

Canterbury-Bankstown

Local Environmental Plan 2023

'Deferred Matters' Amendment Planning Proposal (Proponent initiated matters)



April 2025

Prepared by Canterbury Bankstown Council



Contents

Part 1 – Objectives and Intended Outcomes	7
Part 2 – Explanation of Provisions	9
Part 3 – Justification of strategic and site-specific merit	23
Part 4 – Maps	54
Part 5 – Community Consultation	69
Part 6 – Project Timeline	70
Appendix A – State Environmental Planning Policies	71
Appendix B – Local Planning Directions (Section 9.1)	72



Appendices Index

Appendix A	<i>State Environmental Planning Policies</i>
Appendix B	<i>Ministerial Directions</i>
Appendix C	<i>4-6 Chapel Road, Bankstown – Preliminary Site Investigation (2023)</i>
Appendix D	<i>30-31 Webster Street Milperra – Flood Impact Assessment and Emergency Response Plan, Stormwater Management Plan and Stormwater Management System Report and addendum (2025)</i>
Appendix E	<i>45 Simmons Street, Revesby – Preliminary Site Investigation (2025)</i>
Appendix F	<i>NSW Certificate of Title for 45 Simmons Street, Revesby (2020)</i>
Appendix G	<i>328 Hector Street, Bass Hill – Letter response regarding proposed GFA (2024)</i>
Appendix H	<i>Letter from NSW Rural Fire Service (RFS) regarding proposed changes at 30 and 31 Webster Street, Milperra; Letter engaging RFS for feedback on the proposed changes</i>
Appendix I	<i>Proposed and existing LEP Maps</i>



Executive Summary

The Canterbury-Bankstown Local Environmental Plan 2023 (CB LEP 2023) was officially published on the NSW legislation website by the then Department of Planning and Environment (now Department of Planning, Housing and Infrastructure (the Department)) on 23 June 2023. However, due to time constraints, the Department opted to defer certain matters for resolution at a later stage as part of a separate planning proposal. These deferred matters encompass:

- 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.

The Department previously conveyed to Council that it would have the option to submit a new planning proposal to revisit these deferred matters. In alignment with the Department's Plan Finalisation Report (PP-2020-684), this planning proposal comprehensively addresses the deferred matters for the Department's consideration and outlines the amendments proposed to be made to the CB LEP 2023. A separate planning proposal is submitted to the Department, in tandem with this planning proposal, which includes the remaining other deferred matters that relate to minor changes to various LEP clauses and changes to zoning, height of building, Floor Space Ratio controls for the Council owned land at 75A – 75C Marco Avenue, Revesby (refer to PP-2024-536).

Canterbury-Bankstown Council serves as the proponent for this planning proposal. The proposed amendments relate to the Canterbury-Bankstown Local Government Area.

Previous Consultation

The proposed housekeeping amendments were subject to consultation with the Canterbury Bankstown Local Planning Panel (CB LPP), which officially considered and adopted the proposed amendments to the CB LEP 2023 during its meeting on 30 June 2020. On this basis Council, at its Ordinary Meeting on 24 October 2023, resolved not to refer this planning proposal to the Local Planning Panel for advice. This decision aligns with Clause 1 of the Minister's Direction (Local Planning Panels Direction – Planning proposals).

Gateway Determination

A Gateway determination was issued by the Department on 12 June 2024. The Gateway determination included conditions to be satisfied prior to public exhibition. Council has updated the planning proposal and relevant technical reports was undertaken in response to the conditions of the Gateway determination as summarised in the table below.

Condition	Councils Response
1(a) amend the objectives of the planning proposal to include the implementation of current land use strategies	<p>The objectives of the planning proposal have been amended to include:</p> <ul style="list-style-type: none">• <i>To implement the adopted Council land use strategies to rezone one site identified in the North Central Local Area Plan (2016) being 6-8 Chapel Road, Bankstown (Action 12, page 116 of</i>



		<p><i>the NC LAP) and one site identified in the South East Local Area Plan (2016) being 45 Simmons Road, Revesby (Action A10, p46 of the SE LAP).</i></p> <ul style="list-style-type: none"> <i>To support 'function centre' as an additional permitted uses at 30-31 Webster Street, Milperra and 'recreation facility (indoor)' as an additional permitted use at 328 Hector Street, Bass Hill; reflecting the intended objectives of their respective zones and historical uses of those properties.</i>
1(b)	confirm land ownership for 45 Simmons Street, Revesby	Council owns the land at 45 Simmons Street, Revesby. Confirmation of land ownership is provided in Appendix F
1(c)	clarify the rationale for the 800m ² cap in gross floor area for recreational facilities (indoor) at 328 Hector Street, Bass Hill	A letter that clarifies the proposed GFA cap for 328 Hector Street, Bass Hill is provided in Appendix G
1(d)	address the impact of the potential removal of the existing multi-storey car park at 45 Simmons Street, Revesby on the ongoing function of the Revesby town centre	Noted. The planning proposal does not propose to remove the car park at 45 Simmons Street, Revesby, which was most recently expanded in 2023. If development were to occur at the site in the future, it would require consultation with TfNSW and a Traffic Impact Assessment, which would address this condition.
1(e)	address potential contamination of 45 Simmons Street, Revesby and suitability for redevelopment	A preliminary site investigation for 45 Simmons Street, Revesby is provided in Appendix E. The report confirms the site can be made suitable for the future uses under the proposed rezoning.
1(f)	prepare an updated flood study in accordance with the Flood Risk Management Manual (2023) and the Flood Inquiry 2022.	A supplementary report regarding flood risk and the existing flood risk management study and flood emergency response plan pertaining to 30-31 Webster Street, Milperra has been provided in Appendix D. The addendum addresses the Flood Risk management Manual (2023) and Flood Inquiry (2022).
2(a)	the planning proposal is categorised as standard as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and	Noted. The planning proposal will be made publicly available for at least 20 working days.
2(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	Noted. Council will comply with these requirements.



Making Guideline (Department of Planning and Environment, August 2023).		
3	<p>Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:</p> <ul style="list-style-type: none">• Transport for NSW• NSW State Emergency Service• NSW Rural Fire Services• Department of Climate Change, Energy, the Environment, Water. <p>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 working days to comment on the proposal.</p>	<p>Noted. Council will consult all identified public authorities and government agencies during Public Exhibition of the proposal.</p>
4	<p>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 (for example, in response to a submission or if reclassifying land).</p>	<p>Noted.</p>



Part 1 – Objectives and Intended Outcomes

Objective

- To amend the CB LEP 2023 to address certain matters that the Department deferred when it approved the consolidation of the former Canterbury LEP 2012 and Bankstown LEP 2015.
- To implement the adopted Council land use strategies to rezone one site identified in the North Central Local Area Plan (2016) being 6-8 Chapel Road, Bankstown (Action I2, page 116 of the NC LAP) and one site identified in the South East Local Area Plan (2016) being 45 Simmons Road, Revesby (Action A10, p46 of the SE LAP).
- To support 'function centre' as an additional permitted uses at 30-31 Webster Street, Milperra and 'recreation facility (indoor)' as an additional permitted use at 328 Hector Street, Bass Hill; reflecting the intended objectives of their respective zones and historical uses of those properties.

Intended Outcomes

- Rezone two specific sites from SP2 Infrastructure (Road Infrastructure Facility) Zone to B1 Neighbourhood Centre Zone and B2 Local Centre Zones to align with current land use strategies and rectify the existing land zoning anomaly.
- Introduce Additional Permitted Uses (APUs) for the identified sites to facilitate new uses that align with the intended objectives of their respective zones and historic uses at the site.

Background

The CB LPP previously considered and adopted the CB LEP 2023 at its Meeting of 30 June 2020. The intended outcomes of the CB LEP 2023 were to consolidate the former Bankstown and Canterbury LEPs into a single set of planning controls and to implement current land use strategies. The CB LEP 2023 was gazetted in June 2023. However, due to time constraints, the Department decided to defer some matters to resolve at a later stage. The deferred matters include:

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

The Department commented in its assessment report that Council may submit a new planning proposal to further consider these matters.

Local Planning Panel

Clause 1 of the Minister's Direction (Local Planning Panels Direction – Planning proposals) does not require Council to refer the planning proposal to the Local Planning Panel for advice if the Chief Executive Officer determines that the planning proposal relates to:

- the correction of an obvious error in a local environmental plan, matters that are of a consequential, transitional, machinery or other minor nature, or



- matters that the Chief Executive Officer considers will not have any significant adverse impact on the environment or adjoining land.

In considering the Minister's Direction, it is not proposed to refer the planning proposal to the Local Planning Panel for advice. The Panel formally considered and adopted the proposed amendments outlined in this report at its Meeting of 30 June 2020. Based on this determination and the pre-existing support of the Local Planning Panel on these matters, the Chief Executive Officer considers the planning proposal relates to:

- the correction of obvious errors in the LEP
- matters that are of a consequential, transitional, machinery or other minor nature, and
- matters that the Chief Executive Officer considers will not have any significant adverse impact on the environment or adjoining land.

Council Resolution to Submit New Planning Proposal

Following the finalisation and making of the CB LEP 2023, Council resolved at its ordinary meeting of Council held on 24 October 2023 that:

1. *"Council prepare and submit a planning proposal(s) to the Department of Planning and Environment to seek a Gateway determination for the proposed amendments to the Canterbury-Bankstown Local Environmental Plan 2023 as outlined in this report.*
2. *Council does not refer the planning proposal(s) to the Local Planning Panel for advice in accordance with Clause 1 of the Minister's Direction (Local Planning Panels Direction – Planning proposals), given these matters have already been considered and supported by the Panel.*
3. *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 to be the plan-making authority.*
4. *Council require landowners to pay for any relevant studies or reports required by the Department of Planning and Environment to support the site-specific rezoning changes and additional permitted uses.*
5. *Council exhibit draft amendments to the Generic Plan of Management for Community Land and Crown Land as outlined in this report.*
6. *The matter be reported to Council following the exhibition period."*



Part 2 – Explanation of Provisions

This Part of the planning proposal provides a detailed statement of the proposed amendments to be made to the existing CB LEP 2023. The following amendments are proposed in this planning proposal:

Key Theme	Proposed LEP Amendment to achieve this outcome (Proposed changes demonstrated with maps or in red)
<u>[Amendment 1] Land Zoning Map, Floor Space Ratio Map and Height of Buildings Map</u> Rezone 6 and 8 Chapel Road, Bankstown from a SP2 zone to a B1 zone (maximum 1.5:1 FSR (Area 2)/ maximum 14m building height).	See Part 4 Maps 1 – 6 <i>*Note, PP-2024-684 is seeking to amend all industrial and business zones to align with the new employment zones required by the Department. The B1 Neighbourhood Centre zone will become E1 Local Centre Zone. The maps and zones referred in this planning proposal will be updated post-exhibition to reflect the gazettal of PP-2024-684. Refer to the explanation below this table.</i>
<u>[Amendment 2] Land Zoning Map, Floor Space Ratio Map and Height of Buildings Map</u> Rezone 45 Simmons Street, Revesby from a SP2 zone to a B2 zone (maximum 3:1 FSR (Area 1)/ maximum 26m building height).	See Part 4 Maps 7 – 12 <i>*Note, PP-2024-684 is seeking to amend all industrial and business zones to align with the new employment zones required by the Department. The B2 Local Centre zone will become E1 Local Centre Zone. The maps and zones referred in this planning proposal will be updated post-exhibition to reflect the gazettal of PP-2024-684. Refer to the explanation below this table.</i>
<u>[Amendment 3] Schedule 1 – Additional permitted uses</u> Add new additional permitted use (function centre) at 30 and 31 Webster Street, Milperra.	Additional Permitted Use: Use of land at 30 and 31 Webster Street, Milperra (1) This clause applies to Lot A, DP 405225 and Lot D, DP 391154, 30 and 31 Webster Street, Milperra. (2) Development for the purposes of function centre is permitted with development consent subject, and before granting consent, the consent authority must be satisfied that: a) flooding risks of the site have been considered in the design, construction and operation of the new development in accordance with a flood impact and risk assessment (FIRA) consistent with guideline document LU01 of the NSW Flood Risk Management Manual (2023), and b) A flood emergency response plan (FERP) has been submitted. See Part 4 Map 13



Key Theme	Proposed LEP Amendment to achieve this outcome (Proposed changes demonstrated with maps or in red)
<u>[Amendment 4] Schedule 1 – Additional permitted uses</u> Add a new additional permitted use (recreational facility (indoor)) at 328 Hector Street, Bass Hill subject to the gross floor area not exceeding 800m ² .	Additional Permitted Use: Use of land at 328 Hector Street, Bass Hill (1) This clause applies to Lot 101, DP 1053893, 328 Hector Street, Bass Hill. (2) Development for the purpose of recreational facility (indoor) is permitted with development consent if the gross floor area of the recreational facility (indoor) does not exceed 800m ² . See Part 4 Map 14



Implications of the NSW State Government Employment Zones Reform

In May 2021, the Department proposed to replace the existing business and industrial (IN) zones with five employment zones and four supporting zones via amendments to the Standard Instrument (Local Environmental Plans) Order 2006. The reform was finalised in December 2021 and Council is required to implement the new industrial and employment zones by April 2025.

At its meeting on 4 March 2024, the CB LPP considered a draft planning proposal to amend the CB LEP 2023 to amend existing business and industrial zones in accordance with the State Government led changes. Council then initiated a separate planning proposal which received a Gateway Determination on 8 May 2024 to enable the planning proposal to proceed to exhibition, subject to Gateway Conditions ([refer to planning proposal PP-2024-684](#)). The planning proposal underwent public exhibition from 23 September 2024 – 8 November 2024, after which it was reported to Council at the Ordinary Meeting on 26 November 2024. Council unanimously adopted the proposal, and supported it be submitted to the Department for finalisation and gazettal. The planning proposal was returned to the Department for assessment and drafting of the LEP on 19 December 2024.

If PP-2024-684 is finalised and gazetted during the exhibition of this planning proposal, Amendments 1 and 2 will be affected. In this case, Council acknowledges that both the B1 Neighbourhood Centre Zone (6 and 8 Chapel Road, Bankstown) and the B2 Local Centre Zone (45 Simmons Street, Revesby) will transition to the E1 Local Centre Zone. It is noted that the LEP amendments of this proposal will not be otherwise affected.

Should PP-2024-684 be finalised as this planning proposal progresses, Council plans to rezone these sites to E1 local Centre Zone, in alignment with the provisions of PP-2024-684 and the Departments Employment Zones Reform. Figure 1 and Figure 2 below show excerpts from PP-2024-684 with regards to the affected sites and in relation to the proposed zoning changes.



Figure 1. E1 Local Centre Zone surrounding 6 and 8 Chapel Road, Bankstown (outlined in red)

Legend:

E1	Local Centre
E3	Productivity Support
E4	General Industrial
MU1	Mixed Use
SP4	Enterprise

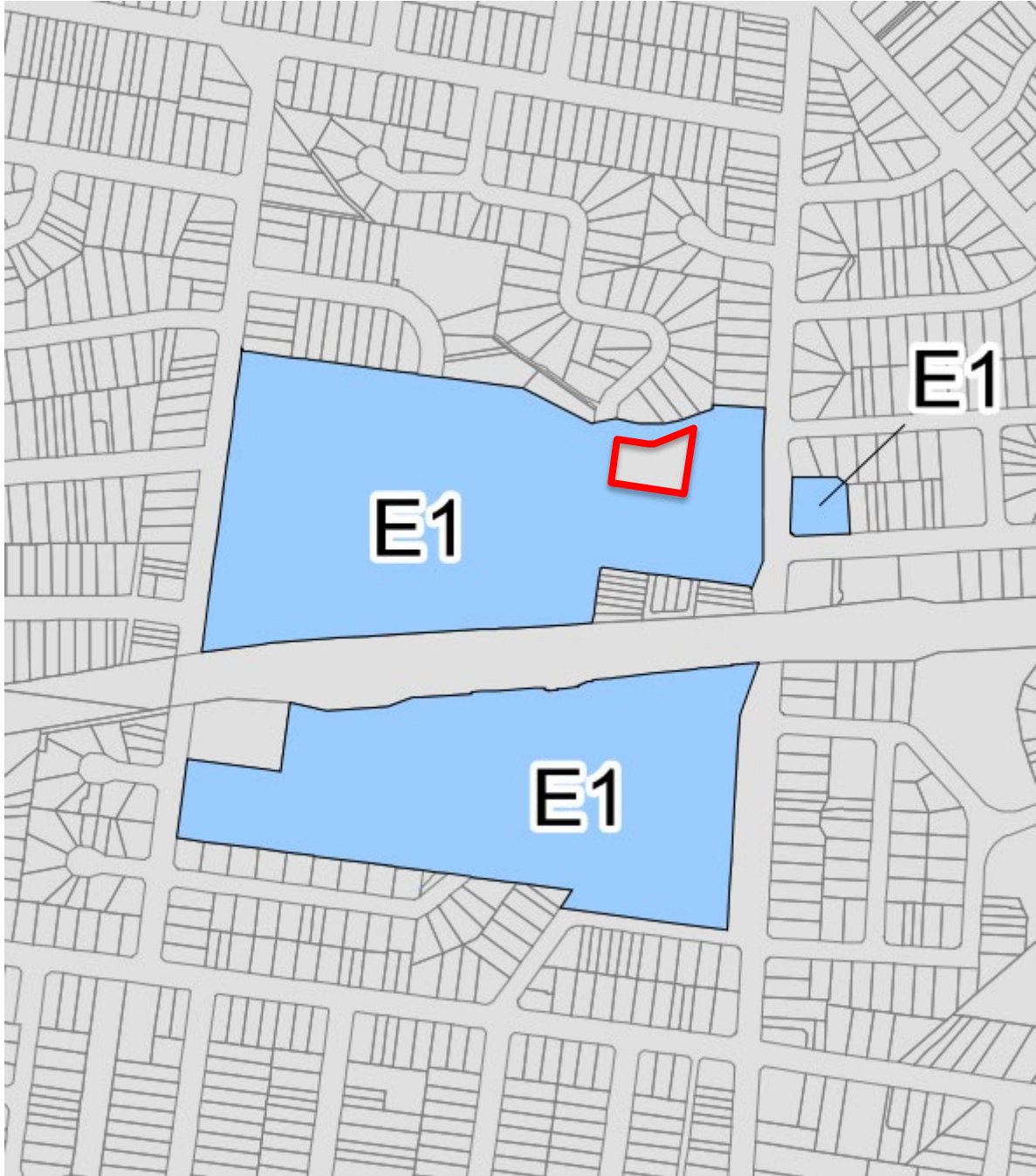


Figure 2. E1 Local Centre Zone surrounding 45 Simmons Street, Revesby (outlined in red)

Legend:

E1	Local Centre
E3	Productivity Support
E4	General Industrial
MU1	Mixed Use
SP4	Enterprise



Intent of Proposed Changes

[Amendment 1] Rezone 6 and 8 Chapel Road, Bankstown from SP2 Zone to B1 Neighbourhood Centre Zone (Maximum 1.5:1 FSR (Area 2)/Maximum 14m Building Height)

Proposed Change

This planning proposal recommends the rezoning of 6 and 8 Chapel Road, Bankstown from SP2 Infrastructure (Road Infrastructure Facility) Zone to B1 Neighbourhood Centre Zone, on the basis the SP2 zoned land is no longer required for car parking or related uses. This proposal was included in the draft CB LEP submitted to the Department, which was deferred the proposed amendment as it required supporting information to clarify the possibility of the site's contamination.

