

Department of Planning, Housing and Infrastructure

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# Finalisation Report

## Bankstown Transport Oriented Development Precinct



November 2024



# Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

We acknowledge the Cabrogal people of the Darug (Dharug, Darag, Daruk, Dharuk) Nation who are the Traditional Custodians of the land, water and skies of Canterbury Bankstown, where we plan for a more inclusive and resilient future.

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# Executive Summary

This Finalisation Report provides an assessment of the State-led rezoning proposal seeking to amend the planning controls relating to the Bankstown Transport Oriented Development (TOD) Precinct. The Bankstown Rezoning Proposal (Rezoning Proposal) seeks to:

- focus new development on land closest to the stations to maximise the number of residents and workers within an easy walk of the stations and shops
- locate the highest buildings around the station
- provide for taller buildings with smaller footprints so that a better public domain, more public open space and high quality streetscapes can be delivered
- transition heights down to areas with stand-alone houses
- plan for a mix of building heights to provide variety and interest and increase housing choice.

The Rezoning Proposal was exhibited from 16 July and 30 August 2024 and received a total of 360 submissions from individual community members, community groups, landowners, NSW Government agencies and the City of Canterbury-Bankstown Council (Council). The issues raised have been considered by the Department of Planning, Housing and Infrastructure (the Department) in the finalisation of this Rezoning Proposal.

The *Canterbury-Bankstown Local Environmental Plan 2023* (Canterbury-Bankstown LEP 2023) will be amended through a self-repealing State Environmental Planning Policy (SEPP) to align existing instruments with the objectives and controls of the Rezoning Proposal.

This Finalisation Report has been drafted by the Department. The Department has worked in collaboration and consultation with Council and State Government agencies to prepare the Rezoning Proposal.

# 1 Introduction

This report presents the Department's assessment and finalisation of the proposed planning amendments to deliver the Precinct.

The objectives for the Precinct will guide the future growth and development of Bankstown in an area that includes Western Sydney University – Bankstown City Campus, the future Metro station, and the new Bankstown Hospital.

The purpose of this report is to provide an overview of:

- the planning context for the Precinct
- the exhibited proposal and supporting documents
- consultation and public exhibition
- matters arising from public exhibition and resolution in the final plan.

Amendments to the Canterbury-Bankstown LEP 2023 will enable the delivery of:

- approximately 14,000 new homes
- approximately 14,300 new jobs
- 3% affordable housing where land is zoned for residential use and 4% for key sites
- floor space ratios (FSRs) up to 7.5:1
- a range of building heights, up to 27 storeys.

The assessment of the Rezoning Proposal is based on Council's master plan, supporting technical studies exhibited by the Department from 16 July to 30 August 2024 and consideration of comments and feedback obtained during exhibition of the Rezoning Proposal.

## 2 Context

The Department is responsible for undertaking a comprehensive assessment of the Rezoning Proposal to determine its appropriateness, carefully considering environmental and social factors, and identifying the infrastructure needs of the future population. The Department has undertaken this assessment, taking into consideration feedback from the public and other stakeholders, in collaboration with relevant State agencies and local government and makes a recommendation to the Minister for Planning and Public Spaces for determination.

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### 2.1 Site Context

The Bankstown TOD Accelerated Precinct (the Precinct) is located 22 kilometres south-west of Sydney's Central Business District and comprises 220 hectares of land situated to the north and south of the rail/Metro corridor, extending to the Hume Highway in the north, Stacey Street to the east, Dellwood Street to the south, and various residential streets including Cairds and Oxford Avenues in the west.

Given existing strategic planning undertaken by Council in preparing the Bankstown City Centre Master Plan and to accelerate its rezoning, the exhibited precinct boundary was refined to match Council's master plan extent (Figure 1).

Significant Government and institutional investment including Sydney Metro City and Southwest, a relocated Western Sydney University campus, and a commitment for a new hospital has been afforded to the Bankstown Centre area.

Health Infrastructure NSW has commenced master planning for the new Bankstown Hospital, which will be developed in consultation with the local community and key Government agencies and stakeholders. This work will continue to occur alongside the planning for the Precinct.



