Prohibit large lots commercial uses (e.g. timber yards and landscaping material supplies) and registered clubs. The planning proposal combines IN1 and IN2 to E4 General Industrial. Large lot commercial uses are prohibited in IN1 but permitted in IN2. The Canterbury-Bankstown Local Planning Panel considered this issue at its meeting 4 March 2024 and recommended permitting a number of large lot commercial uses. Section 3.4 below discusses this in greater detail. • Promote high tech jobs in Chullora. The planning proposal is consistent with this recommendation as it translates the IN1 zone to E4 General Industrial and the new zone provides greater flexibility with increased mandated permitted uses.

3.4 Standard Instrument (Local Environmental Plans) Order 2006

The *Standard Instrument (Local Environmental Plans) Order 2006* (*SILEP Order*) is the template that specifies the content and form of LEPs in NSW. The *SILEP Order* provides mandated objectives and land uses for each zone as well as standard provisions that are either compulsory, or optional.

The planning proposal has been assessed against the *SILEP Order* and is generally consistent, with the exception of matters outlined below.

Serviced apartment proposed permissibility on the former B6 zoned land

Serviced apartments are currently permitted in B6 Enterprise Corridor under the Canterbury-Bankstown LEP 2023. The B6 Enterprise Corridor zone will translate into the E3 Productivity Support zone. Council via this planning proposal, proposes to:

- Prohibit serviced apartments in the E3 Productivity Support land use table.
- Permit serviced apartments via Schedule 1 additional permitted uses in E3 Productivity Support that was previously B6 in Area 1 (former Bankstown LGA).
- Prohibit serviced apartments in E3 Productivity Support that was previously B6 in Area 2 (former Canterbury). Council's master planning program will decide whether serviced apartments are appropriate along Canterbury Road.

The reduction in permissibility for former B6 land in Area 2 (former Canterbury LGA) is generally supported as an interim measure given the planning for this area is underway and the Department will have an opportunity in the future to review Council's master planning.

A condition has been included to update the planning proposal to reflect this proposed change and reduction in land use permissibility.

Minor amendments

Further, a few minor amendments to the land use table are outlined below:

Table 8 Zone translations

Matter	Recommendation
E1 Local Centre	Replace 'medical facilities' with 'medical centre'.
3. Permitted with consent	

A condition has been included for the planning proposal to be updated prior to exhibition.

3.5 Local planning panel (LPP) recommendation

On 4 March 2024, the Canterbury-Bankstown Local Planning Panel (LPP) resolved their general support of the new employment zones to proceed subject to current permitted uses in the IN2 zone being permitted in the new E4 General Industrial zone. These land uses include: *animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies* (refer to Attachment C).

This amendment by the LPP has been incorporated into the planning proposal submitted for Gateway determination. Council however, has asked the Department to consider the option of these 7 land uses being permitted as Schedule 1 Additional Permitted Uses on all existing IN2 land in the future E4 General Industrial zone, as this would reflect a like for like translation.

This option put forward by Council is considered reasonable because:

- A similar process of like for like translations was undertaken during the 2021 Employment Zones reform.
- It maintains the permissibility of the land uses in an appropriate area.
- There is no justification for the increase in mandated land uses across the entire E4 General Industrial zone.
- The Employment Zones reform considered these land uses but decided against mandating permissibility due to concerns including, land use conflict, increased private vehicle movements and potential decreased efficiency of industrial estates.

The proposal to introduce a new additional permitted uses to permit *animal boarding or training establishments; landscaping material supplies; plant nurseries; recreation facilities (indoor); timber yards; veterinary hospitals; and wholesale supplies* on all existing IN2 land in the future E4 General Industrial zone is therefore supported.

A condition has been included to amend the E4 General Industrial Land Use table and Land Use Matrix to reflect to the prohibition in the zone.