Justification

The SP2 zoning of part of this site is no longer required for provision of car parking. The property owner of 6 Chapel Road has submitted a preliminary contamination investigation report to satisfy the Ministerial Direction 4.4 Remediation of Contaminated Land. The report concluded that contamination would not likely constrain the site's use, which is suitable for commercial and industrial uses, but that further investigation is recommended prior to redevelopment. Council will request the property owner of 8 Chapel Road to submit a preliminary site investigation report following receipt of the Gateway determination to satisfy this Ministerial Direction.

The proposed change in zoning from SP2 Infrastructure Zone to B1 Neighbourhood Centre Zone is to make the land zoning, floor space ratio and building height limits consistent throughout the site and in its urban context. Applying the existing development controls on the eastern side of the site zoned B1 as proposed in this planning proposal will be sufficient to address design, contamination, and flooding that will be detailed as part of a future Development Application.

The rezoning can be supported by existing infrastructure and services immediately adjacent to the site and within an 800m walking catchment, as illustrated in Figure 5. Figure 3 shows two points of vehicular access to the site, one on Chapel Road and the other on Calidore Lane. Both entry points provide sufficient vehicular access to and from the site.



Figure 3 – Aerial map showing the vehicular access to the Site (Front and Rear)

The proposed rezoning is consistent with State and local policies as outlined in this planning proposal. At a local level, the proposed rezoning implements Connective City 2036, Action E6.8.128 (page 75), as it integrates the recommendations of Council's North Central Local Area Plan (NC LAP) into the planning framework. Council adopted the NC LAP at its Extraordinary Meeting of 11 May 2016.

The NC LAP details Council's endorsed approach to sustainably accommodate residential and employment growth based on the centre's hierarchy, and outline the delivery of supporting infrastructure, facilities, and open space. Below is the 'suggested planning control changes' for this site from the Council adopted NC LAP (p116) which has informed this planning proposal:

Property	Suggested planning control changes
Nos. 6–14 Chapel Road, Nos. 199–219 Canterbury Road and Nos. 10–20 Eldridge Road in Bankstown	<p>Apply a neighbourhood centre zone (Zone B1) which permits hospitals, medical centres, offices, health consulting rooms and shop top housing (refer to Figure 15).</p> <p>The building envelope may increase from 1:1 FSR / 2 storeys to 1.5:1 FSR / 4 storeys together with a minimum 18 metre lot width to achieve the higher floor space provision. This aims to encourage high quality development with the most efficient parking layout possible. Otherwise a 1:1 FSR will apply.</p> <p>Remove the special use zone for a public car park on Calidore Lane (behind the shops). The construction of a new car park is no longer an infrastructure priority as the location of the Chapel Road shops is designed for passing trade, and there is sufficient on-street parking on Canterbury and Chapel Roads.</p>

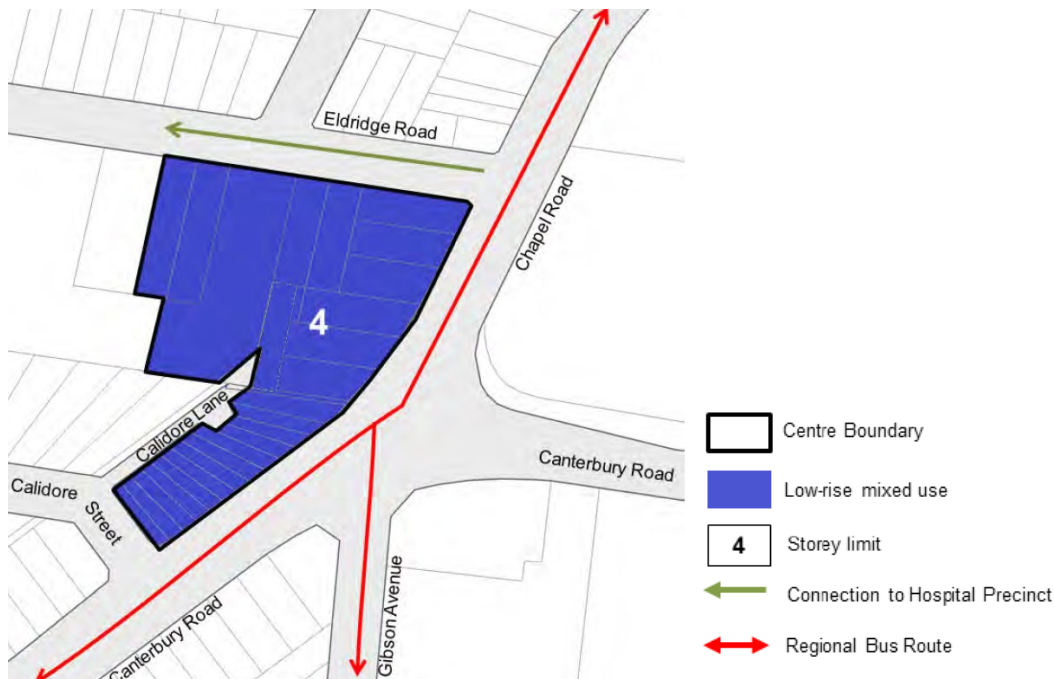


Figure 4 – Chapel Road shops proposed height and zoning as shown in the North Central Local Area Plan (p117)

According to the NC LAP (Action I1, page 116), the construction of a new car park is no longer an infrastructure priority as the Chapel Road shops are designed for passing trade and have sufficient on-street parking on Canterbury and Chapel Roads.

Ministerial Direction 4.4 requires the consideration of land contamination where it is proposed to rezone from a SP2 zone to a zone that would enable development for residential purposes and other sensitive land uses. This matter is addressed in this planning proposal through the submission of the Preliminary Site Investigation at 4-6 Chapel Road, Bankstown – Preliminary Site Investigation.

The site is in a 'medium' category flood prone area. An assessment of flooding specific to the site is included in the Ministerial Directions table in this planning proposal. The assessment addresses both the 1% Annual Exceedance Probability (AEP) and the Probable Maximum Flood (PMF), in compliance with Ministerial Directions 4.1 Flooding.



Figure 5. 800m Walking Catchment to Bankstown Hospital (pink), Local Shops (blue), Green Space (green) and Bus Stops (orange), noting for clarity, not all bus stops in the 800m radius are shown

[Amendment 2] Rezone 45 Simmons Street, Revesby from SP2 Zone to a B2 Zone (maximum 3:1 FSR (Area 1)/ maximum 26m building height)

Proposed change

This proposal seeks to rezone land located at 45 Simmons Street, Revesby, from SP2 (Road Infrastructure Facility) to B2 Local Centre Zone. The proposal includes a maximum Floor Space Ratio (FSR) of 3:1 and a Height of Building (HOB) of 26 meters to match the controls that apply to the eastern part of the site. The primary objective of these amendments is to address a planning inconsistency, where the SP2 zoning is presently applicable to only a part of the site. Consequently, the proposal suggests rezoning the entire site to B2 Local Centre Zone to match the zoning for the majority of the existing site and the broader B2 zoning of the surrounding Revesby centre.



Justification

[The proposed rezoning implements *Connective City 2036*](#)

The LSPS guides the growth and transformation of the Canterbury Bankstown Local Government Area (LGA) through to 2036. As outlined in Action E6.8.128 (page 75) of the LSPS, the initial step involves integrating existing land use strategies into the planning framework. This planning proposal aligns with Action E6.8.128 by incorporating the recommendations outlined in Council's South East Local Area Plan.

[The proposed rezoning implements the *South East Local Area Plan*](#)

The South East Local Area Plan 2016 (SE LAP) provides a comprehensive overview of Council's approved strategy for responsibly accommodating residential and employment growth, taking into consideration Revesby's hierarchy. Additionally, it outlines the planned implementation of supporting infrastructure, facilities, and open space. The Local Area Plans informed the changes within the *CB LEP 2023* and therefore remain applicable to this planning proposal. Council adopted the SE LAP at its Extraordinary Meeting of 11 May 2016.

According to the SE LAP (Action L1, page 120) (Figure 6), it is proposed to rezone the part of the site that is zoned SP2 to B2 zone. The intended outcome is to extend retail activity and active street frontages along Simmons Street to ensure the long-term success of the centre (Place Making Principle A11, page 46) (Figure 7). The existing car park has been designed to accommodate shops and extend the potential for retail activity along the Simmons Street frontage.

Actions		Proposed Changes
Zone	L1	Revesby Village Centre <ul style="list-style-type: none">• Rezone the properties at Nos. 7A and 33 Marco Avenue and No. 45 Simmons Street from Zone SP2 Infrastructure to Zone B2 Local Centre.• Rezone the properties at Nos. 38–60 Selems Parade and No. 1A Swan Street from Zone R2 Low Density Residential to Zone B2 Local Centre.• Rezone the properties at No. 1A Macarthur Avenue and No. 184 The River Road in Revesby from Zone SP2 Infrastructure to Zone B2 Local Centre.• Rezone the properties at the former Whitehall site (Nos. 75A–75C Marco Avenue) from Zone RE1 Public Recreation to Zone R4 High Density Residential (6 storeys / 1.5:1 FSR).• Rezone the properties in the Residential Frame precinct from Zone R2 Low Density Residential to Zone R4 High Density Residential.• Rezone the property at No. 133 The River Road from Zone R2 Low Density Residential to Zone B2 Local Centre and maintain the property at No. 139 The River Road as Zone SP2 Infrastructure to reflect current uses.

Figure 6: LAP Action L1, pp. 120



Place Making Principles Ref: P2	A11	Suggested Planning Control Changes
		Rezone the properties at Nos. 7A and 33 Marco Avenue and No. 45 Simmons Street from Zone SP2 Infrastructure to Zone B2 Local Centre. Rezone the properties at Nos. 38–60 Selems Parade and No. 1A Swan Street from Zone R2 Low Density Residential to Zone B2 Local Centre. Zone B2 does not permit low density options such as dual occupancies. The intended outcome is to extend retail activity and active street frontages along the main street spine to ensure the long term success of the village centre. The proposed extent of the business zone will provide sufficient capacity to meet local retail needs to 2031.

Figure 7: LAP Place Making Principle A111, pp.46

In relation to additional information required, Council has provided analysis in this planning proposal that that this rezoning can be supported by the existing infrastructure and services, including the road network and open spaces given the location of the site within the Revesby centre.

Ministerial Direction 4.4 requires the consideration of land contamination where it is proposed to rezone from a SP2 zone to a zone that would enable development for residential purposes and other sensitive land uses. Council has prepared a preliminary site investigation report following receipt of the Gateway determination to satisfy this Ministerial Direction (Appendix E).

Any future development on the subject site will be required to address relevant planning controls, including the CB LEP 2023 and CB DCP 2023.

[Analysis of existing infrastructure and services demonstrates the site is well served to support future development under its proposed B2 Local Centre zoning](#)

Council has evaluated of the existing infrastructure and services within the Revesby Centre to determine their capacity to support the provisions outlined in this proposal. Situated within the Revesby Local Centre, the site is conveniently located within 250m from Revesby Station and a significant portion of the Revesby Local Centre.

[The new zoning is compatible with the site's flooding risk and reflects the surrounding area of the same zone](#)

The site is in a 'medium' category flood prone area. An assessment of flooding specific to the site is included in the Ministerial Directions table from page 22 of this planning proposal onwards. The assesment addresses both the 1% Annual Exceedance Probability (AEP) and the Probable Maximum Flood (PMF), in compliance with Ministerial Directions 4.1 Flooding.

[The new zoning will not impact the ongoing function of Revesby town Centre](#)

Council has reviewed the Gateway determination for this planning proposal, which identifies the need to address the impact of the potential removal of the existing multi-storey car park at 45 Simmons Street, Revesby on the ongoing function of the Revesby Town Centre.



Construction of additional levels to the multi-storey car park at 45 Simmons Street Revesby was completed in 2023 to cater for high car parking demand, as such it is unlikely development will occur at this site in the medium to long term. As the land is owned by Council and the car park is managed by TfNSW, Council would need to consult with TfNSW prior to a DA being lodged at this site, and notify them during exhibition of the DA.

Any future development at the site will need to address the impact of removing the existing car park. Changes to the zoning at the site will have no immediate impact on the ongoing function of the Revesby town centre and will provide a more consistent zoning for this site in connection with the rest of the town centre.

[Amendment 3] Add Function Centre as additional permitted use with consent at 30 and 31 Webster Street, Milperra

This proposal aims to include an additional permitted use for a 'function centre' at 30 and 31 Webster Street, Milperra. This proposal was included in the draft CB LEP submitted to the Department, who deferred the proposed amendment as it was a post-exhibition change considered and supported by the Local Planning Panel in response to a submission.

In order to ensure future function centre uses consider the flooding implications of the site, the new Schedule 1 'Additional Permitted Use' clause will:

1. Permit 'Function centres' as development permissible only with development consent, and
2. Before granting consent, the consent authority must be satisfied that:
 - a. flooding risks of the site have been considered in the design, construction and operation of the new development in accordance with a flood impact and risk assessment (FIRA) consistent with guideline document LU01 of the NSW Flood Risk Management Manual (2023), and
 - b. A flood emergency response plan (FERP) has been submitted.

Justification

Positive economic benefits to Canterbury Bankstown LGA

The planning proposal will provide jobs and services to the local community and give certainty to the long-term use of the site as part of the already approved function centre development (DA-224/2014, JRPP Reference: 2014SYW050). The function centre use of the site will also serve a broader regional catchment where such uses are not commonplace. The approved Development Application is consistent with the requirements of State and Local planning policies regarding flooding, biodiversity, and building design standards.

The new 'function centre' Additional Permitted Use is compatible with the site's flood prone profile and responds to the flood mitigation works the site has implemented

The site is in a 'high' category flood prone area. The approved function centre development on the site will convert an existing boat shed and will significantly improve the site's flood response and safety of users of



the site. These changes include but are not limited to moving the majority of the usable floorspace above the 1% AEP flood level, constructing a flood emergency evacuation route that has been designed to allow for a 2.5 hour evacuation window for cars and persons, and including four 20,000 litre rain tanks on the ground floor below grade to act as floodwater storage. A full description of proposed flood mitigation strategies can be found in pages 29 – 37 of Appendix D.

In response to the Gateway determination (Condition 1(f)) a supplementary report on Flood Risk Management pertaining to 30-31 Webster Street, Milperra has also been provided in Appendix D. The report addresses the Flood Risk Management Manual (2023) and Flood Inquiry (2022).

The report concludes that due to the High Flood Risk Precinct classification under the CB DCP 2023, any future development or function centre use at the site should provide documentation that addresses the following flood-related issues:

1. *“A flood impact and risk assessment (FIRA) in accordance with guideline document LU01 of the NSW Flood Risk Management Manual (2023)*
2. *A flood emergency response plan (FERP).*

These documents should include the following items in their scope and address them through the FIRA and FERP:

- (a) Assessment of flood behaviour for the 1 in 5000 AEP or 1 in 2000 AEP event; and*
- (b) Assessment of flood behaviour in the 1% AEP event and the Probable Maximum Flood (PMF), as per Recommendation 18 of the 2022 NSW Flood Inquiry Report; and*
- (c) Assessment of sea level rise and rainfall intensity increases as per the projections in IPCC 2023 and the 2024 update to Australian Rainfall and Runoff 2019.”*

Any future development on the site would be required to provide at the Development Application stage a detailed flood impact assessment and flood risk management plan to demonstrate the scale of the development is appropriate. These requirements are proposed to be included as part of the Schedule 1 Additional Permitted Use under CB LEP 2023 for this property.