Figure 1: Bankstown investigation area and rezoning precinct (Source: Department of Planning, Housing and Infrastructure, 2024)



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## 2.2 Strategic Context

### 2.2.1 Transport Oriented Development Program (2024)

On 7 December 2023, the NSW Government announced the Transport Oriented Development (TOD) Program to create more well-located homes close to transport, jobs and services. As part of the TOD Program, the NSW Government identified eight Sydney transport hubs (TOD Accelerated Precincts) for State-led accelerated rezoning to deliver up to 47,800 new, well-located, high and mid-rise homes over the next 15 years.

The TOD Program has stemmed from the National Housing Accord announced by the Australian Government in October 2022 as part of the Federal Budget to address the supply and affordability of housing. The Accord includes an initial aspirational target to build 1.2 million new well-located homes over 5 years from July 2024. NSW has been tasked to provide 377,000 new homes by June 2029.

The Bankstown Precinct is one of 8 priority high growth areas near transport hubs in Greater Sydney for accelerated rezoning.

### 2.2.2 Greater Sydney Region Plan

The Greater Sydney Region Plan establishes directions, objectives and actions to achieve the 40-year vision which is focused on infrastructure and collaboration, liveability, productivity and sustainability.

The Region Plan also aims to enable continuous supply of housing and a range of housing types in strategic locations to foster more liveable neighbourhoods and support Sydney's growing population. Bankstown is identified as a strategic centre and a health and education precinct.

### 2.2.3 South District Plan

The South District Plan supports the Region Plan and sets out a series of high-level directions divided into four themes. These themes and their relevance to Canterbury-Bankstown are provided below:

- **Infrastructure and Collaboration:** To provide a range of housing options in areas appropriately serviced by infrastructure, while preserving local character.
- **Liveability:** The housing needs and expectations of the Canterbury-Bankstown community are met through the provision of a range of housing types including affordable housing.
- **Productivity:** Ensure the Canterbury-Bankstown local government area (LGA) is well-designed and planned to encourage new investment, local jobs and business opportunities in

an environment of innovation, progression and economic growth. With this approach, more people will have the option to live and work in the Canterbury-Bankstown LGA.

- **Sustainability:** Protect, increase and enhance Canterbury-Bankstown's open space and recreation facilities to ensure residents of all ages and abilities can benefit.

## 2.2.4 Council's adopted Bankstown City Centre Master Plan

On 28 September 2021, Council endorsed its Bankstown City Centre Master Plan which aims to sustainably support an increase in the number of people living, working, studying, visiting and investing in the area. Council's master plan responds to several drivers for change, including:

- jobs growth, which leverages off key Government and institutional investment in transport, education and health
- housing affordability, by providing a range of housing types, and introducing mechanisms for the delivery of affordable housing
- a growing population, with diverse needs in terms of housing types and access to infrastructure and services
- demand for sustainability and resilience, improving the environmental performance of the city centre and managing the impacts of climate change
- moving better, by creating more people focused streets and capitalising on Bankstown's strong rail, future metro and bus connectivity.

An objective of the Rezoning Proposal is to consider Council's master plan's vision and objectives.

## 2.2.5 Governance

A Governance framework has been implemented to enable NSW Government agencies to work collaboratively to deliver the Precinct. These governance arrangements include the:

- Executive Advisory Group - Senior Executive level representatives from the Department, State agencies and the Councils. Provides oversight and direction for the planning activities in the Precincts, including matters identified by the Project Working Group.
- Project Working Group – Executive and Officer level representatives from the Department, State agencies, and the Councils. A forum for discussion and resolution of strategic matters, facilitating an opportunity for comments and advice on the rezoning proposal, and related technical studies for the Precincts by relevant state and local Government agencies.

# 3 Exhibited Rezoning Proposal

## 3.1 Amendments to Land Use Zoning

The Rezoning Proposal (see Figures 2 and 3) was exhibited to seek public feedback. The exhibited Rezoning Proposal identified areas of the Precinct that could support new homes and proposed amendments to land use zoning and other planning controls for future development.



Figure 2: Exhibited reference scheme, prepared by urban design consultant (Source: SJB, 2024)





Figure 3: Exhibited render to support the Rezoning Proposal (Source: SJB, 2024)

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## 3.2 Development Control Plan

Council prepared a draft Bankstown Precinct Development Control Plan (DCP) (Figure 4) to apply to the Precinct. Department staff worked with Council staff throughout the preparation of the Rezoning Proposal to ensure that Council's DCP would align with the objectives of the Urban Design Framework that supports the Rezoning Proposal. It is intended that following exhibition, the DCP will be considered at a Council meeting before it is adopted and comes into effect.