3.6 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 9 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	<p>The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>The planning proposal is broadly consistent with the Region Plan, South District Plan and LSPS as outlined in part 3.1 – 3.3 above.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.4 Site Specific Provisions	Inconsistent, minor significance	<p>The objective of this Direction is to discourage restrictive site specific planning outcomes. The planning proposal introduces three new additional permitted uses.</p> <p>The first is in the proposed E4 General Industrial zone that combines existing IN1 and IN2. Crematoria are permitted in IN1 but prohibited in IN2.</p> <p>The planning proposal will address the issue by adding crematoria as an additional permitted use on all existing IN1 land. No additional development standards or requirements will be imposed other than those already contained in the LEP.</p> <p>The second is also in the proposed E4 General Industrial zone. <i>Animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies</i> are permitted in IN2 and prohibited in IN1.</p> <p>The planning proposal will address the issue by adding the 7 land uses as an additional permitted uses on all existing IN2 land. No additional development standards or requirements will be imposed other than those already contained in the LEP.</p> <p>The third is in the proposed E3 Productivity Support zone. <i>Serviced Apartments</i> are permitted in the B6 and prohibited in B5. The reduction in permissibility is discussed in Section 3.4 above.</p> <p>Schedule 1 additional permitted uses were extensively utilised during the Employment Zones reform to minimise land use conflicts.</p> <p>While the planning proposal is inconsistent with this Direction, the provisions of the planning proposal that are inconsistent are minor in nature and maintains the like for like zone translation.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.1 Flood Prone Land	Inconsistent, minor significance	<p>The objective of this Direction is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual.</p> <p>The planning proposal will result in more mandated permitted land uses under the <i>SILEP Order</i>, Council cannot alter the mandated permitted uses in the Land Use Table. Council must transition to the new employment zones as the business and industrial zones will be repealed on 26 April 2025.</p> <p>No flood studies were required when the Department considered employment zones for all other NSW councils in 2021.</p> <p>The planning proposal does not propose a change in density controls. The existing height and floor space ratio controls remain unchanged.</p> <p>The development assessment process must adequately address these matters in consideration of any future development applications.</p> <p>While the planning proposal is inconsistent it is considered that the inconsistency is justifiable and minor.</p>
4.3 Planning for Bushfire Protection	Inconsistent, minor significance	<p>The objective of the Direction is to protect life, property and the environment.</p> <p>The planning proposal affects land at 134-146 Centaur Street, Revesby Heights that is currently zoned B1 and is proposed to be directly translated to E1 Local Centre.</p> <p>The planning proposal will result in more mandated permitted land uses under the <i>SILEP Order</i>, Council cannot alter the mandated permitted uses in the Land Use Table. Council must transition to the new employment zones as the business and industrial zones will be repealed on 26 April 2025.</p> <p>No bushfire studies were required when the Department considered employment zones for all other NSW councils in 2021.</p> <p>While the planning proposal is inconsistent it is considered that the inconsistency is justifiable and minor.</p> <p>Consultation with the NSW Rural Fire Service following receipt of a Gateway determination and prior to undertaking community consultation, will occur in accordance with clause 1 of the Direction.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
<p>3.2 Heritage Conservation</p> <p>4.4 Remediation of Contaminated Land</p> <p>4.5 Acid Sulfate Soils</p>	Inconsistent, minor significance	<p>The planning proposal will result in more mandated permitted land uses under the <i>SILEP Order</i>, Council cannot alter the mandated permitted uses in the Land Use Table. Council must transition to the new employment zones as the business and industrial zones will be repealed on 26 April 2025.</p> <p>No acid sulfate soil studies, contamination studies or heritage studies were required when the Department considered employment zones for all other NSW councils in 2021.</p> <p>While the planning proposal is inconsistent it is considered that the inconsistency is justifiable and minor.</p>
5.1 Integrating land use and transport	Consistent	<p>This Direction seeks to ensure that land use, development and built form and street layouts achieve improvements to land use and transport.</p> <p>The proposal introduces new permissible uses in employment zones which are largely well serviced by public transport.</p> <p>The Department is satisfied that the proposal is consistent with this Direction.</p>
5.3 Development new licensed aerodromes	Consistent	<p>This Direction seeks to ensure the safe operation of airports and ensure development does not compromise airport operations and includes appropriate noise mitigation measures where required.</p> <p>The proposal does not include any changes to height or density and any future development of sites would be subject to further assessment at DA stage.</p> <p>The Department is satisfied that the proposal is consistent with this Direction.</p>
6.1 Residential Zones	Consistent	<p>This Direction seeks to encourage a variety of housing types, make efficient use of infrastructure and services and minimise the impact of residential development on the environment and resource lands.</p> <p>The proposal does not alter residential permissibility.</p> <p>The Department is satisfied that the proposal is consistent with this Direction.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
7.1 Employment Zones	Consistent	<p>The objectives are to:</p> <ul style="list-style-type: none"> a) Encourage employment growth in suitable locations, b) Protect employment land in employment zones, and c) Support the viability of identified centres <p>The planning proposal is consistent with the Direction as it:</p> <ul style="list-style-type: none"> • Provides an administrative ‘best fit’ translation of Council’s existing business and industrial zones to the new employment zones. • Ensures the right zone is selected to reflect Council’s strategic intent for an employment area and the department’s strategic intent of the zone. • Updates the Land Use Tables to align with the mandated permitted uses under the <i>SILEP Order</i> and local permitted and prohibited land uses as a mostly direct translation of existing zones. • Apply a Department drafted local provision to the smaller centres in the proposed E1 Local Centre zone with the intent to provide additional considerations when assessing proposals for land uses not previously permitted in the B1 zone. • Maintains Council’s existing centres hierarchy. • Acknowledges the unique nature of Potts Hill Business Park zoned B7 and translates the business park to SP4 Enterprise.