[Amendment 4] Add a new additional permitted use (recreational facility (indoor)) at 328 Hector Street, Bass Hill subject to the Gross Floor Area not exceeding 800m²

This planning proposal will add ‘recreational facility (indoor)’ as an Additional Permitted Use for 328 Hector Street, Bass Hill subject to the Gross Floor Area (GFA) not exceeding 800m².

Justification

The site is within Zone R2 Low Density Residential and accommodates the former Bass Hill RSL (registered club). The residential zone does not permit recreational facilities (indoor). The proposed satisfies the relevant



Ministerial Directions, the strategic planning considerations and is appropriate as outlined in this planning proposal.

The justification for the proposed 800m² GFA cap is based on the previous use of the site as an RSL Club, which operated under existing use rights. The Club had an approval to operate a recreational facility (indoor) ancillary to the Club, which was used as a gym, and had a GFA of approximately 800 m². The proposed GFA cap replicates the size of the previous land use at the site. A memo produced by SJB on behalf of the proponent for this site regarding the proposed 800m² GFA cap is included in Appendix G.

[The proposal is consistent with Action E3.8 of Council's LSPS *Connective City 2036* \(page 53\)](#)

Action E3.8 seeks to enhance local economic activity in centres and suburban areas. This planning proposal will facilitate greater economic activity at the nearby Bass Hill commercial area to the west by providing an additional permitted use that can draw upon the surrounding residential and commercial catchment. The site is significantly larger in site area (4,750m²) than the adjacent smaller typical low-density residential lots and will be able to cater for the recreation facility (indoor) use, such as gyms, including providing adequate area for on-site car parking and indoor floor space.

[The Additional Permitted Use is compatible with the site's flooding risk](#)

The site is in a 'medium' category flood prone area. A preliminary assessment of flooding specific to the site is included in this planning proposal which addresses both the 1% Annual Exceedance Probability (AEP) and the Probable Maximum Flood (PMF), in compliance with Ministerial Direction 4.1 Flooding. The current flood design controls enforced by the DCP are sufficient to address future recreation facility (indoor) development and use of the site.

[Amenity impacts on surrounding residential zoned land, including traffic, built form and noise impacts will be managed](#)

Currently the site accommodates the Bass Hill RSL and an existing gym within an R2 Low Density Residential Zone. To the address potential impacts of the ongoing use of the site for recreation facility (indoor) uses any future development application for the site will be required to address the provisions within the Canterbury-Bankstown DCP 2023, Chapter 10.4 Section 5 – Other non-residential development which will require recreation facility (indoor) development to ensure it is compatible with the prevailing suburban character and amenity of the residential area and that it does not adversely impact on the amenity of neighbouring sites.

Canterbury Bankstown Development Control Plan 2023

This planning proposal does not intend to make any changes to the Canterbury Bankstown DCP 2023 (CBDCP 2023).



Part 3 – Justification of strategic and site-specific merit

This section of the planning proposal provides the rationale for the amendments to the CB LEP 2023 and responds to questions set out in the Department's 'Local Environmental Plan Making Guideline' (August 2023).

Section A–Need for this Planning proposal

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

Yes. This planning proposal outlines a series of site-specific housekeeping amendments to address key issues that were deferred by the Department during the approval process of the *CB LEP 2023*. The proposal aligns with Objective E1.6.24 of the Canterbury Bankstown Local Strategic Planning Statement (LSPS), which identifies the need to '*harmonise and consolidate the Canterbury LEP 2012 and Bankstown LEP 2015 into a single planning instrument*'.

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

Yes, a planning proposal is the only legal way under the Environmental Planning and Assessment Act 1979 to amend the CB LEP 2023 to achieve the objectives and planning outcomes of this planning proposal.

A single planning proposal that applies all necessary amendments streamlines the process to implement the housekeeping amendments proposed and achieves the intended outcome of harmonising and consolidating these deferred matters within the former Canterbury and Bankstown LEPs.

Utilising an alternative approach, such as depending on individual site-specific planning proposals is the least efficient method for achieving the objectives outlined in the LSPS. This approach would impede Council's capacity to effectively coordinate and facilitate urban development, and the provision of supporting infrastructure essential for achieving superior place outcomes.



Section B—Relationship to the strategic planning framework

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

3.1 Greater Sydney Region Plan ‘A Metropolis of Three Cities’

The Greater Sydney Region Plan (GSRP) was released by the now dissolved Greater Cities Commission (GCC) 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 GSRP identifies several key objectives to ensure communities are healthy, resilient and socially connected; and improving housing supply to all groups in the community. The planning proposal is consistent with several planning objectives in the GSRP as outlined in Table 1. While the Greater Cities Commission was dissolved on 1 January 2024, the GSRP remain applicable and relevant matters for consideration as part of the planning proposal process.

Table 1. Greater Sydney Region Plan Relevant Objectives – Assessment against relevant objectives

Objective	Consistent / Rationale
Infrastructure and Collaboration	<p>Consistent – The planning proposal seeks to enact changes to the CB LEP 2023 that will maximise the utility of existing infrastructure assets and proposes changes to land uses that support the ongoing economic use of land.</p> <p>A positive flow-on effect of this planning proposal is to achieve higher levels of social, economic and environmental outcomes for the community of Canterbury Bankstown.</p>
Liveability	<p>Consistent – This planning proposal endeavours to amend the CB LEP 2023 to introduce provisions for additional permitted uses and new development opportunities. This will help deliver new jobs and housing to meet the diverse and evolving needs of different population groups within Canterbury Bankstown. Furthermore, the proposal has the potential to facilitate the establishment of commercial activities and services in walkable, mixed-use environments that are situated in proximity to local amenities.</p> <p>The proposed amendments outlined in this planning proposal are in alignment with the objectives of Strategy 7.1 of the GSRP, focusing on the creation of healthy, safe, and inclusive spaces for individuals of all ages. This involves:</p> <ul style="list-style-type: none">• Co-locating essential community services within walkable catchments, fostering a human-scale environment with vibrant street life.• Emphasising opportunities for residents to conveniently access local services and infrastructure on foot.
Productivity	<p>Consistent – Aligned with ‘Objective 22: Investment and business activity in centres’ of the GSRP, the proposal will stimulate job creation and the provision of goods and services, including the centres of Bass Hill, Revesby and Bankstown. The proposed provisions are expected to ensure convenient access to essential goods and services within local communities, fostering a strong sense of place.</p>



Objective	Consistent / Rationale
	Central to this planning proposal is the alignment of businesses, services, and transportation networks with population growth. This strategic focus aims to cultivate local employment opportunities and bolster the economic resilience of communities. Furthermore, by promoting the integration of businesses and services near residential areas, or as is the case with the site in Milperra where the proposal seeks to re-permit a land use on the site (function centres), the proposal endeavours to enhance residents' access to employment opportunities, thereby reducing commuting times and contributing to the cultivation of a more sustainable urban environment.
Sustainability	<p>Consistent - The provisions sought within this proposal are anticipated to yield developments within existing urban footprints, thereby avoiding impacts on bushland within public land. This presents opportunities for the protection and management of these ecosystems, ensuring they continue to provide essential services such as clean air, water, and cooler urban habitats.</p> <p>Future developments resulting from the proposed changes are expected to embrace environmental technologies and initiatives, including the Building Sustainability Index (BASIX), to optimise water, energy, and waste management practices.</p>

3.2 South District Plan

The GCC released the South District Plan (the District Plan) on 18 March 2018 to give effect to the GSRP. The District Plan contains priorities and actions to guide the development and planning of the South District while improving the district's social, economic, and environmental assets. While the GCC was dissolved on 1 January 2024, the District Plans remain applicable and relevant matters for consideration as part of the planning proposal process.

The planning proposal addresses the priorities of the District Plan as follows:

Table 2 . South District Plan Relevant Objectives - Assessment

Objective	Consistent / Rationale
Infrastructure and Collaboration	<p>Consistent - The planning proposal is consistent with both directions for Infrastructure and Collaboration. This planning proposal seeks to enact changes in land use planning instruments to facilitate the provision of infrastructure and services tailored to meet the changing needs of the community, in alignment with 'Objective 4 - Infrastructure use is optimised'.</p> <p>This planning proposal aims to amend inconsistencies in zoning and provide additional permitted uses that will enhance the coordination between land use and infrastructure planning, thereby optimising the utilisation of existing infrastructure. The recent confirmation of the Bankstown-Lidcombe hospital relocation, coupled with the Transit-Oriented Development State Environmental Planning Policy (TOD SEPP), underscores significant investments by the State government in infrastructure.</p>



Objective	Consistent / Rationale
Liveability	<p>Consistent – By allowing for a diverse range of services in strategically chosen locations the proposal aims to meet the community’s needs, increase employment opportunities around transport hubs, and ensure convenient access to essential amenities. The proposal optimises land uses, promoting the provision of a range of service to meet the community’s needs, demonstrating its consistency with ‘Objective 6 – Services and Infrastructure meet communities changing needs’.</p> <p>The proposal directly aligns with ‘Objective 7 – Communities are healthy, resilient, and socially connected’, aiding the delivery of places that support active, resilient, and socially connected communities. The sites are predominately accessible by public transport, provide a range of services required by the community, and facilitate the development of additional floorspace to meet the community’s employment and service needs.</p> <p>The proposal demonstrates consistency with ‘Objective 12 – Great places that bring people together’ and ‘Objective 13 – Environmental heritage is identified, conserved and enhanced’. The proposal utilises a place-based approach to planning, aiming to integrate infrastructure that supports social connections and caters to the community. 30 and 31 Webster Street, Milperra is the only site with identified environmental heritage, and the development application, endorsed by council, has demonstrated its ability to conserve and enhance environmental heritage. It further enables communities to interact with and enjoy environmental assets on and adjacent to the site.</p> <p>The proposal intends to contribute to the creation and revitalisation of vibrant local centres and civic spaces through changes in land use instruments that allow the orderly and effective use of land.</p>
Productivity	<p>Consistent - The planning proposal is consistent with the directions for Productivity. This planning proposal demonstrates consistency with ‘Objective 22 – Investment and business activity in centres’, as it will give effect to land use planning instrument changes that aim to facilitate access to employment opportunities within 30mins of the Canterbury Bankstown Strategic Centre. The planning proposal generates increased local jobs and services and encourages well-planned centres that stimulate economic activity through the co-location of activities. The proposal promotes efficient, accessible, and connected infrastructure and employment opportunities.</p> <p>In addition, the proposal aligns with ‘Objective 24 – Economic sectors are targeted for success’ through the encouragement of well-designed and located facilities that enhance the amenity, vibrancy and safety of centres. Additionally, the endorsed development at 30 and 31 Webster Street, Milperra facilitates the protection and enhancement of biodiversity, with potential to attract more economic activity through the enhancing existing infrastructure provided within Milperra. These amendments will co locate more community services closer to where people live, ensuring existing infrastructure is used more efficiently.</p>



Objective	Consistent / Rationale
	The planning proposal does not propose to rezone any industrial land and as such aligns with the intent of the SDP by supporting the retention, growth, and enhancement of industrial and urban services land within Canterbury Bankstown.
Sustainability	<p>Consistent - The planning proposal is generally consistent with the directions for Sustainability. The proposed amendments outlined in this planning proposal are not expected to yield significant implications for the health and enjoyment of Canterbury Bankstown's waterways, bushland, biodiversity, scenic vistas, and cultural landscapes.</p> <p>The proposed amendments aim to facilitate investment in enhancing public safety by upgrading underutilised land to respond to flood risks affecting the site. Facilitating development uplift will facilitate the development of community amenities for public access while facilitating adaptation to the effects of urban and natural hazards.</p> <p>The proposal facilitates the approved development at 30 and 31 Webster Street, Milperra, which aligns with 'Objective 25 - The coast and waterways are protected and healthier', as it protects environmentally sensitive areas adjacent to waterways while improving and managing access to waterways for recreation, tourism, and cultural events. Milperra further aligns with 'Objective 27 - Biodiversity is protected, urban bushland remnant vegetation is enhanced' and 'Objective 28 - Scenic and cultural landscapes are protected', as it supports biodiversity conservation and restoration of bushland corridors and protects and provides access to scenic landscapes. It is important to note that the proposed development at 30 and 31 Webster Street, Milperra will not serve to increase the current urban footprint or intensify the use of the site and will only permit an additional permitted use which was permissible development under a previous LEP. As such, this planning proposal ensures the protection and retention of the existing bushland corridors prevalent on the subject site.</p>

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

4.1 Community Strategic Plan 'CBCity 2028'

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

- **Safe and Strong** – This planning proposal introduces changes to the CB LEP 2023 that provide the capacity for the delivery of accessible, efficient and effective services that are well located within local communities and that enrich a sense of place that promotes harmony and inclusiveness
- **Clean and Green** – This planning proposal presents amendments to the CB LEP 2023 aimed at fostering orderly development while concurrently safeguarding, conserving, and enhancing biodiversity within both living spaces and the natural environment.



- **Prosperous and Innovative** – This proposal includes a series of changes to the CB LEP 2023 that promote opportunities for the development of vibrant and dynamic local centres by providing opportunities for local employment and skill development.
- **Moving and Integrated** – This planning proposal will enable the development of key services and employment growth proximate to existing walkable catchments and trains stations and aligns with the intent of future State transport dedications within the LGA.
- **Liveable and Distinctive** – This planning proposal is intended to support the development of quality, compliant development that suits the City and meets its community's needs. The proposed amendments are intended to make relatively minor changes within the CB LEP 2023 to promote well planned, attractive and sustainable centres which cater for the diverse community of Canterbury Bankstown.

4.2 Local Strategic Planning Statement (LSPS) 'Connective City 2036'

The Local Strategic Planning Statement (LSPS) serves as the comprehensive vision for Canterbury Bankstown, guiding its growth. The Connective City initiative is grounded in five Metropolitan Directions, emphasising the City's role in Greater Sydney, and five City Directions that outline how the City can effectively support a population of 500,000 people by the year 2036. The strategic framework further incorporates ten theme-based evolutions, identifying challenges and opportunities for the City. Each evolution includes indicators and actionable items designed to drive meaningful change.

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

The table below provides a discussion on the consistency against the Evolution Priorities addressed within the LSPS.

Table 3. LSPS Relevant Actions - Assessment

Evolutions	Consistent / Rationale
Evolution 1 – Coordination, community collaboration and context	Consistent - The planning proposal advocates for housekeeping amendments to the <i>CB LEP 2023</i> aimed at fostering the harmonisation and consolidation of the former <i>Canterbury LEP 2012</i> and <i>Bankstown LEP 2015</i> into a unified planning instrument.
Evolution 2 – Movement for Commerce and Place	Not applicable.
Evolution 3 – Places for Commerce and Jobs	Consistent – The proposed amendments in this planning proposal include permitting function centre as an Additional Permitted Use at 30 and 31 Webster Street Milperra, and recreation facility (indoor) uses at 328 Hector Street, Bass Hill. Additional commercial activity will be enabled through the rezoning of 6 and 8 Chapel Road, Bankstown from SP2 Infrastructure to B1 Neighbourhood Centre. These changes will promote jobs growth within Canterbury Bankstown LGA, in alignment with priority 'E3.1 Increase job numbers, choice and diversity', and 'E3.7, Increase the number of people living and working in the City'.



Evolutions	Consistent / Rationale
	It's important to note that these housekeeping amendments will not compromise existing industrial and business lands. Furthermore, they do not endorse the introduction of residential uses, such as aged care facilities and live-work units, within industrial and urban services land.
Evolution 4 – Blue Web	Not applicable
Evolution 5 – Green Web	Consistent – the planning proposal advocates housekeeping amendments that give effect to actions within Evolution 5 – Green Web.
Evolution 6 – Urban and Suburban Places, Housing the City	<p>Consistent - the planning proposal advocates housekeeping amendments that give effect to actions within Evolution 6 – Urban and Suburban Places, Housing the City.</p> <p>The proposed housekeeping amendments are designed to preserve the distinctive character of specific centres by implementing land use instrument changes that align with current uses. These changes are intended to reinforce the existing land use dynamics of centres within Canterbury Bankstown. Additionally, the amendments will create opportunities to increase the supply of accessible dwellings strategically located within key strategic, local, and village centres of Canterbury Bankstown.</p>
Evolution 7 – Cultural Places and Spaces	Not applicable
Evolution 8 – Design Quality	Not applicable
Evolution 9 – Sustainable and Resilient Places	<p>Consistent - This planning proposal advocates for housekeeping amendments and will maintain provisions that facilitate the development of buildings that adhere to current sustainability standards, including higher BASIX and NABERS ratings. Developments resulting from these proposed amendments present Council with the opportunity to incorporate site-specific planning and design controls as conditions of consent. These controls can support well-planned waste management services and innovative low-emission energy solutions, thereby fostering the creation of sustainable and resilient environments within Canterbury Bankstown.</p>
Evolution 10 – Governance and Funding	Not applicable

4.3 Canterbury Bankstown Affordable Housing Strategy

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

“In relation to Planning proposals, it is proposed to amend the Planning Agreement Policy to conform with the Ministerial Direction (March 2019) and include a requirement for a 5% affordable housing



contribution for Planning proposals resulting in uplift or more than 1,000 sqm of residential floor space, unless otherwise agreed with Council.”