The draft DCP was exhibited by Council from 20 September to 20 October 2024 and includes provisions relating to:

- Connecting with Country
- the public domain including streets, tree canopy and green cover, open space, and community infrastructure
- built form
- parking
- heritage
- sustainability including solar energy and waste management
- design for flood affected properties
- key sites.



## **Chapter 6.2 Bankstown City Centre**

### **Canterbury Bankstown Development Control Plan 2023**

September 2024

Draft for Exhibition

architectus

**CANTERBURY**  **BANKSTOWN**



Figure 4: Exhibited Bankstown City Centre DCP cover page (Source: City of Canterbury-Bankstown, 2024)

## 4 Community Engagement

The Rezoning Proposal was publicly exhibited on the NSW Planning Portal from 16 July to 30 August 2024. A total of 360 submissions were received during the exhibition period.

Consideration of the issues raised in submissions is presented in **Section 5** of this report. All submissions have been published on the Planning Portal. We would like to take this opportunity to thank the community and other key stakeholders for their ongoing interest, feedback, and support.

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### 4.1 How we consulted



5,195 letters issued to landowners



218 emails to contacts who opted in for project updates



55 people attended 6 in-person community sessions



71 people engaged via an online information session



13,789 website visits via digital channels



508,932 ads displayed via targeted digital and social media advertising campaigns



Advertisements in the Bankstown Torch, Chieu Duong and Australian Chinese Daily



One on one meetings with landowners and other key stakeholders

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### 4.2 Who we heard from



343 submissions were from community members



3 submissions were from community organisations



9 submissions were from Government agencies



5 submissions were from industry

# 5 Assessment of Key Issues

The Department has considered the issues raised in submissions during the exhibition of the Rezoning Proposal and prepared revisions of the draft planning controls in response to submission issues. The following key assessment issues have been identified:

1. Building Heights and Densities
2. Non-residential Floor Space
3. Traffic and Transport
4. Infrastructure
5. Affordable Housing
6. Flooding and Stormwater
7. Biodiversity
8. Sustainability
9. Heritage
10. Bankstown Central Shopping Centre
11. Sites Outside of the Rezoning Precinct

Where necessary, further amendments to the exhibited planning framework have been introduced to address submission issues. These amendments form part of the Department's assessment.

## 5.1 Building Heights and Densities

Submission points	Response
<ul style="list-style-type: none"><li>Landowners generally advocated for planning controls to be changed to increase density and building heights on their sites.</li><li>Several site-specific landowner requests were received, supported by detailed analysis to support the submissions.</li></ul>	<ul style="list-style-type: none"><li>The Department has undertaken a comprehensive analysis of the constraints and opportunities in the Bankstown Precinct. This process has included technical analysis of a range of matters to produce an Urban Design Framework to inform updates to densities and heights proposed in the exhibited Rezoning Proposal. These key elements have sought to:<ul style="list-style-type: none"><li>concentrate and contain development around the Metro Station within the urban core and inner neighbourhoods.</li><li>reinforce and strengthen the north-south spine, which builds on the existing vibrancy of Saigon Place.</li><li>connect and expand open spaces.</li><li>strengthen the urban core by reinforcing the grid of streets and establishing a legible skyline.</li><li>concentrate jobs around public transport and along the pedestrian spine to make employment opportunities easily accessible.</li></ul></li><li>Feedback from landowners during exhibition has been reviewed to determine the merit of any amendments to exhibited heights and densities. This process has involved a review of alignment with the urban design framework previously prepared (and exhibited) and site-specific merit. This has resulted in some revisions to height of buildings and FSRs. Refer to section 6.1 for site specific amendments.</li><li>The Precinct boundary has been further refined to identify the investigation area and rezoning precinct (Figure 1).</li></ul>



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## 5.2 Non-residential Floor Space