3.7 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 10 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Industry and Employment) 2021	The relevant section of this SEPP is Chapter 3 (Advertising and Signage). The Chapter aims, amongst other things, to regulate signage to ensure it is compatible with the desired amenity and visual character of an area.	Yes	The planning proposal is consistent with the SEPP as it permits business identification signs and building identification signs in all business and industrial zones.
SEPP (Housing) 2021	This SEPP applies to business zones and aims to enable the development of diverse housing types for example, boarding-houses, or group homes.	Yes	The planning proposal is consistent with the SEPP as the land uses tables reflect the current permissibility of residential land uses under the SEPP.
SEPP (Biodiversity and Conservation) 2021	This SEPP aims to protect biodiversity values of trees and other vegetation (Chapter 2) and protect the water catchment (Chapter 6).	Yes	<p>The planning proposal is consistent with Chapter 2 of the SEPP as it does not propose the clearing of any native vegetation and facilitates the protection of trees and other vegetation.</p> <p>The planning proposal is also consistent with Chapter 6 as it maintains the existing protections that facilitate the protection of natural and cultural values of the water catchment.</p>
SEPP (Resilience and Hazards) 2021	This SEPP aims to ensure development does not significantly impact the integrity of coastal wetlands	Yes	The planning proposal is consistent as it does not amend the existing provisions that facilitate the protection of coastal wetlands.
SEPP (Transport and Infrastructure) 2021	This SEPP aims to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure development.	Yes	The planning proposal is consistent as it maintains the existing provisions that facilitate the protection of infrastructure.

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Exempt and Complying Development Codes) 2008	This SEPP covers a range of development standards related to development that is deemed exempt or complying.	Yes	<p>The planning proposal is consistent as it maintains the provisions of the SEPP.</p> <p>The Potts Hill Business Park is proposed to be zoned SP4 Enterprise Zone acknowledging the unique strategic intent of the business park. A decision was made during the Employment Zones reform to exclude SP4 from the Industrial and Business Buildings Code.</p>

4 Site-specific assessment

4.1 Environmental

The planning proposal is an administrative 'best fit' translation of existing business and industrial zones to the *SILEP Order* employment zones. The Department's Employment Zone reform increased the mandated land uses in all zones. The Department concluded that environmental studies such as a contamination, flooding, acid sulfate soils or biodiversity studies were not required when it approved the *State Environmental Planning Policy Amendment (Land Use Zones)* for all other Council's in NSW. A similar approach has been taken for this planning proposal and no environmental studies are required.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 11 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	The planning proposal benefits social aspects of the Canterbury-Bankstown LGA by maintaining Council's established centres hierarchy contained in Council's <i>Connective City's 2036</i> .
Economic	The planning proposal outlines that the planning proposal will give economic effect as it ensures the objectives and land uses in the new employment zones are employment focused to deliver Council's jobs target of 41,000 additional jobs by 2036.

4.3 Infrastructure

The objective of the planning proposal is to carry out administrative ‘best fit’ translation of existing business and industrial zones to the Department’s employment zones. It does not expand the quantum of employment zones in the LGA and the location of the proposed employment zones are consistent with Council’s adopted centres hierarchy.

Land use safety planning considerations

Canterbury Bankstown LGA is affected by several dangerous and hazardous goods pipelines and industrial facilities.

The planning proposal does not seek to increase densities. However, additional uses will be permitted across some zones to conform to the *Standard Instrument (Local Environmental Plans) Order 2006*.

Clause 6.30 and 6.31 of the LEP apply to development near the pipeline in several centres. These clauses will remain in effect.

5 Consultation

5.1 Community

Council proposes a community consultation period of 30 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination which are for a period of 20 working days.