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

In the context of this planning proposal, the amendments provide Council with an expanded opportunity to advance affordable housing and public benefits through the Development Application process. The proposed amendments unlock new development possibilities not achievable under the existing CB LEP 2023. As a result, this planning proposal aligns with the objectives in Council's Affordable Housing Strategy, thereby contributing to the Council's overarching goals of promoting accessibility to housing options for all residents.

It is noted that the consolidation of the former Canterbury and Bankstown LEPs (the draft CB LEP) commenced prior to the adoption of Council's Affordable Housing Strategy and therefore given this planning proposal seeks to reintroduce items deferred from the CB LEP 2023, Council does not propose to require a minimum affordable housing requirement on the properties in Revesby and Bankstown in this planning proposal.

4.4 Employment Lands Strategy 2020

The Employment Lands Strategy 2020 sets a strategic approach to fostering long-term economic and employment growth within the local government area (LGA). It recognises the importance of capitalising on opportunities to attract investment and stimulate job creation. The strategy serves as a guiding framework for Council's decision-making processes, ensuring the provision of a sufficient and suitable supply of employment land equipped to meet the needs of businesses and employees.

The proposed housekeeping amendments in this planning proposal contribute to economic-generating uses and urban services within the Canterbury Bankstown LGA. These changes include:

- Rezoning 6 and 8 Chapel Road, Bankstown to unify the site as a B1 Neighbourhood Centre Zone land parcel capable of redevelopment as a commercial or mixed-use building
- Rezoning 45 Simmons Street, Revesby to align with the B2 Local Centre zoning of the rest of the centre and enable a broad mix of commercial uses on the site in the long term should the current car parking use cease to be required by TfNSW, and
- Including additional permitted uses to generate job growth and provide additional services, as well as long term economic certainty, at 328 Hector Street, Bass Hill and 30-31 Webster Street, Milperra.

Overall, the planning proposal aids in the delivery and revitalisation of local employment areas and is consistent with the overarching goals of the Employment Lands Strategy.

4.5 Canterbury Bankstown Housing Strategy

The Canterbury Bankstown Housing Strategy was prepared in accordance with the requirements for the Department's Local Housing Strategy Guidelines to support State Agencies to coordinate their plans for



future populations. The strategy has informed Canterbury Bankstown Council's comprehensive CB LEP 2023 and has guided the subsequent centre masterplans and other reviews of planning controls. It has also informed related documents including Council's Local Strategic Planning Statement. The Strategy provides an overarching, city wide framework for the provision of housing across Canterbury Bankstown, aligning approaches and strategies of the two former local government areas within the City.

A Strategic Direction of the Canterbury Bankstown Housing Strategy directly relevant to this Planning proposal is:

"Focus at least 80% of new dwellings within walking distance of centres and places with high amenity" (Strategic Direction 3).

This planning proposal advocates for the implementation of housekeeping 'deferred' amendments, facilitating the transition of land zoned SP2 Infrastructure into B1 Neighbourhood Centre and B2 Local Centre within Revesby and Bankstown Centres respectively. Certain types of Residential Accommodation are permitted within the B1 and B2 Zones and the Canterbury Bankstown Housing Strategy supports integrating housing in local centres with public transport access to jobs and services, emphasising preservation of local character in suburban areas.

This proposal aims to expand permitted uses and rezone specific sites to rectify planning anomalies, ensuring no adverse impacts on existing low-density residential zones. The proposed rezoning enables development of shop top housing and residential accommodation, fostering urban renewal in areas where such development is supported by existing infrastructure.

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

Not applicable – This planning proposal does not entail any changes to development conditions or alterations to land use instruments that may affect other State and Regional studies or Strategies relevant to the Canterbury Bankstown LGA. As such, this consideration lies beyond the scope of this planning proposal.

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

This planning proposal's consistency with applicable State Environmental Planning Policies is summarised in **Appendix B**. A detailed overview of key SEPPs is included below.

6.1 State Environmental Planning Policy (Sustainable Buildings) 2022 (formerly the SEPP (Building Sustainability Index: BASIX) 2004)

Consistent - This planning proposal does not contain any provisions that would contravene or hinder the application of this SEPP.



6.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Consistent - This planning proposal does not contain any provisions which would contravene or hinder the application of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The planning proposal includes amendments that provide land use changes that will not have any effects on remnant bushland or significant ecological communities within the Canterbury Bankstown LGA. The proposed LEP Amendments in this planning proposal to implement will be to land that is already able to be developed.

Any development that results from the proposed amendments to the CB LEP 2023 will be required to demonstrate consistency with State and Local Planning Policies during the Development Application process.

6.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Consistent - This planning proposal will introduce land use changes that have been justified in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021. The subject sites are acknowledged to be flood-affected, considering both the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events. Individual Flood Risk Assessments have been provided for each site as part of the appendices of this report. It is noted that future development on the site at 30 and 31 Webster Street, Milperra will be required to address the following matters under Part 2.2 Development controls for coastal management areas of this SEPP in Chapter 2 – Coastal Management:

- Division 1 Coastal wetlands and littoral rainforests area
- Division 3 Coastal environment area (including Section 2.10 Development on land within the coastal environment area), and
- Division 4 Coastal use area.

The above sections of the SEPP will ensure that any future development on the site is designed and operated in a way that is sensitive to the coastal zone.

6.4 State Environmental Planning Policy (Housing) 2021

Consistent - The planning proposal is consistent with the principles in the Housing SEPP. In particular, the proposed amendments within this proposal seek to align with the following specific principles:

“3 Principles of Policy

The principles of this Policy are as follows—

- (c) ensuring new housing development provides residents with a reasonable level of amenity;*
- (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services;*
- (e) minimising adverse climate and environmental impacts of new housing development; and*
- (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality.”*

The planning proposal includes zoning changes that will allow new types of residential accommodation that were previously not permitted. In instances where this may arise, Council's CB LEP 2023 and CBDP 2023,



in tandem with the provisions of the Housing SEPP, will ensure that the new residential development is of a high quality and design standard.

6.5 Transport Oriented Development State Environmental Planning Policy 2024 (TOD SEPP) and Low- and Mid-Rise Housing Program (2024)

Consistent – This planning proposal does not contain any provisions which would contravene or hinder the application of the TOD SEPP or the Low and Mid-Rise Housing reforms. The planning proposal seeks to provide additional opportunities for new residential and non-residential development which would be consistent with the aims of these State Government planning reforms.

Any development that results from the proposed amendments to the CB LEP 2023 will be required to demonstrate consistency with State and Local Planning Policies during the Development Application process. It is noted that the consolidation of the former Canterbury and Bankstown LEPs (the draft CB LEP) commenced prior to the adoption of Council's Affordable Housing Strategy and therefore given this planning proposal seeks to reintroduce items deferred from the CB LEP 2023, Council does not propose to require a minimum affordable housing requirement on the properties in Revesby and Bankstown in this planning proposal. The proposed amendments unlock new development possibilities not achievable under the existing CB LEP 2023.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

This planning proposal is consistent or justifiably inconsistent with the applicable Local Planning Directions (Section 9.1 Ministerial Directions) (refer to Appendix C for the full list of Ministerial Directions), and discussed further below:

Table 4 - Consistency assessment against Local Planning Directions (Section 9.1 Ministerial Directions)

Direction	Consistent / Rationale
Focus Area 1: Planning Systems	Consistent – The proposed housekeeping amendments outlined in this planning proposal are consistent with Focus Area 1: Planning Systems.
1.4 Site Specific Provisions	<p>The amendments proposed in this initiative aim to facilitate land uses within their respective zones, seeking to rezone sites to existing zones already stipulated in the CB LEP 2023. This adjustment allows for land use activities without imposing any additional development standards or requirements beyond those already outlined in the specified zones.</p> <p>Furthermore, the planning proposal refrains from designating specific development types for amendment and avoids including or referencing drawings illustrating the details of the proposed developments. Specifically, the proposed changes to the CB LEP 2023 involve rezoning certain sites to existing zones already established within the instrument. These zones permit land use without imposing additional development standards or requirements beyond those already contained within the LEP.</p>



Direction	Consistent / Rationale
	With regard to the proposed LEP Amendment to 30 and 31 Webster Street, Milperra, the proposed Additional Permitted Use clause requires a FIRA and FERP to be submitted prior to development consent being granted as these are documents that are not referenced elsewhere in the CB LEP 2023 and became requirements after the CB LEP 2023 came into effect in mid-2023.
Focus Area 3: Biodiversity and Conservation	Consistent – The planning proposal does not contain amendments which will impact of heads of consideration with Focus Area 3: Biodiversity and Conservation.
3.1 Conservation Zones	The planning proposal will not diminish the conservation zones designated for environmental protection within the LEP. The proposed adjustments primarily concern additional permitted uses and expansions of existing zones within the CB LEP 2023, limited to existing urban areas. These changes will not expand development footprints nor include sites that do not already allow for the use through existing development consent approvals.
3.6 Strategic Conservation Planning	
3.7 Public Bushland	Furthermore, the planning proposal does not aim to alter lands designated as avoided or strategic conservation areas under the State Environmental Planning Policy (Biodiversity and Conservation) 2021. It aligns with the objectives outlined in section 3.7 Public Bushland and ensures the preservation of biodiversity, habitat corridors, bushland, natural hydrological features, and watercourses. Additionally, the proposal seeks to minimise disruptions caused by development activities.
Focus Area 4: Resilience and Hazards	Consistent – this planning proposal will result in amendments to the CB LEP 2023 which may contravene matters for consideration within Focus Area 4: Resilience and Hazards.
4.1 Flooding	4.1 Flooding:
4.3 Planning for Bushfire Protection	The planning proposal includes four sites that are flood affected either as medium and/or high category flood prone. The proposed amendments to the CB LEP 2023 would allow development within flood impacted sites, noting that development is already permitted. This may lead to an increase in development and/or dwelling density on the affected sites. It is noted that future development on the subject sites is not expected to significantly increase the need for government spending on emergency management services, flood mitigation, and emergency response measures.
4.4 Remediation of Contaminated Land	
4.5 Acid Sulfate Soils	Ministerial Direction 4.1 Flooding highlights that a planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that: <i>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the</i>



principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or
(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.

A review of the flood classification of each site included within this planning proposal is included below. The review of flood impact assessments has justified the proposed amendments in accordance with the Ministerial Directions and the principles of the Floodplain Development Manual 2005.

Council's existing floodplain risk management plans

The proposed CB LEP 2023 amendments apply to several stormwater catchments. Council has completed flood studies for each of these catchments, shown in **Figure 8: Catchment Map**.

Based on the flood studies, Council has completed floodplain risk management plans for the Salt Pan Creek, Duck River and Mid Georges River Catchments. The plans for the Prospect Creek and Cooks River Catchments require the involvement of neighbouring Councils and the plan making process has commenced. An overlay of the catchments with the Local Area Plan Area related changes is shown in **Figure 9: Sub Catchment Map**. The assessment of flood risk for each site has been informed by Council endorsed flood mapping, Flood Studies, and for consistency in part by the Department's flood risk assessment in the plan finalisation report (PP-2020-684) for the consolidated CB LEP 2023 dated June 2023. The Department's plan finalisation report (p.37-45) has been used as a guideline to ensure consistency has been maintained with regards to identifying and assessing responses to site specific flood risks.

The Direction applies to planning proposals that create, remove or alter a zone or provision that affects flood prone land, and states that planning proposals must include provisions that give effect to and are consistent with plans and policies, such as the NSW Flood Prone Land Policy.

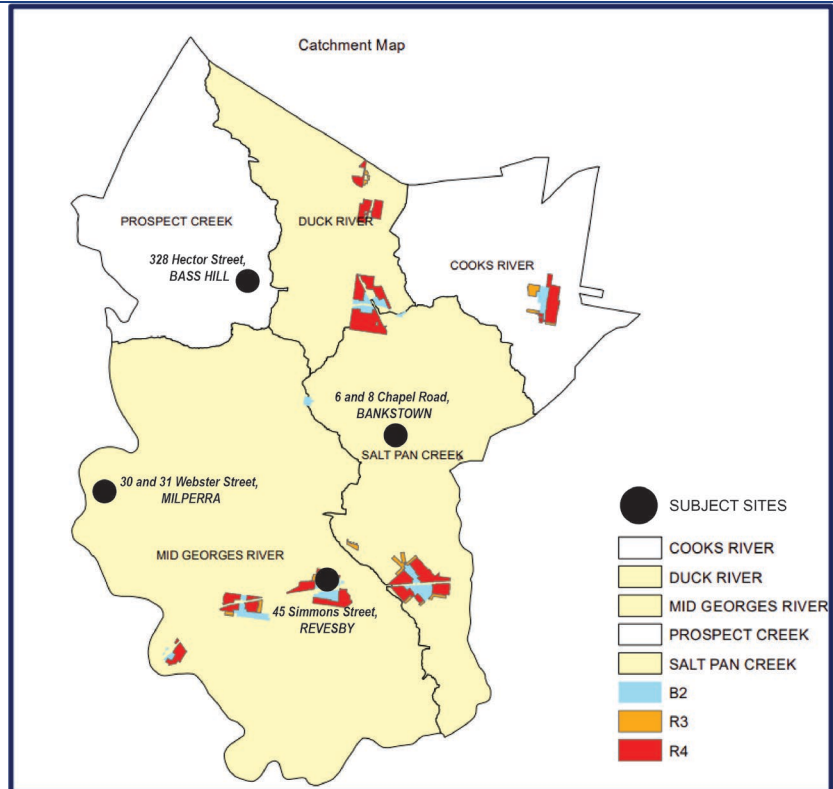


Figure 8: Catchment Map (former Bankstown LGA)

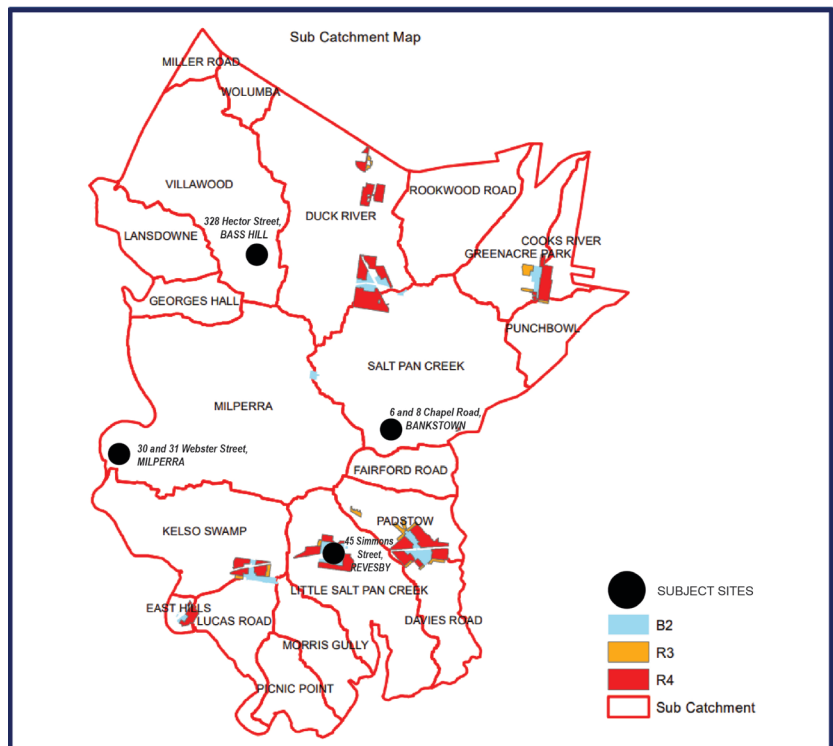


Figure 9: Sub Catchment Map (former Bankstown LGA)



The Direction states that planning proposals must not:

- rezone land within flood planning areas from recreation, rural, special purpose or environmental protection zones to residential, business, industrial or special purpose zone; and
- contain provisions that apply to the flood planning area, for example, permitting residential accommodation in high hazard areas or permitting a significant increase in the development and/or dwelling density of that land.

The planning proposal is inconsistent with this Direction because it seeks to:

- rezone special purpose zones to business zone; and
- contains provisions allowing additional permitted uses in one high risk flood planning area, at 30 and 31 Webster Street, Milperra, although noting the use that is proposed is already approved and currently under construction.

A planning proposal may be inconsistent with this direction if the Planning Secretary is satisfied that:

- (a) The planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or*
- (b) Where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005, or*
- (c) The planning proposal is supported by a flood risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development manual 2005 and consistent with the relevant planning authorities' requirements, or*
- (d) The provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.*

Council's justification is that these inconsistencies are acceptable because they are restricted to a limited number of sites, which are either only marginally affected and/or the nature of the LEP amendment is minor in the context of the existing or approved uses on the site.