Submission points	Response
<ul style="list-style-type: none"><li>Landowner submissions cited feasibility issues with the delivery of mandatory non-residential floor space as there is a lack of demand for commercial floor space in Bankstown.</li><li>Council consider that a reduction of non-residential floor space from the Bankstown City Centre masterplan will favour housing in the short term and reduce commercial floor space opportunities in the long term.</li></ul>	<ul style="list-style-type: none"><li>The Department has sought to balance the aspirations and strategic planning intentions of Bankstown as a key strategic centre and the intention of the TOD Program to address the critical shortage of housing in Greater Sydney.</li><li>In response to submissions, the minimum non-residential floor space on all key sites has been reduced to 1.4:1.</li><li>The non-residential floor space has been spread across the Precinct on strategic sites close to the new metro whilst allowing significant planning uplift to deliver residential floor space across the Precinct.</li><li>The mandate of a 1.4:1 minimum non-residential floor space aims to protect commercial floor space across the Precinct in the long-term whilst providing opportunities for short-term housing delivery. The mandated 1.4:1 minimum non-residential floor space will equate to approximately 2-3 storeys on average.</li></ul>

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## 5.3 Traffic and Transport

### 5.3.1 Road Congestion

Submission points	Response
<ul style="list-style-type: none"><li>Submissions from the public raised concerns regarding traffic congestion in the area with a view that increased development uplift in Bankstown would worsen traffic conditions.</li></ul>	<ul style="list-style-type: none"><li>The Department has taken an integrated approach to land use and transport by locating new homes within walking distance of public transport, amenities, parks and schools. The Rezoning Proposal will:<ul style="list-style-type: none"><li>give people more travel choices to their destinations, with infrastructure improvements to facilitate more trips that can be made by walking, cycling and catching public transport services</li><li>help reduce the reliance on car use especially for short local trips</li><li>minimise congestion on the surrounding road network.</li></ul></li></ul>

Submission points	Response
	<ul style="list-style-type: none"> <li>• TfNSW provided advice that addresses the capacity of the Metro and bus networks to support the proposed growth in Bankstown Precinct: <ul style="list-style-type: none"> <li>○ The opening of the Sydney Metro Sydenham to Bankstown portion of the Southwest Metro in 2025 will provide additional capacity for customers travelling to and from Bankstown Station on the T3 Bankstown line and the Metro where services will run every four minutes during peak periods, five minutes in the interpeak period, and every ten minutes off-peak.</li> <li>○ Future capacity may allow trains to operate as frequently as every two minutes in each direction under the city. Additionally, a new train service will be introduced between Bankstown and Lidcombe as the T6 line, enabling passengers at Lidcombe to connect with the T2 Leppington &amp; Inner West and T3 Liverpool &amp; Inner West line services to the Sydney CBD, as well as T2 services to Parramatta.</li> <li>○ A key recommendation of the Bus Industry Taskforce includes the development of a 10 year bus roadmap that will outline service improvements across NSW.</li> <li>○ This includes restructuring the bus network, increasing service frequency and expanding network coverage. TfNSW continues to monitor bus service provision by analysing travel data and working with bus operators and planning authorities to help identify when and where passengers travel and how their future needs may evolve.</li> </ul> </li> <li>• The Precinct Transport Statement was prepared in consultation with Canterbury Bankstown Council and TfNSW identifies a suite of infrastructure and measures to improve access and movement by active transport, public transport, and the road network to better manage congestion and to achieve a multi-modal transport system that provide viable alternatives to car use.</li> </ul>

### 5.3.2 Car Parking

Submission points	Response
<ul style="list-style-type: none"><li>• Submissions from the public and one industry group raised concerns about the need for additional parking space</li><li>• One industry group encouraged no minimum parking rates and controls around car sharing.</li></ul>	<ul style="list-style-type: none"><li>• The Rezoning Proposal adopts car parking rates as recommended in Council's Complete Streets CBD Transport and Place Study &amp; Plan. This includes lower off-street car parking rates for development located within 400m of the station. A different rate will apply for developments that are further away from the station which would be relatively higher.</li><li>• Low car parking rates in new developments near frequent public transport services, shops and amenities provides a wide range of benefits including freeing up space for purposes like retail, homes, open space and community facilities; and influence changes to travel behaviour by encouraging greater use of active and public transport.</li><li>• Department staff referred all car parking-related submissions to Council staff for consideration in finalising their Bankstown City Centre DCP.</li></ul>

