

11 April 2024

Laura Locke
Director Eastern and South Districts
Department of Planning, Housing and Infrastructure

Dear Ms Locke

**Section 3.34 Notification - Submission of Planning Proposal
Housekeeping 'deferred matters' amendments to the CBLEP 2023.**

Canterbury Bankstown Council is submitting a planning proposal for the proposed housekeeping and 'deferred matters' amendments to the Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023).

The proposal aims to address a series of amendments to the CBLEP 2023 that were previously deferred by the Department of Planning, Housing and Infrastructure (DPHI) during the finalisation of the CBLEP 2023 in June 2023. These deferred matters include:

- Rectifying drafting errors.
- Transferring specific existing planning controls from the Bankstown LEP 2015.
- Requesting additional information to support site-specific changes and additional permitted uses.

In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979, please find the following information:

(a) Decision to submit a Planning Proposal

The Local Planning Panel previously reviewed and endorsed the CBLEP 2023 during its Meeting on 30 June 2020. The primary objectives of the CBLEP 2023 were to amalgamate the former Bankstown and Canterbury LEPs into a unified set of planning regulations and to enact current land use strategies.

Subsequently, the Panel forwarded the LEP to DPHI (formerly Department of Planning and Environment) for approval. The CBLEP 2023 was officially gazetted in June 2023. However, due to time constraints, the Department opted to defer certain matters for resolution at a later date. These deferred matters encompass:

"Correcting drafting errors, transferring some existing planning controls from the former Bankstown LEP, requiring additional information to support site-specific changes across the City."

In its assessment report, the Department suggested that Council may submit a new planning proposal to further address these matters.

During the Ordinary Meeting held on 24 September 2023, Canterbury Bankstown Council resolved to submit the aforementioned planning proposal to the (then) Department of Planning, Industry & Environment to seek a Gateway Determination.



The planning proposal includes the following amendments to the CBLEP 2023:

- 1) The RE2 Private Recreation Zone is to permit 'centre based childcare centres', subject to consent and remove 'early education and care facilities'.
- 2) Transfer the planning control from the former Bankstown LEP 2015, which requires a minimum 40m lot width for schools in the R2 zone.
- 3) Remove the water sensitive urban design provision from the RE1 zone as originally intended.
- 4) Apply the design excellence clause to additions to existing schools if the proposed gross floor area is greater than 2,000m².
- 5) Transfer the existing 'front building line' definition from the former Bankstown LEP. The definition is relevant to the lot size and FSR provisions.
- 6) Rezone Council owned land at 75A, 75B and 75C Marco Avenue, Revesby from RE1 zone to R4 zone (including applying a maximum 1.75:1 FSR/ maximum 25m building height/ minimum 450m² subdivision lot size/ Area 4 on the Special Provisions Map), consistent with current provisions for adjacent R4 zoned land.

A separate planning proposal will be submitted shortly under separate cover to include the remaining amendments that relate to non-Council owned sites for the following properties:

- Rezone 6 and 8 Chapel Road, Bankstown from a SP2 zone to a B2 zone (maximum 1.5:1 FSR (Area 2)/ maximum 14m building height).
- Rezone 45 Simmons Street, Revesby from a SP2 zone to a B2 zone (maximum 3:1 FSR (Area 1)/ maximum 26m building height).
- Add new additional permitted uses (function centre and restaurant or cafe) at 30 and 31 Webster Street, Milperra.
- Add a new additional permitted use (recreational facility (indoor)) at 328 Hector Street, Bass Hill subject to the gross floor area not exceeding 800m².

(b) Attached information

The planning proposal and supporting documents have been submitted via the Planning Portal and are attached for your reference:

- Planning Proposal Report dated March 2024 and associated appendices.
- Council resolution to proceed with the preparation and submission of this planning proposal

Council requests Gateway Determination and that Council exercise its plan-making delegations in this instance.



Should you require any further information or wish to discuss this matter, please contact Jackson Caires, Acting Senior Strategic Planner on 9707 9411, or email at jackson.caires@cbc.city.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Lebon'.

Patrick Lebon
Coordinator Strategic Assessments
Canterbury Bankstown Council