In the case of 30 and 31 Webster Street, Milperra, the landowner has previously submitted a Flood Impact Assessment and Flood Report to Council from 2014, which satisfies Council's detailed requirements for development in flood prone land. In response to the Gateway Determination received for this planning proposal on 12 June 2024, the proponent for the site at 30 and 31 Webster Street, Milperra has provided a supplementary report to the 2014 flood study that addresses the Flood Risk Management Manual (2023) and Flood Inquiry (2022) (refer to **Appendix D**). The recommendations of that supplementary report for any future developments at the site to submit a FIRA and FERP are supported by Council and included as part of this planning proposal.



Council has evaluated the flood risk of each site pertaining to the proposal and has assessed each sites compliance with Ministerial Direction 4.1 – Flooding. All sites other than the site located in Milperra are medium risk for Stormwater Flooding and are not affected by Riverine Flooding. Milperra is High Risk for both Stormwater and Riverine Flooding.

30 and 31 Webster Street, Milperra



Figure 10 – Figure demonstrating 1-in-100 Year (Left) and PMF (Right) Flood Events



Figure 11 – Figure demonstrating High Risk Stormwater (Left) and High-Risk River (Right) Flood Prone Lands

Council's Assessment:

With regard to 30 and 31 Webster Street, Milperra, Council is satisfied that the Flood Impact Assessment, Stormwater Management Plan, and Stormwater Management System (30-31 Webster Street Milperra – Flood Impact Assessment and Emergency Response Plan, Stormwater Management Plan and Stormwater Management System Report) submitted as part of a Development Application by the landowner addresses the relevant Council and State Government Policies regarding Flood Prone Lands. Any future redevelopment of the site in the future would be the subject of a Development Application that would include a flooding assessment to address the requirements of Clause 5.21 of the CB LEP 2023 and Chapter 2.2 'Flood Risk Management'. In March 2025, the proponent provided a supplementary report to the 2014 flood study has



been provided by the proponent for this site to address Gateway condition 1 (f), which requires the flood study to be amended in accordance with the Flood Risk Management Manual (2023) and Flood Inquiry (2022) **(30-31 Webster Street Milperra – Flood Impact Assessment and Emergency Response Plan, Stormwater Management Plan and Stormwater Management System Report**. The supplementary report recommends the following conditions be met if development is proposed at the site, including for a function centre:

- (a) Completion of a flood impact and risk assessment (FIRA) in accordance with guideline document LU01 which was released as part of the NSW Flood Risk Management Manual (DPE, 2023) and incorporating a flood emergency response plan (FERP).*
- (b) Assessment of flood behaviour for the 1 in 5000 AEP event, or a suitable alternative such as the 1 in 2000 AEP event, in addition to other standard design events such as the 1% AEP event and the Probable Maximum Flood (PMF) in accordance with Recommendation 18 of the 2022 NSW Flood Inquiry Report.*
- (c) Assessment of sea level rise and rainfall intensity increases in accordance with the projections in IPCC 2023 and the 2024 update to ARR 2019, which could comprise rainfall intensity increases of up to 37% for the Georges River catchment for a high emissions scenario.*

The planning proposal has incorporated the recommendations to require a FIRA and FERP to be submitted for any future ‘function centre’ development on the site.

6 and 8 Chapel Road, Bankstown

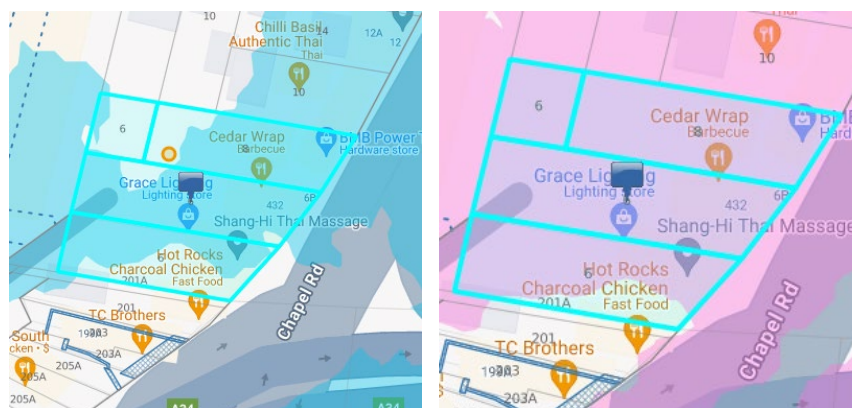


Figure 12 – Figure demonstrating 1-in-100 Year (Left) and PMF (Right) Flood Events

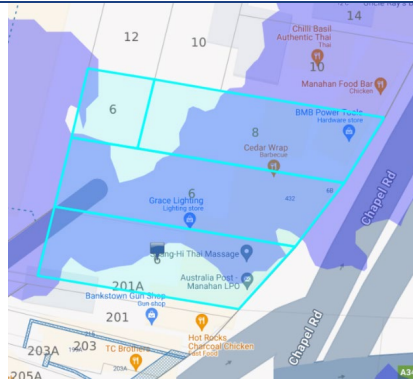


Figure 13 – Figure demonstrating Medium Risk Stormwater Flood Prone Lands
– Site is not affected by River Flood Risk

Councils Assessment:

The site is partially affected by Medium Risk Stormwater Flooding. The existing zoning and development standards will be retained, and it is noted that there is no increase in the flood risk of the site. In accordance with the Ministerial Direction, the planning proposal will permit development in a flood planning area and this inconsistency can be supported on the basis that

“(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005”.

The Salt Pan Creek Floodplain Risk Management Plan for the former Bankstown LGA (dated May 2015) applies to this site and catchment. [The Plan can be downloaded via this link from Council’s website.](#)

The Floodplain Risk Management Plan refers to the commercial ‘homemaker’ site to the east of the site. However, there are no specific recommendations applicable for the land to the west of Chapel Road, Bankstown in this location (refer to section 7.11 (p63) of the Floodplain Risk Management Plan).

The planning proposal does not contravene any of the recommended measures in Section 9 of the Floodplain Risk Management Plan (refer to p80 of the Plan). The planning proposal will enable development of the site that will be subject to Clause 5.21 Flood planning in CB LEP 2023 and Chapter 2.2 Flood Risk Management of the CBDP 2023.



45 Simmons Street, Revesby



Figure 14 – Figure demonstrating 1-in-100 Year (Left) and PMF (Right) Flood Events

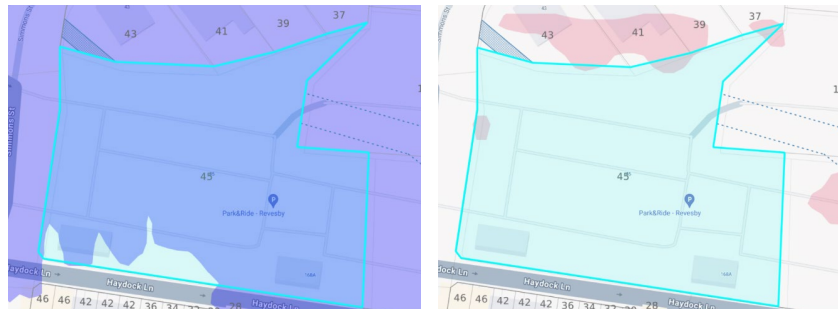


Figure 15 – Figure demonstrating Medium (Left) and High (Right) Risk Stormwater Flood Prone Lands – Site is not affected by River Flood Risk

Councils Assessment:

It is noted that a minor part of the northern end of the site is impacted by high risk flooding. As such, Council believes this inconsistency can be addressed as part of stormwater treatment and design interventions if development were to occur. In accordance with Ministerial Direction 4.1 Flooding, the planning proposal will permit development in a flood planning area on the basis that:

“(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005”.

The Mid Georges River Floodplain Risk Management Plan for Canterbury Bankstown LGA (dated June 2017) applies to this site and catchment. [The Plan can be downloaded via this link from Council’s website.](#)

The Floodplain Risk Management Plan refers to the M5 to the North of the site however there are no specific recommendations applicable for the subject site (refer to section 8.3 (p118) of the Floodplain Risk Management Plan).



The planning proposal does not contravene any of the recommended measures in Section 8 of the Floodplain Risk Management Plan (refer to p106 – 116 of the Plan). The planning proposal will enable development of the site that will be subject to Clause 5.21 Flood planning in CB LEP 2023 and Chapter 2.2 Flood Risk Management of the CBDP 2023.

328 Hector Avenue, Bass Hill:

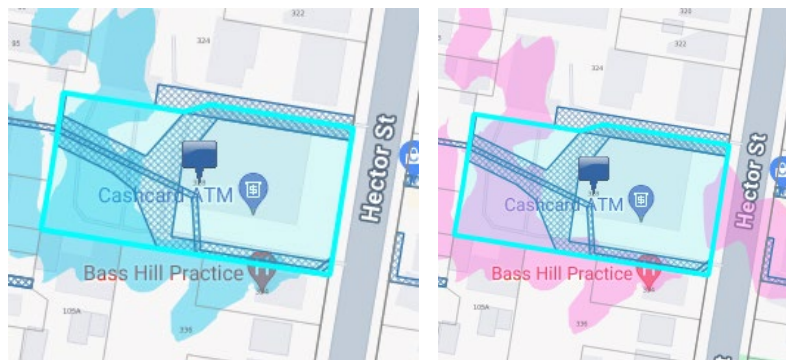


Figure 16 – Figure demonstrating 1-in-100 Year (Left) and PMF (Right) Flood Events

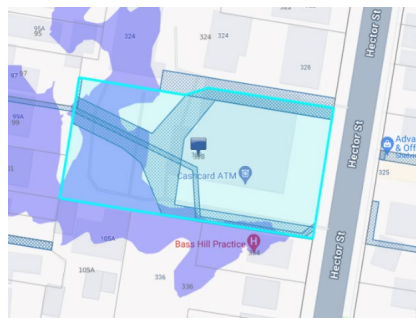


Figure 17 – Figure demonstrating Medium Risk Stormwater Flood Prone Lands
– Site is not affected by River Flood Risk

Councils Assessment:

The site is partially affected by Medium Risk Stormwater Flooding. The existing zoning and development standards will be retained, and the proposed changes will not serve to increase the flood risk of the site. The site does not fall into the catchment of any existing floodplain risk management studies; however, the flood risk is minimal as it only affects the rear of the site and does not hinder access to and from the site via Hector Street.

Any development occurring will need to demonstrate adherence with Councils DCP and relevant Government Policies prior to gaining development consent. Furthermore, any future development that could occur due to the inclusion of 'recreational facility (indoor)' as an additional permitted use presents the opportunity



for engineered drainage solutions designed to minimise the site's flood impacts and upgrade existing stormwater infrastructure.

The Ministerial Direction for high-risk flood affected areas is met, as there is adequate previous flooding assessment carried out to support the proposed Additional Permitted Use on the site. Milperra site, the Bass Hills and Bankstown sites are not affected, and Revesby's affectation is of minor significance, as shown in **Figure 12**.

The proposed amendments to LEP maps and permitted uses are in accordance with the zoning associated development standards and DCP planning controls.

4.3 Planning for Bushfire Protection:

The land at 30 and 31 Webster Street, Milperra is partially identified as Buffer Zone and Vegetation Zone 1 on the Bushfire prone Land Hazard Map (shown in Figure 18)

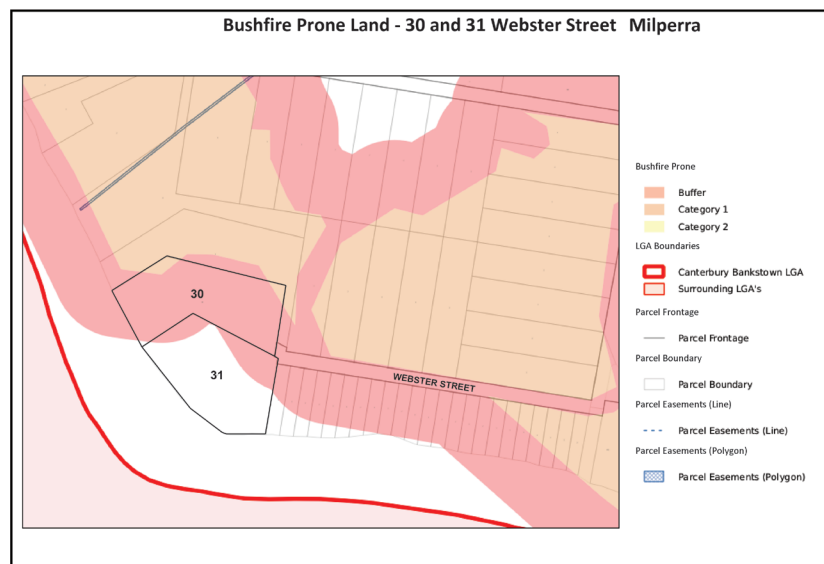


Figure 18 Bushfire Prone Land Hazard Map - 30 and 31 Webster Street, Milperra

Council has referred this proposal to the NSW RFS Commissioner as required under Ministerial Direction 4.3 (1) to seek feedback on the proposed additional permitted uses at the site prior to exhibition commencing. It is not proposed in this planning proposal to introduce any new bushfire related planning controls for this site given the existing bushfire planning controls are sufficient.

Council received a response from RFS on 27 March 2025, which supports the proposed changes, noting the following: *"The proposed amendments are not considered to impact on the existing bush fire hazard profile for the site nor are the permitted uses considered contrary to the strategic aims of Chapter 4 of Planning for Bush Fire*



Protection 2019. Therefore, the NSW RFS raises no concerns or issues in relation to bush fire for the proposal."

The letter from RFS regarding the proposed changes at 30 and 31 Webster Street, Milperra is included in Appendix H.

4.4 Contamination:

In accordance with Direction 4.4, Council recognises and has duly considered the land's contamination. The proposed amendments for 6-8 Chapel Road, Bankstown and 45 Simmons Street, Revesby primarily aim to address a zoning discrepancy. At 6-8 Chapel Road, Bankstown this is achieved by consolidating the land previously zoned SP2 with the existing B1 zoned site. At 45 Simmons Street, Revesby, it is achieved through rezoning the site to B2 zone to consolidate the contextual zoning. Consequently, these proposed changes do not entail the introduction of any new uses that are not already established on either of the properties. Preliminary Site Investigations have been undertaken for each site, included in this planning proposal as Appendix C (for 6-8 Chapel Road, Bankstown) and Appendix E (for 45 Simmons Street, Revesby).

6-8 Chapel Road, Bankstown:

Appendix C contains a Contamination Assessment conducted by Metech Consulting that was previously carried out for the property situated at 4-6 Chapel Road, Bankstown. The purpose of this assessment was to support a development application seeking to rezone part of the property from SP2 zoned land to B1 zoned land. The assessment of contamination confirmed the property's suitability for the B1 Zone.

The sampling programs employed during the assessment determined that the concentrations of all identified potential contaminants of concern in both soil and soil vapor were low and below the adopted site assessment criteria applicable to a commercial/industrial land use setting, with the exception of asbestos found in one location. A small fragment of fibre-cement sheeting containing asbestos was identified within the subsurface soils. However, it was concluded that the asbestos did not pose a significant risk to the continued use of the property for commercial purposes, given the low risk of harm posed by the asbestos.

Based on these findings, it was concluded that:

- Contamination is unlikely to present a significant constraint to the ongoing use of the property.
 - The property is suitable for commercial/industrial land use without the need for further investigation or management.
 - No significant contamination issues exist at the property that would impede the proposed rezoning from SP2 Infrastructure to B1 Neighbourhood Centre.
-



It is emphasised that the rezoning sought through this proposal does not aim to introduce any uses not already encompassed within the existing commercial uses of the subject site. The proposed amendments seek to apply the B1 zone to the portion of the site currently zoned SP2 and do not create additional uses beyond those already established on the property. Therefore, in line with the contamination assessment conducted, no further technical studies are necessary to justify the proposed amendments within this proposal concerning 6-8 Chapel Road, Bankstown.

45 Simmons Street, Revesby:

In response to Gateway Condition 1(d), Council engaged Douglas Partners Consulting to perform a Preliminary Site Investigation (PSI) for 45 Simmons Street. (Appendix E). The PSI reviewed historical data of the site, which included reviewing previous uses such as petrol station, car wash and motor mechanic. The report notes that previous remediation was undertaken at the site in 2009 prior to the construction of the existing multi-level car park.

Based on the findings of the report, it was concluded that the site is suitable for the proposed rezoning, subject to the following recommendations:

- The current commuter carpark on the site is not an enclosed structure and has a concrete floor slab which precludes access to soils by the general public utilising the carpark. However, it is recommended that if any below slab works are undertaken (e.g. maintenance teams, utilities repair or maintenance) that a Worker Health & Safety (WHS) and Environmental management plan be prepared and implemented to address any contamination exposure scenarios that may eventuate; and
- Should the site be proposed for any development (other than the current carpark) permitted under the B2 Local Centre zoning, then a detailed site investigation be undertaken, addressing the potential contaminant source – pathway – receptor linkages, and including soil, groundwater and soil vapour sampling and testing, to assess the suitability of the site for the proposed development. If required on the basis of the investigation, preparation and implementation of a remediation action plan (RAP) to manage identified contamination at the site.

Council notes that no development is proposed for the site and that as part of the usual development application requirements, the above matters are typically addressed if a development application is lodged at the site that would involve excavation works.