## 5.4 Infrastructure

### 5.4.1 Transport Infrastructure

Submission points	Response
<ul style="list-style-type: none"><li>• Concerns were raised by the community regarding a perceived lack of identified supporting infrastructure to support growth from the Rezoning Proposal</li><li>• Council raised the need for certainty regarding the provision of key pieces of transport infrastructure including the extension of Jacobs Street and delivery of the bus interchange</li></ul>	<ul style="list-style-type: none"><li>• Council has endorsed and implemented the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 which funds local transport infrastructure to support forecast growth within the Canterbury-Bankstown LGA between 2021 and 2036.</li><li>• The Rezoning Proposal is supported by an Infrastructure Delivery and Implementation Plan (IDIP) to support the implementation of the Rezoning Proposal. The IDIP sets out the framework for the coordination, prioritisation, timing and funding for infrastructure delivery to support growth proposed. The IDIP was developed with input from Council and state agencies and informed by a Precinct Transport Statement. Transport infrastructure upgrades are identified in the exhibited Infrastructure Delivery and Implementation Plan and in the Precinct Transport Statement.</li></ul>

Submission points	Response
	<p>These include a series of improvements to local road network including:</p> <ul style="list-style-type: none"> <li>○ bus priority facilities and bus interchange/layover at Jacobs Street</li> <li>○ traffic calming, streetscape and public domain works</li> <li>○ active transport upgrades.</li> </ul> <ul style="list-style-type: none"> <li>• Development in the Precinct will be required to pay a Housing and Productivity Contribution, which funds State and regional infrastructure in Greater Sydney. The NSW Government has committed \$520 million from the Housing and Productivity Fund to be spent on infrastructure in the TOD Accelerated Precincts.</li> <li>• This funding will focus on improving amenity through open space and pedestrian upgrades. The Department is developing program guidelines for the allocation of these funds between TOD Accelerated Precincts and the process for allocating them to projects.</li> </ul>

#### 5.4.2 Education and Health Facilities

Submission points	Response
<ul style="list-style-type: none"> <li>• Concerns were raised by the community regarding a perceived lack of identified infrastructure to support growth from the Rezoning Proposal</li> <li>• Concerns related to insufficient capacity in existing local schools, hospitals, and community spaces.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department has worked collaboratively with key state agencies including Health Infrastructure NSW (HINSW) and Schools Infrastructure (DoE) to ensure sufficient infrastructure is provided to support the growth in the Precinct.</li> <li>• Health Infrastructure NSW (HINSW) has commenced the master planning for the new Bankstown Hospital which will service the population of the Precinct.</li> <li>• The Rezoning Proposal promotes and facilitates medical-related uses to support the future growth of the Precinct and strengthen Bankstown's status as a health and education hub.</li> <li>• DoE are progressing school planning for the area to confirm where and when additional school provision is required in the future.</li> <li>• DoE will continue to monitor growth to ensure adequate capacity is provided to support the future population of the Precinct.</li> </ul>



Submission points	Response
	<ul style="list-style-type: none"> <li>New schools infrastructure will be programmed subject to further due diligence investigations, timing and staging analysis.</li> </ul>

### 5.4.3 Open Space

Submission points	Response
<ul style="list-style-type: none"> <li>Some landowners raised concerns about being identified as preferred locations for future open space in the exhibited Urban Design Framework.</li> <li>Some submissions were received raising concern that insufficient public open space is planned to support the intended population.</li> <li>Council advised that the rezoning of part of 15 Jacobs Street to RE1 Public Open Space was not supported.</li> </ul>	<ul style="list-style-type: none"> <li>No privately owned land is proposed to be rezoned for public open space under this rezoning. All preferred locations for open space have been developed to assist in future considerations for open space in the area. Should any future rezonings propose to rezone private land for recreation purposes, appropriate community consultation will occur and allow landowners to review and provide comments.</li> <li>The Department has committed to deliver a new open space in each TOD Accelerated Precinct. The program seeks to develop high quality, innovative open space in areas of high-density residential living.</li> <li>The NSW Government has committed \$520 million to provide community infrastructure in the TOD Accelerated Precincts. The Department will work with Councils to build upon existing strategic planning work and nominate projects for assessment.</li> <li>To support this, a post exhibition amendment has occurred to rezone some sites to the south of the railway line. This provides the opportunity for future open space to be provided in the centre of Bankstown as part of future planning.</li> <li>Post exhibition amendments have also been undertaken to: <ul style="list-style-type: none"> <li>Remove the rezoning of part of 15 Jacobs Street as per the advice of Council.</li> </ul> </li> <li>Recommended changes are outlined in <b>Section 6.1</b>.</li> </ul>