5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal. As such, it is recommended the following agencies be consulted on the proposal and given 20 working days to comment:

- Bankstown Airport
- Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- NSW Department of Education
- NSW Ministry of Health
- Transport for NSW
- NSW Rural Fire Service
- Sydney Water
- Electricity providers
- Telstra
- Pipeline operators
- Neighbouring councils

6 Timeframe

The Department’s Local Environmental Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. Based on this benchmark, the

proposal is targeted for finalisation 11 months from the lodgement of the proposal for Gateway by the proponent.

The Department recommends a timeframe of 10 months from Gateway to ensure it is completed in line with its commitments to reduce processing times and to comply with the terms of the *Standard Instrument (Local Environmental Plans) Order 2006 (SILEP Order)*. It is recommended the planning proposal is updated prior to consultation to reflect this timeframe.

A condition to this effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

Due to the nature and extent of the planning proposal the Department recommends Council not be authorised to be the local plan-making authority for this proposal. Further, the planning proposal may involve land owned by Council.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It is generally consistent with the *Standard Instrument (Local Environmental Plans) Order 2006* being an administrative ‘best fit’ translation of the business and industrial zones to the new employment zones.
- The existing business and industrial zones will be repealed in April 2025.
- It is generally consistent with Council’s Employment Lands Strategy and Local Strategic Planning Statement.
- It is generally consistent with the Greater Sydney Region Plan and South District Plan
- It is consistent with relevant Section 9.1 Directions, and the inconsistency with 1.4 Site Specific Provisions, 4.1 Flood Prone Land, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Land and 4.5 Acid Sulfate Soils is minor and justified given the like for like zone translation.
- The proposal has considered the likely environmental, social and economic, and infrastructure.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 1.4 Site Specific Provisions, 4.1 Flood Prone Land, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Land and 4.5 Acid Sulfate Soils are minor and justified.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

1. Prior to public exhibition, the planning proposal is to be amended to:
 - Update the proposal, including the Land Use Tables and Land Use Matrix, as follows:
 - Prohibit *serviced apartments* in the E3 Productivity Support zone and include an Additional Permitted Use for *serviced apartments* on existing B6 land in the former Bankstown LGA. Address the reduction in permissibility of *serviced apartments* on existing B6 land in the former Canterbury LGA.

- Prohibit the following uses in the E4 General Industrial zone: *animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies*. Include an Additional Permitted Use for these uses on all existing IN2 Light Industrial land in the future E4 General Industrial zone.
 - Include the following maps:
 - Lot Size Map – amendments to introduce ‘Area 1’, ‘Area 2’ and the renumbering of existing ‘Area 1’ to ‘Area 3’.
 - Land Zoning Map – amendments to introduce ‘Area 1’ to indicate where the new Clause 6.34 *Development in local centres* applies.
 - Special Provisions Map – amendment to introduce ‘Area 9’ to indicate where existing clause 6.21(1)(c) applies.
 - Additional Permitted Uses Map – amendment to introduce a new APU to indicate Schedule 1 clause x *Use of certain land in E3 Productivity Support (serviced apartments on B6 land in former Bankstown LGA)*.
 - Additional Permitted Uses Map – amendment to introduce a new APU to indicate Schedule 1 clause x *Use of certain land in Zone E4 General Industrial (crematoria)*.
 - Additional Permitted Uses Map – amendment to introduce a new APU to indicate Schedule 1 clause x *Use of certain land in Zone E4 General Industrial (animal boarding or training establishments, landscaping material supplies, plant nurseries, recreation facilities (indoor), timber yards, veterinary hospitals, and wholesale supplies)*.
 - Make the following correction:
 - E1 Local Centre 3. *Permitted with consent* replace ‘medical facilities’ with medical centre’.
 - Include details on the savings provision.
 - Restrict details of the Bankstown City Centre Master Plan planning proposal and the Campsie Town Centre Master Plan planning proposal to background information only.
 - Include an updated timeline based on issuing the Gateway determination.
2. Consultation is required with the following public authorities:
- Bankstown Airport
 - Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts
 - NSW Department of Education
 - NSW Ministry of Health
 - Transport for NSW
 - NSW Rural Fire Service
 - Sydney Water
 - Electricity providers
 - Telstra
 - Pipeline operators

Consultation is also required with:

- Neighbouring councils

3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
4. The timeframe for the LEP to be 10 months from the date of the Gateway determination.



(Signature)

3 May 2024 (Date)

Renee Coull
Manager, Infrastructure and Place



(Signature)

8 May 2024 (Date)

Felicity No
Director, Local Planning