Council acknowledges Section 10.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act), which establishes planning certificates to provide information on any land within the council area. As outlined in section 10.7(2), these certificates must specify matters concerning the land as prescribed by the EP&A Act or as arising in connection with another Act. Council recognises its obligation to disclose the



contamination status on any planning certificate issued for the site. Council is also aware that the site has been declared contaminated in accordance with the Contaminated Land Management Act (1997). Pursuant to Section 59(2), if remediation is necessary to render a site suitable for any other purpose permitted within its zoning, a site audit statement will be required as a Condition of Consent.

4.5 Acid Sulfate Soils:

Council acknowledges the inclusion of proposed amendments pertaining to acid sulfate affected land situated at 30 and 31 Webster Street, Milperra, within this planning proposal. Any future Development Application for the site must comply with Clause 6.1 'Acid sulfate soils' of CB LEP 2023. Any future Development Application for the site must comply with Clause 6.1 'Acid sulfate soils' of CB LEP 2023.

Focus Area 5: Transport and Infrastructure

Consistent – This planning proposal does not contain provisions that contradict the objectives of 'Focus Area 5: Transport and Infrastructure' and will not serve to introduce specific uses within proximity of a gasoline corridor.

5.1 Integrating Land Use and Transport

The proposed changes within this planning proposal give effect to the objectives provided within '5.1 Integrating Land Use and Transport'. Specifically, the Planning Proposal addresses the following objectives:

5.5 High pressure dangerous goods pipelines

- Improving access to housing, jobs and services by walking, cycling and public transport, and
- Improving access to housing, jobs and services by walking, cycling and public transport.

The planning proposal recommends changes that align with the intent of 'Part 1. Accessible Development Principles from Improving Transport Choice – Guidelines for planning and development (DUAP 2001)'. In particular, the proposed amendments will facilitate:

- Establishing the highest suitable housing densities within walking distance of major public transport nodes.
- Ensuring that essential recreational and community services are situated in activity centres and are within reasonable walking distances of public transport nodes.
- Concentrating centre-type activities within key centres to prevent dispersion into non-central locations.

In addition, the Planning Proposal is consistent with the objectives under 'The Right Place for Business and Services – Planning Policy (DUAP 2001)'. Specifically, the planning proposal will facilitate land use amendments to the CB LEP 2023 which will:

- Locating trip-generating development within walkable catchments of key centres to help reduce reliance on cars and providing people with equitable and efficient access;
 - Minimising dispersed trip-generating development that can only be accessed by cars;
-



	<ul style="list-style-type: none">• Protect and maximise community investment in centres;• Encourage continuing private and public investment in centres; and• Foster growth, competition, innovation and investment confidence in centres. <p>The planning proposal includes subject sites located within 140 meters of a gasoline pipeline. The proposed changes in this planning proposal do not introduce specified uses. The intended uses will not compromise the integrity of the relevant pipeline or pose risks to human health and the environment.</p>
Focus Area 6: Housing	Consistent – This Planning proposal seeks to introduce housekeeping amendments that align with the intent of ‘Direction 6.1 Residential Zones’.
6.1 Residential Zones	<p>This planning proposal will give effect to amendments that facilitate the provision of housing that broadens the choice of building types and locations available to the housing market whilst making more efficient use of existing infrastructure and services. Specifically, this planning proposal seeks to introduce housekeeping amendments to the CB LEP 2023 that will facilitate:</p> <ul style="list-style-type: none">• Opportunities to broaden the provision of building types within the Revesby Local Centre and Bankstown Strategic Centre;• Increase the diversity of residential building types and locations• Increase the efficiency of use of existing infrastructure and services;• Reduce the consumption of land for housing on the urban fringe; and• Provide opportunities to implement good design principles through the Housing SEPP Assessments. <p>Council acknowledges that both 45 Simmons Street, Revesby, and 6 and 8 Chapel Street, Bankstown are situated in prime locations conducive to redevelopment for shop-top housing in well-connected and serviced areas. It's important to note that any development application submitted for housing provision on these sites will necessitate supplementary technical studies to support the application, ensuring that the sites can be adequately serviced.</p> <p>Furthermore, it's crucial to emphasise that this planning proposal does not incorporate provisions to reduce the permissible residential density of land within Canterbury Bankstown.</p>
Focus Areas 7: Industry and Employment	Consistent – this Planning Proposal does not contain provisions which would contravene necessary considerations within Direction 7.1.
7.1 Employment Zones	<p>This planning proposal refers to amendments to the CB LEP 2023 which would: Give effect to the objectives of this direction:</p> <ul style="list-style-type: none">• Retain the areas and locations of Employment Zones;• Not reduce the total potential floor space area for employment uses; and• Not reduce the total potential floor space area for industrial uses in E4, E5 and W4 zones.



It is important to note that this Planning Proposal will not impact the capacity to deliver the proposed Employment Areas that are in accordance with a strategy approved by the Planning Secretary.

Section C – Environmental, social and economic impact

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

This planning proposal relates to a series of housekeeping amendments that will apply to existing urban centres within Canterbury Bankstown. The prevailing character of the Bankstown, Bass Hill and Revesby are highly urbanised environments. The planning proposal will maintain provisions to increase densities within the existing locale of each centre and not introduce forms of development which will threaten critical habitats, threatened species or ecological communities and their habitats.

The proposed amendments to 30 and 31 Webster Street, Milperra maintains the values and objectives of local strategies to improve biodiversity and green infrastructure by virtue of the land zoning and all other controls under the CB LEP 2023 remaining applicable to the site. It further complies with the State Environmental Planning Policy (Biodiversity and Conservation) 2021, and Ministerial Direction Focus Area 3 – Biodiversity and Conservation. The planning proposal therefore does not serve to potentially impact critical habitats and threatened species prevalent on the subject site.

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

Other likely environmental effects resulting from this Planning proposal are discussed below.

9.1 Flooding

This planning proposal has been prepared in consideration of the objectives of Local Planning Direction 4.1 Flood Prone Land. In addition, consideration has been given to ensure consistency with:

- (a) the NSW Flood Prone Land Policy,
- (b) the principles of the Floodplain Development Manual 2005,
- (c) the Considering flooding in land use planning guideline 2021, and
- (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with
- (a) the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.

This planning proposal does seek to rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment and/or Mixed Use.

In accordance with the Ministerial Direction 4.1 Flooding, a Flood Risk Assessment is provided within this planning proposal for the subject sites (refer to the Ministerial Direction table above). The assessments



conducted have considered the potential impacts of flooding on the relevant sites with consideration of the 1% AEP and PMF flood events respectively.

9.2 Sustainability, Climate Change and Building Performance

This planning proposal has not undergone a Sustainability Study or Environmental Study to identify potential environmental impacts resulting from the development permitted by this proposal. The housekeeping amendments are minor changes in mostly urbanised or human impacted environments. The proposal may lead to increased development within the existing urban footprint; however, no further environmental impacts are anticipated to arise from potential development resulting from this planning proposal.

The proposed housekeeping amendments will facilitate development that must consider and adhere to the Sustainable Buildings SEPP. This policy aims to promote the design and construction of more sustainable buildings across New South Wales. These requirements will be applicable to both residential and non-residential developments.

Council notes that 30 and 31 Webster Street, Milperra is the only site that is not situated in a heavily urbanised context. The development application approved on this site is for alterations and additions and will not expand the development footprint of existing structures on the site. The approved and future development will have sufficient provisions under the existing LEP and DCP controls to ensure the management of environmental impacts resulting from the proposed development that may result from this planning proposal. As a result, Council is satisfied that 30 and 31 Webster Street, Milperra will not result in unacceptable environmental impacts.

9.3 Indigenous and non-Indigenous Cultural Heritage

It is noted that heritage conservation within Canterbury Bankstown Council is covered by Clause 5.10 'Heritage conservation' of the CB LEP 2023. As such, the CB LEP 2023 has identified items, areas, objects and places of environmental heritage significance or indigenous heritage significance LEP.

The subject sites of this planning proposal have not been identified as heritage items or located within a heritage conservation area.

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

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

10.1 Economic Effects

This planning proposal includes housekeeping amendments to the CB LEP 2023 that are projected to yield an economic benefit for Council and the broader community.

The provision of additional permitted uses at 30 and 31 Webster Street, Milperra, and 328 Hector Street, Revesby provides the opportunity for uplift and expansion of employment generating land uses. Any



development resulting from the planning proposal will also generate financial contributions to Council for the provision of social infrastructure.

The rezoning of 45 Simmons Street, Revesby from SP2 Infrastructure zone to B2 Local Centre zone will allow additional permitted uses for a range of employment uses and also for housing. Although no development is planned for this site due to its current use, there is the potential for it to be further developed to include other activities that would contribute to the local economy or housing stock.

The rezoning of 6 and 8 Chapel Road, Bankstown would facilitate the development of shop top housing within the site, and the potential expansion of commercial floorspace extant on site. Although development is not planned for this site, the rezoning could facilitate the provision of additional housing stock and commercial floorspace, benefiting the local economy and resulting in additional contributions to Council.

Council does not anticipate that the amendments contained within this proposal will result in any negative economic effects for Council and the broader community.

10.2 Social Effects

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

- Increases opportunity to provide services and facilities within walkable catchments of key local centres
- Increases opportunity for private investment within key local centres
- Provides opportunity within existing urban boundaries and does not serve to allow development which may produce environmental impacts
- Increases housing opportunities for residents within close proximity to key services and infrastructure
- Increases the potential delivery of new affordable housing to reduce the number of people experiencing housing stress
- Increases energy and water sustainability outcomes for all new development potentially arising from this planning proposal, supporting the Council's contribution to combating climate change
- Upgrades existing infrastructure to improve buildings flood impacts and response, improving resilience to natural and urban hazard, and public safety, and
- Increases employment opportunities locally and improves the provision of places and services available to the community.

These advantages contribute to enhancing the social value of Canterbury Bankstown by preserving key places of significance and fostering vibrant urban activity within local centres, cultivating a strong sense of place.

Section D – Infrastructure (Local, State and Commonwealth)

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

The proposed amendments for 30 and 31 Webster Street Milperra, and 328 Hector Street, Bass Hill will provide additional services for local communities. 328 Hector Street is conveniently located walking distance from multiple bus stops that connect to various nearby rail stations. 30 and 31 Webster Street is accessible by car and is providing significant works into flood safe road infrastructure to connect the site to its surrounding areas. It is unlikely that these developments will require investment in further public



infrastructure, or that they will negatively impact the existing public infrastructure. Therefore, there is adequate public infrastructure to support these provisional changes.

The proposed amendments for 6 and 8 Chapel Road, Bankstown and 45 Simmons Street, Revesby are well connected to public transport and adjacent to well serviced public infrastructure. The amendments within this planning proposal will not significantly impact the service and use of the infrastructure adjacent to and on each site. If any development is proposed on these sites, they will be required to assess the requirement for development enabling infrastructure, and how development may impact existing services.

Utilities, Waste Management and Recycling Services

Council acknowledges that the housekeeping amendments within this planning proposal will necessitate additional considerations concerning utilities, waste management, and recycling services for any developments resulting from the proposed provisions.

It is crucial to note that, apart from the intended provisions for 30 and 31 Webster Street, Milperra, the proposed changes are not expected to lead to unreasonable increases in demand on existing utilities and services. The redevelopment of 30 and 31 Webster Street has satisfied Local and State requirements for any additional utilities, waste management and recycling services to be resourced at the applicant's expense. If further development results from the CB LEP 2023 amendments within this planning proposal, due consideration will be given to utilities, waste management, and recycling services at the Development Application stage.

Transport Infrastructure

This planning proposal has considered the anticipated increase in demand on transport infrastructure. Council's assessment suggests that the proposed amendments will not impose excessive demands on the existing infrastructure established within Canterbury Bankstown.

The diagrams below illustrate the proximity of each site to public transport.



Figure 19: 6 and 8 Chapel Road, Bankstown and closest bus stop (100m)



Figure 20: 385 Hector Street, Bass Hill and closest bus stops (400m)



Figure 21: 45 Simmons Street, Revesby and adjacent train station (120m)



Figure 22: 30 and 31 Webster Street, Milperra and nearest train station. (2.2km)

Community and Social Infrastructure

The provisions being sought through this planning proposal are consistent with the objectives and directions within the 'CBCity 2028 Community Strategic Plan' and 'CBCity's LSPS'.



Section E – State and Commonwealth Interests

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

The required consultation will be detailed as part of the Gateway Determination.



Part 4 – Maps

This planning proposal seeks to amend the following maps as part of the CB LEP 2023. The proposed LEP Map amendments at finalisation stage will be made consistent with the 'Standard Technical Requirements for Spatial Datasets and Maps' using the same format, symbology, labelling and appropriate map scale. The following maps will be amended through the digital mapping system:

6 and 8 Chapel Road Bankstown:

- Map 1: Current Land Zoning Map – 6 and 8 Chapel Road, Bankstown
- Map 2: Proposed Amended Land Zoning Map – 6 and 8 Chapel Road, Bankstown
- Map 3: Existing Floor Space Ratio Map – 6 and 8 Chapel Road Bankstown
- Map 4: Proposed Amended Floor Space Ratio Map – 6 and 8 Chapel Road, Bankstown
- Map 5: Existing Height of Buildings Map – 6 and 8 Chapel Road, Bankstown
- Map 6: Proposed Amended Height of Building Map – 6 and 8 Chapel Road, Bankstown

45 Simmons Street, Revesby:

- Map 7: Existing Land Zoning Map – 45 Simmons Street, Revesby
- Map 8: Proposed Amended Land Zoning Map – 45 Simmons Street, Revesby
- Map 9: Existing Floor Space Ratio Map – 45 Simmons Street, Revesby
- Map 10: Proposed Amended Floor Space Ratio Map – 45 Simmons Street, Revesby
- Map 11: Existing Height of Buildings Map – 45 Simmons Street, Revesby
- Map 12: Proposed Amended Height of Buildings Map – 45 Simmons Street, Revesby

30 and 31 Webster Street, Milperra:

- Map 13: Proposed Amended Additional Permitted Use Map – 30 and 31 Webster Street, Milperra

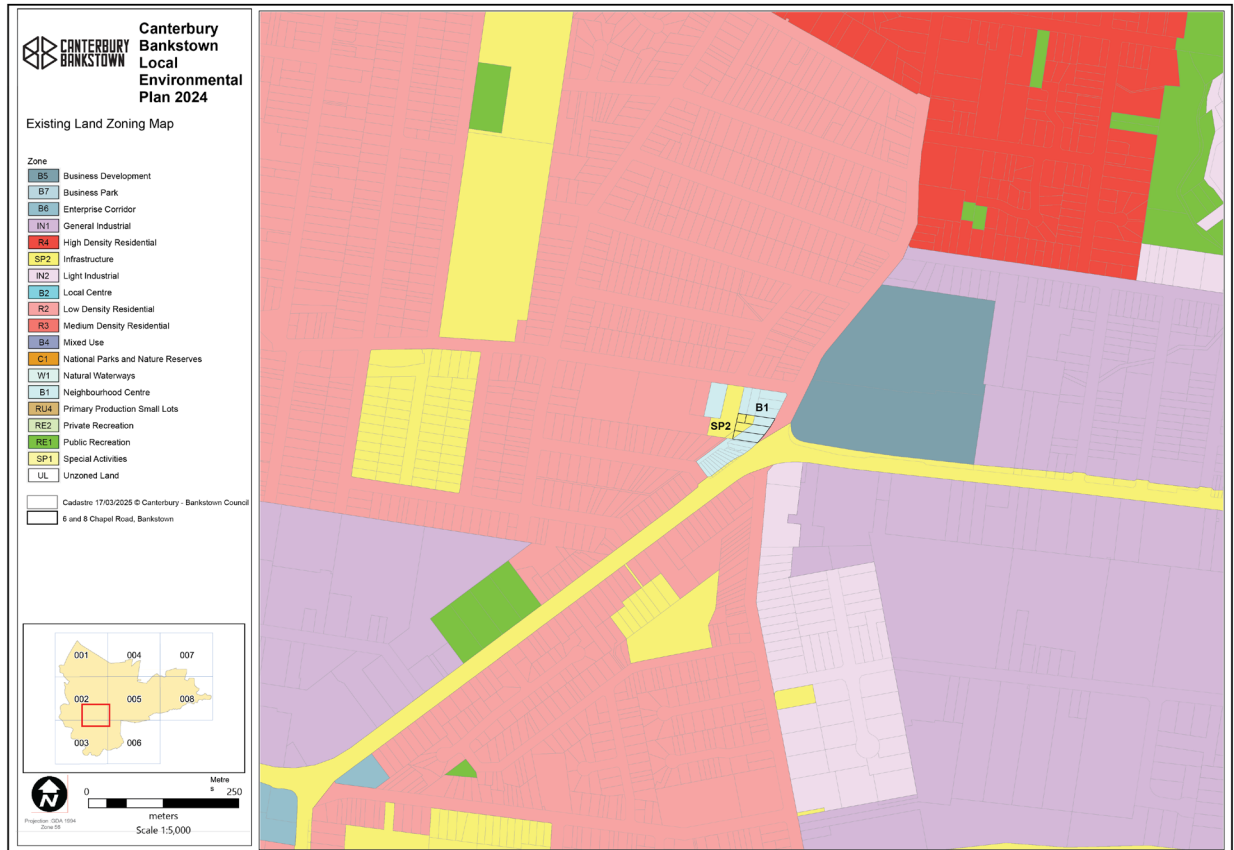
328 Hector Street, Bass Hill:

- Map 14: Proposed Amended Additional Permitted Use Map – 328 Hector Street, Bass Hill

All existing and proposed LEP Maps are also included in Appendix I.

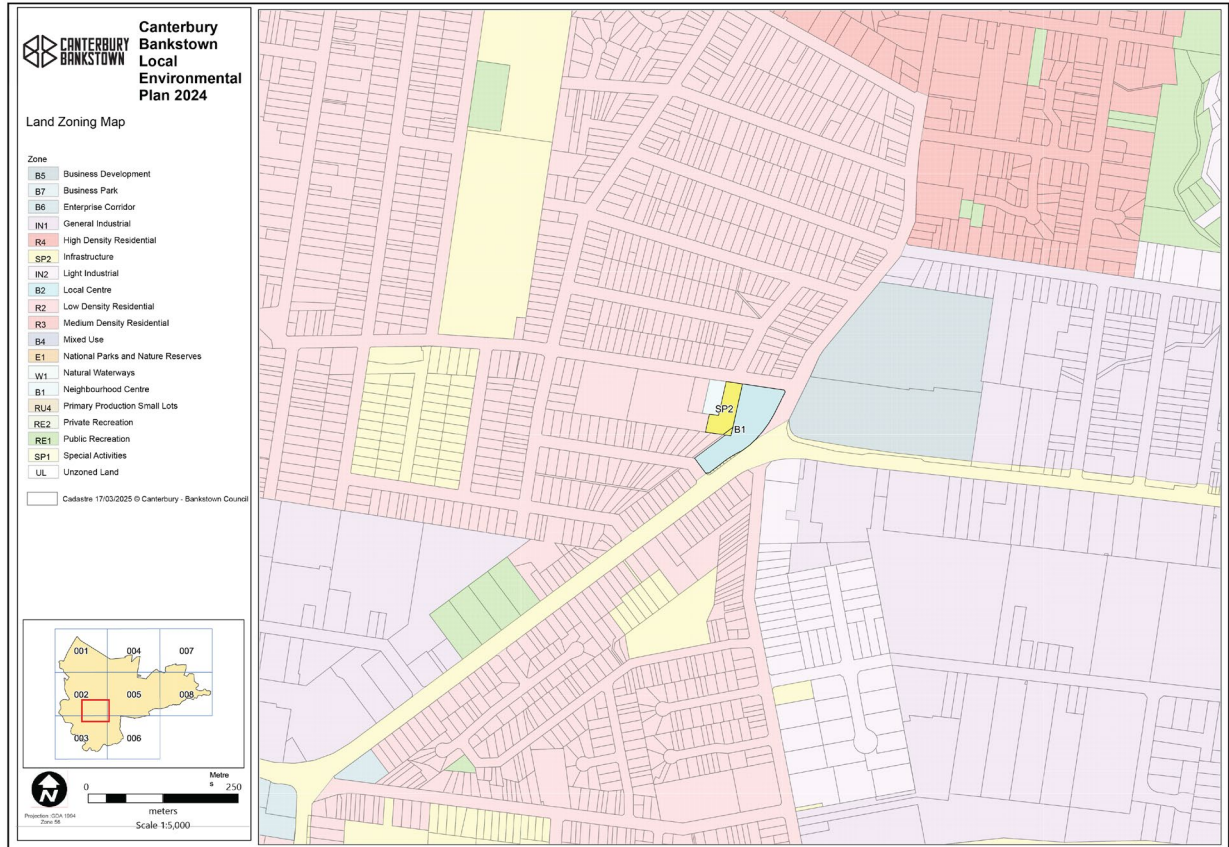


Map 1: Current Land Zoning Map – 6 and 8 Chapel Road, Bankstown





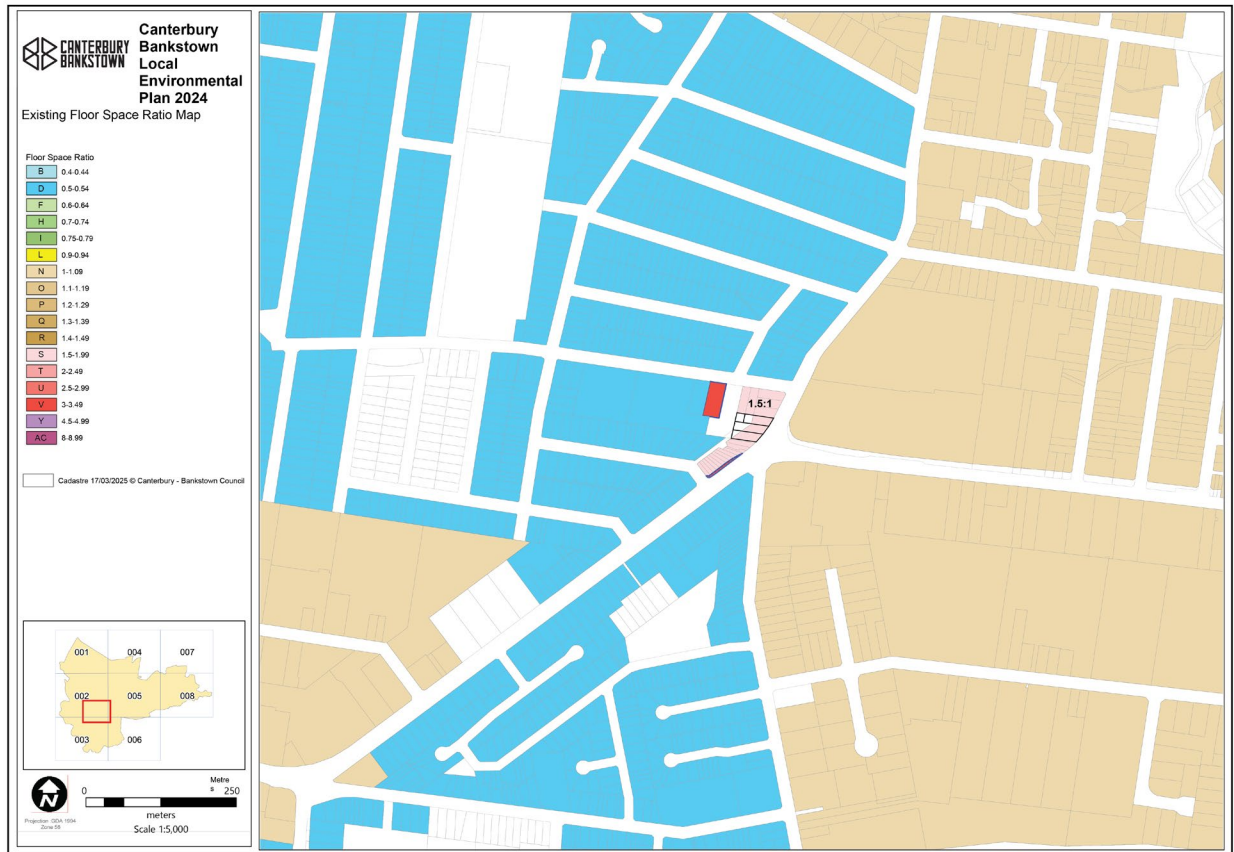
Map 2: Proposed Amended Land Zoning Map – 6 and 8 Chapel Road, Bankstown



Note: B1 Neighbourhood Centre will become E1 Local Centre once PP-2024-684 is finalised.

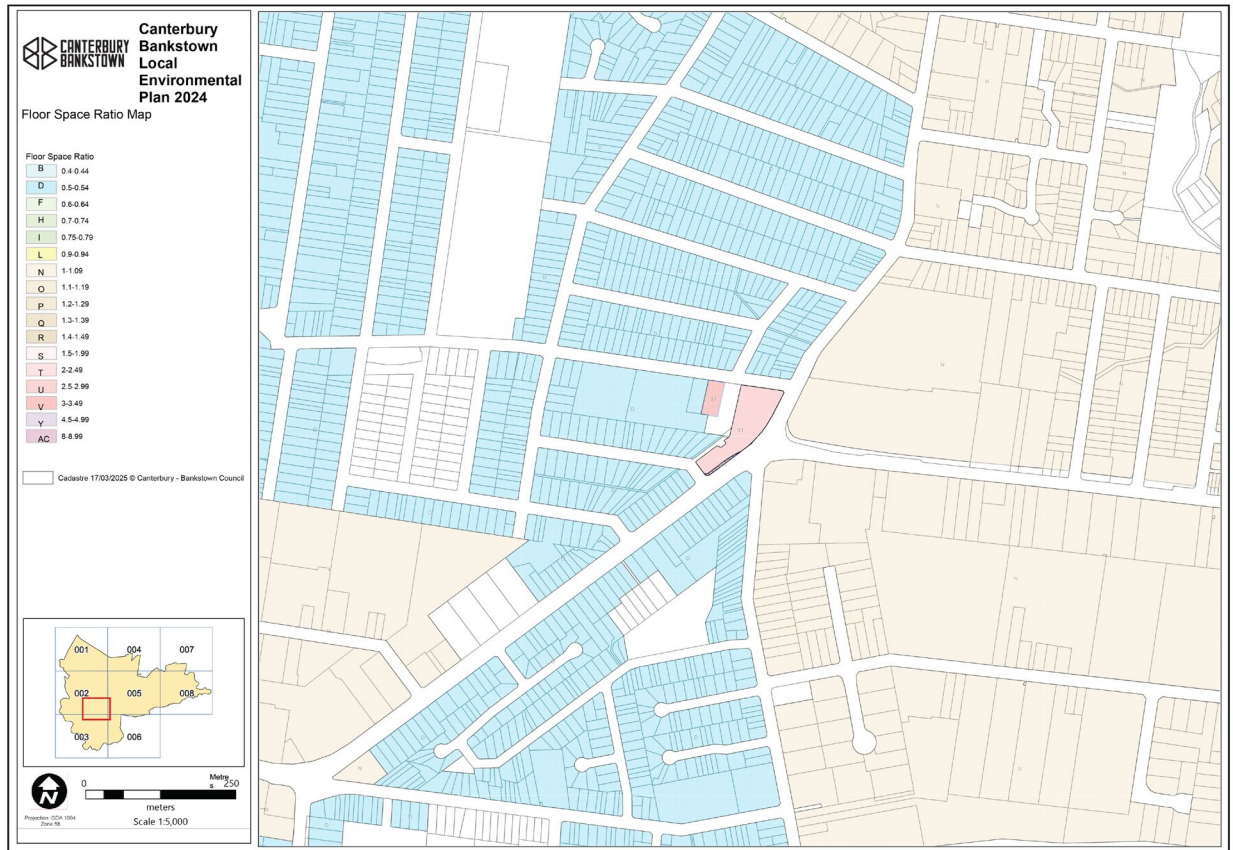


Map 3: Existing Floor Space Ratio Map – 6 and 8 Chapel Road Bankstown





Map 4: Proposed Amended Floor Space Ratio Map – 6 and 8 Chapel Road, Bankstown





Map 5: Existing Height of Buildings Map – 6 and 8 Chapel Road, Bankstown





Map 6: Proposed Amended Height of Building Map – 6 and 8 Chapel Road, Bankstown



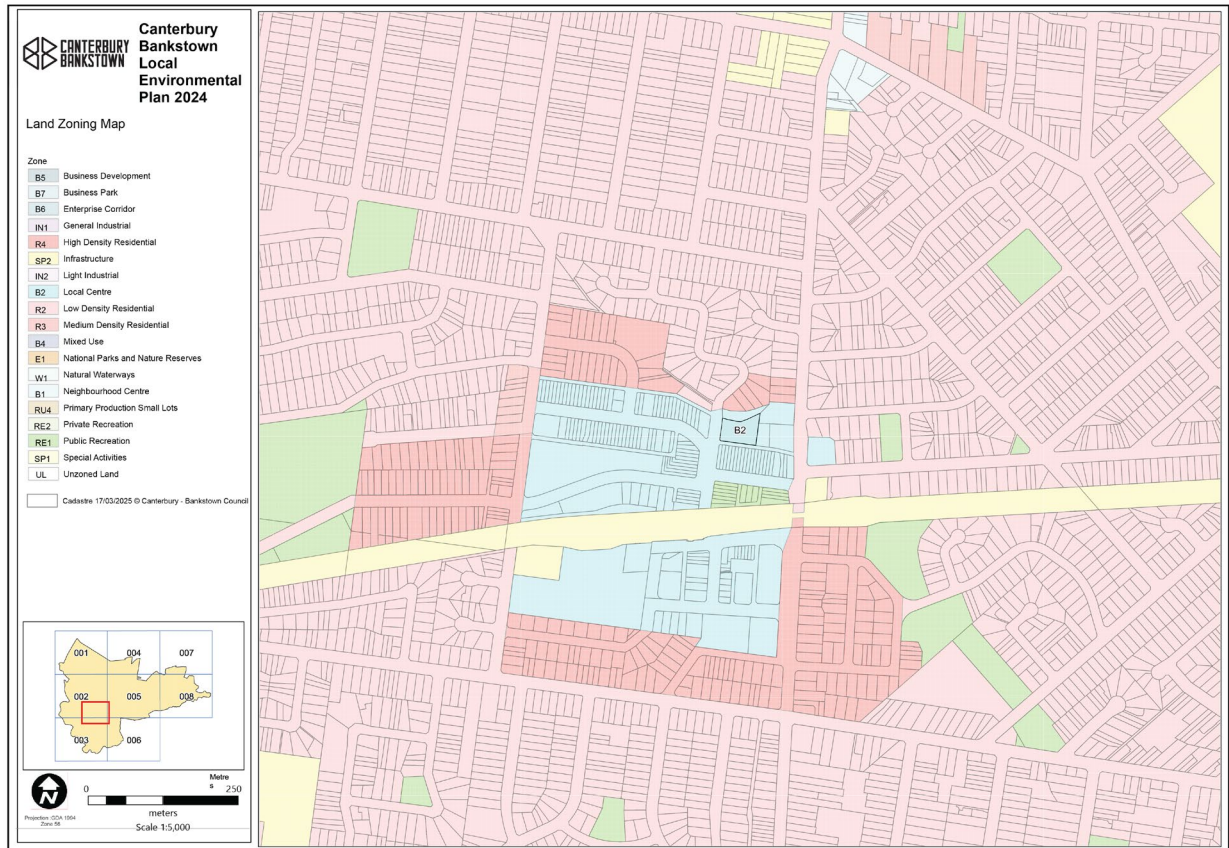


Map 7: Existing Land Zoning Map – 45 Simmons Street, Revesby





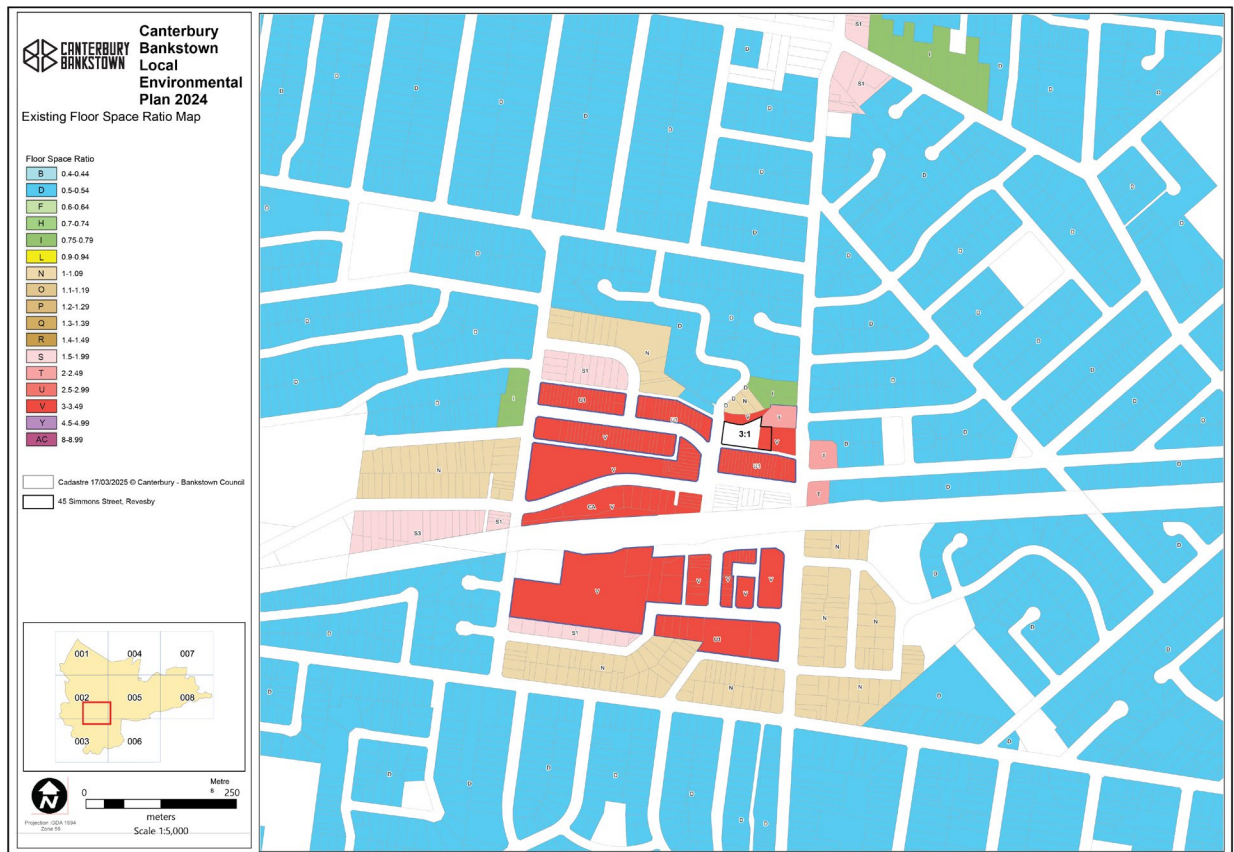
Map 8: Proposed Amended Land Zoning Map – 45 Simmons Street, Revesby



Note: *B2 Local Centre will become E1 Local Centre once PP-2024-684 is finalised.*

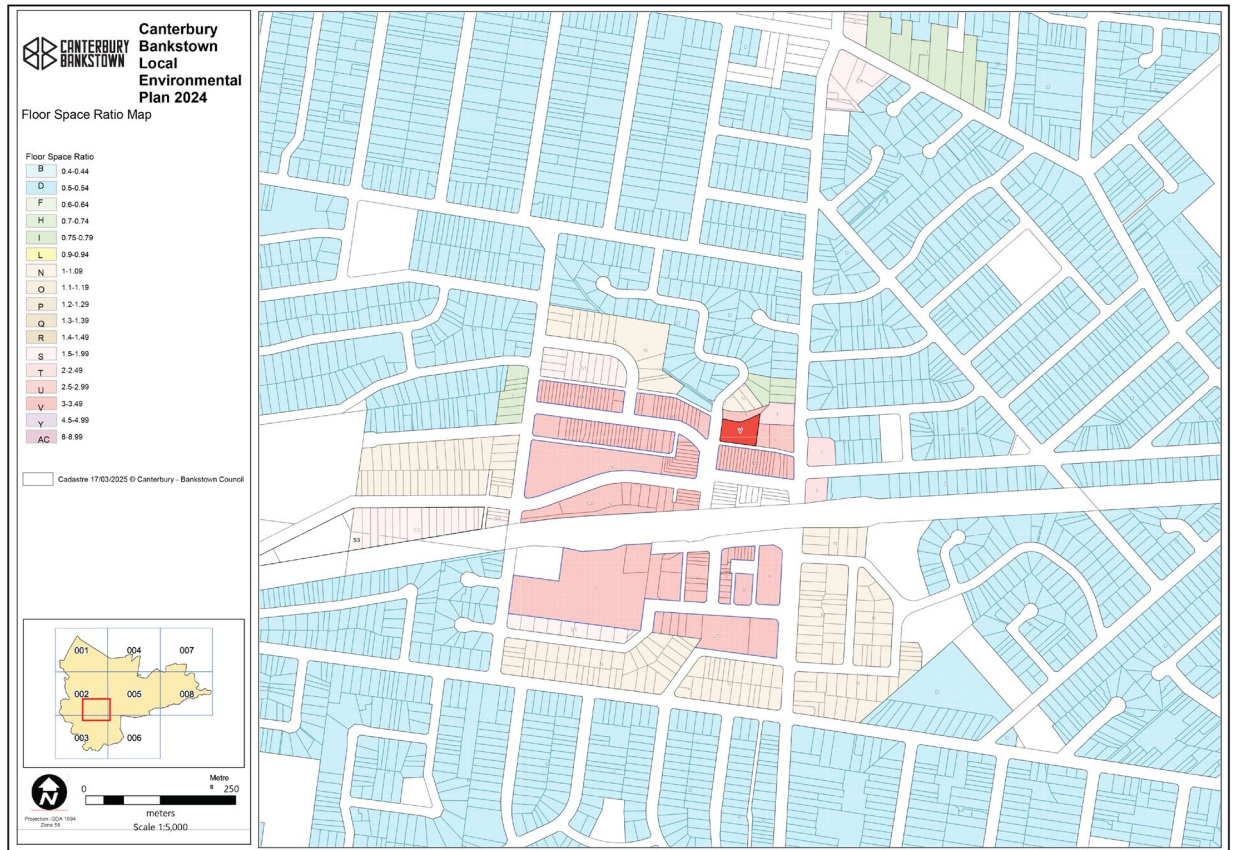


Map 9: Existing Floor Space Ratio Map – 45 Simmons Street, Revesby





Map 10: Proposed Amended Floor Space Ratio Map – 45 Simmons Street, Revesby



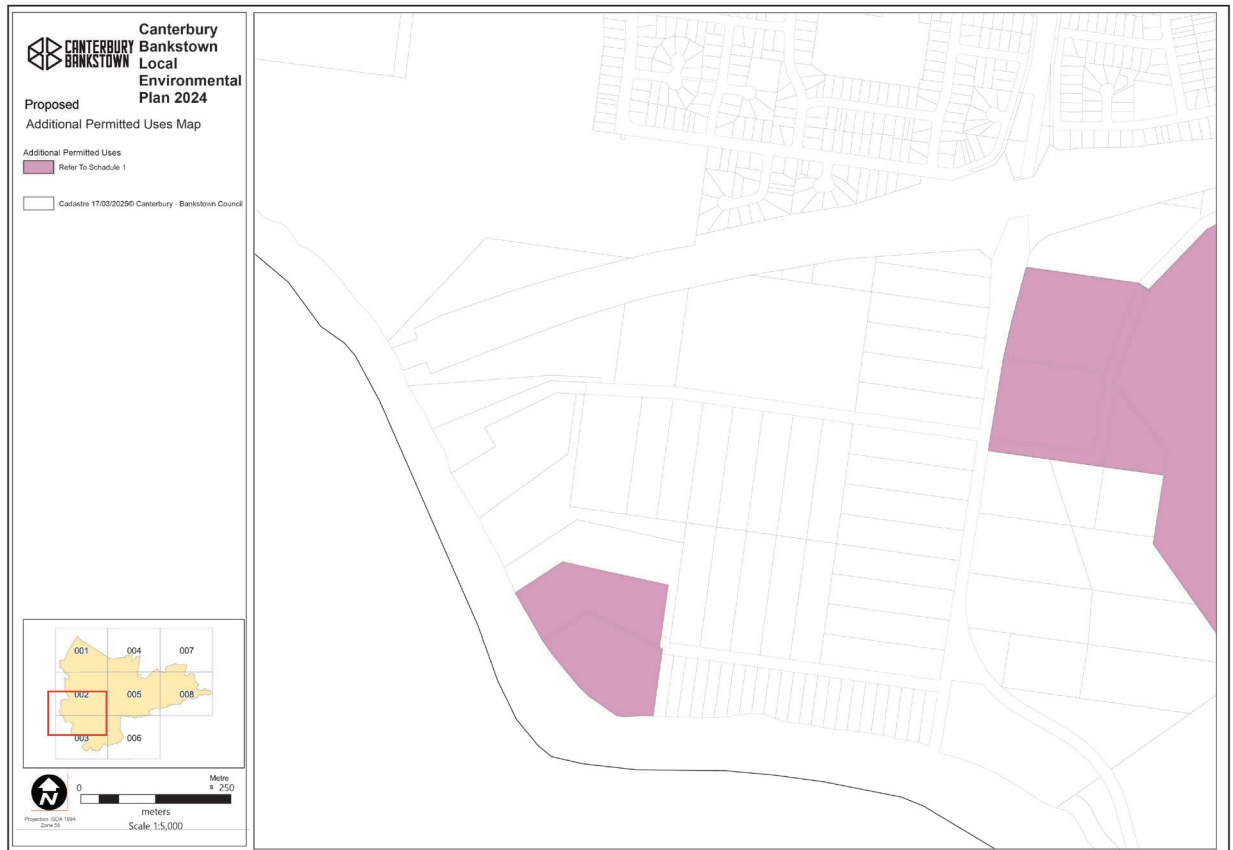


Map 11: Existing Height of Buildings Map – 45 Simmons Street, Revesby



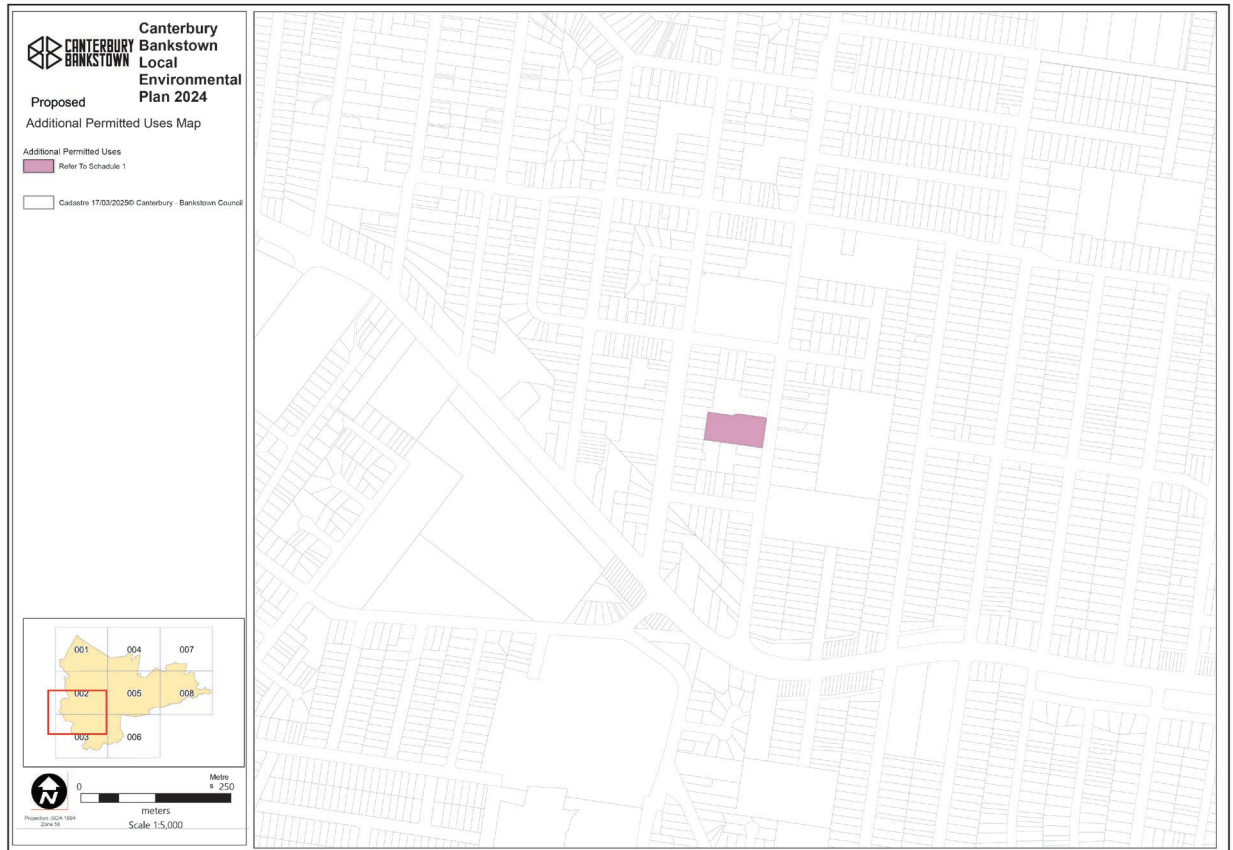


Map 13: Proposed Amended Additional Permitted Use Map – 30 and 31 Webster Street, Milperra





Map 14: Proposed Amended Additional Permitted Use Map – 328 Hector Street, Bass Hill





Part 5 – Community Consultation

The Planning proposal will be placed on public exhibition in accordance with the Gateway Determination and Canterbury Bankstown Community Participation Plan for a minimum of 30 working days as required by the Gateway Determination (Condition 2(a)), comprising of:

- Copies of the planning proposal and supporting documents at Council's Bankstown and Campsie Customer Service Centres.
- Display on Council's corporate 'Have Your Say' website.
- Written notification to affected property owners.
- Written notification to public authorities stipulated in the Gateway determination.

In accordance with 'Practice Note No. 1 – Public Land Management', the processes outlined in the *Environmental Planning and Assessment (EP&A) Act 1979* will be followed for the creation of the LEP amendment. Furthermore, Council has explicitly stated the intention of the draft LEP, which involves the reclassification of land, in its Planning proposal submission to the Department.

Each public authority/organisation is to be provided with a copy of this Planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal as stipulated in the Gateway determination.



Part 6 – Project Timeline

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

Dates	Project timeline
24 October 2023	Report Matter to Local Planning Panel, consideration by Council and Council decision
April 2024	Submit Planning proposal to DPHI for Gateway Determination
June 2024	Gateway Determination
July 2024 – March 2025	Complete any changes required by Gateway Determination (pre-exhibition)
April 2024	Commencement and completion of public exhibition period and public hearing
May 2024	Consideration of submissions
May 2024	Post-exhibition review and additional studies
June 2024	Council meeting to consider outcomes of exhibition
June-July 2024	Submission to NSW Parliamentary Counsel's Office and final LEP mapping to the Department for finalisation
By 11 July 2025	Gazettal of LEP amendment



Appendix B – State Environmental Planning Policies

State Environmental Planning Policies	Applicable	Consistent
State Environmental Planning Policy (Housing) 2021	Yes	Yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	Yes
State Environmental Planning Policy (Primary Production) 2021	Yes	Yes
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	Yes
State Environmental Planning Policy (Industry and Employment) 2021	No	N/A
State Environmental Planning Policy (Resources and Energy) 2021	No	N/A
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	Yes
State Environmental Planning Policy (Planning Systems) 2021	Yes	Yes
State Environmental Planning Policy (Precincts – Central River City) 2021	No	N/A
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	No	N/A
State Environmental Planning Policy (Precincts – Regional) 2021	No	N/A
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	No	N/A



Appendix C – Local Planning Directions

(Section 9.1)

Local Planning Directions		Applicable Consistent	
Focus area 1: Planning Systems			
1.1	Implementation of Regional Plans	Yes	Yes
1.2	Development of Aboriginal Land Council land	N/A	N/A
1.3	Approval and Referral Requirements	Yes	Yes
1.4	Site Specific Provisions	Yes	Yes
1.4A	Exclusions of Development Standards from Variation	Yes	Yes
Focus area 1: Planning Systems – Place-based			
1.5	Parramatta Road Corridor Urban Transformation Strategy	N/A	N/A
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	N/A
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	N/A
1.10	Implementation of the Western Sydney Aerotropolis Plan	N/A	N/A
1.11	Implementation of Bayside West Precincts 2036 Plan	N/A	N/A
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N/A	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N/A	N/A
1.14	Implementation of Greater Macarthur 2040	N/A	N/A
1.15	Implementation of the Pyrmont Peninsula Place Strategy	N/A	N/A
1.16	North West Rail Link Corridor Strategy	N/A	N/A
1.17	Implementation of the Bays West Place Strategy	N/A	N/A
1.18	Implementation of the Macquarie Park Innovation Precinct	No	N/A
1.19	Implementation of the Westmead Place Strategy	No	N/A
1.20	Implementation of the Camellia-Rosehill Place Strategy	No	N/A
1.21	Implementation of the South West Growth Area Structure Plan	No	N/A
1.22	Implementation of the Cherrybrook Station Place Strategy	No	N/A
Focus area 2: Design and Place			
Focus area 3: Biodiversity and Conservation			
3.1	Conservation Zones	Yes	Yes
3.2	Heritage Conservation	N/A	N/A
3.3	Sydney Drinking Water Catchments	N/A	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A



Local Planning Directions		Applicable Consistent	
3.5	Recreation Vehicle Areas	N/A	N/A
3.6	Strategic Conservation Planning	N/A	N/A
3.7	Public Bushland	Yes	Yes
3.8	Willandra Lakes Region	N/A	N/A
3.9	Sydney Harbour Foreshores and Waterways Area	N/A	N/A
3.10	Water Catchment Protection	N/A	N/A
Focus area 4: Resilience and Hazards			
4.1	Flooding	Yes	Justifiably Inconsistent
4.2	Coastal Management	Yes	Yes
4.3	Planning for Bushfire Protection	Yes	Yes
4.4	Remediation of Contaminated Land	Yes	Yes
4.5	Acid Sulfate Soils	Yes	Yes
4.6	Mine Subsidence and Unstable Land	N/A	N/A
Focus area 5: Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Yes	Yes
5.2	Reserving Land for Public Purposes	Yes	Yes
5.3	Development Near Regulated Airports and Defence Airfields	Yes	Yes
5.4	Shooting Ranges	N/A	N/A
Focus area 6: Housing			
6.1	Residential Zones	Yes	Yes
6.2	Caravan Parks and Manufactured Home Estates	N/A	N/A
Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	Yes	Yes
7.2	Reduction in non-hosted short-term rental accommodation period	N/A	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	N/A	N/A
Focus area 9: Primary Production			
9.1	Rural Zones	N/A	N/A
9.2	Rural Lands	N/A	N/A
9.3	Oyster Aquaculture	N/A	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A