## 5.5 Affordable Housing

Submission points	Response
<ul style="list-style-type: none"> <li>• Submissions from the public raised concerns over the affordability of new homes.</li> <li>• Broad support was received from the community and organisations for maximising the potential for affordable housing provision.</li> <li>• Some community submissions requested that Affordable Housing Contribution be 15%.</li> <li>• Submissions from industry raised concerns that affordable housing was required to be held 'in perpetuity'.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department had suggested affordable housing contribution rates in the exhibition for Bankstown of between 3% and 10% to be provided in perpetuity across all sites in the Precinct.</li> <li>• During exhibition, concerns were raised about the rate at which affordable housing contributions are being enforced and whether they were feasible enough to let development occur.</li> <li>• The Department has sought to strike a balance between the need for affordable homes in Greater Sydney and the feasibility barriers occurring to delivering market and affordable homes within the National Housing Accord period.</li> <li>• In response to submissions, feasibility testing has been undertaken to determine evidence based affordable housing contribution rates within the Precinct.</li> <li>• As a result, a contribution rate of 3% applies, to be provided in perpetuity across all sites and a higher percentage of 4% on key sites in the Rezoning Proposal.</li> <li>• Key sites are required to deliver a higher rate linked to higher amount of uplift and have been feasibility tested. The following sites have been determined to deliver the higher rate of affordable housing contribution: <ul style="list-style-type: none"> <li>○ 4%-33 Meredith Street, Bankstown</li> <li>○ 4%-34-38 Restwell Street, Bankstown</li> </ul> </li> <li>• The contribution will be administered through the Canterbury-Bankstown LEP 2023. The clause will include an affordable housing contribution scheme that allows Council or the consent authority to impose as a condition of consent for development applications, to collect an affordable housing contribution on floor space in the form of homes with a minimum of 50 square metres and/or a monetary contribution equivalent to the floor space.</li> <li>• Exempt Development and Complying Development Certificates will not be captured under the clause.</li> <li>• All development that results in at least an additional 200 square metres of floor space within the Rezoning Proposal will be required to pay contributions.</li> </ul>

## 5.6 Flooding and Stormwater

Submission points	Response
<ul style="list-style-type: none"> <li>Concerns about flood affectation of 9 sites identified in the exhibition Flood Impact Risk Assessment report as being potentially impacted by the 1% AEP flood event.</li> <li>Concerns about shelter-in-place as an emergency response strategy in the PMF.</li> <li>Comments relating to stormwater management.</li> </ul>	<p><b>Flood Risk Impact Assessment Report</b></p> <ul style="list-style-type: none"> <li>The Rezoning Proposal was supported by a Flood Impact Risk Assessment (FIRA) report. This is a risk assessment specifically for the Rezoning Proposal, not for the development of all sites within the Precinct.</li> </ul> <p><b>Sites potentially impacted in the 1% AEP event flood</b></p> <ul style="list-style-type: none"> <li>The 1% AEP flood event is a flood event of a particular size that is typically expected to occur once in every 100 years or has a 1% chance of occurring in any given year.</li> <li>The exhibited FIRA identified 9 sites that may be partially impacted by floodways and/or partially impacted by high hazard areas in the 1% AEP flood event. The FIRA recommended that these 9 sites should be rezoned for development as the risk was manageable but noted that these sites may need to rely on shelter-in-place as an emergency response strategy for the 1% AEP flood event in addition to the PMF.</li> <li>Following the exhibition of the Rezoning Proposal the FIRA was updated in response to comments received from agencies. The consultant undertook further analysis and mapping which resulted in a reduction in the number of sites potentially impacted by floodways in the 1% AEP flood event and a reduction in the number of sites impacted by or impacting on the hazard category of the sites or surrounding sites.</li> <li>Post-exhibition analysis identified that for most sites the flood affectation is less than was originally mapped and the conclusion that no sites are floodway affected to limit rezoning is unchanged.</li> <li>The analysis found that:             <ul style="list-style-type: none"> <li>only 1 of the 9 sites are impacted by the high hazard.</li> <li>only 4 of the 9 sites were partially impacted by minor and disconnected floodways that further site-specific analysis and modelling at the DA stage would likely result in the partial or complete removal of the floodway affectation on these sites.</li> <li>1 site, being 11 East Terrace Bankstown (Lot 2 DP570424), is impacted by both the high hazard and floodway.</li> </ul> </li> </ul>

Submission points	Response
	<ul style="list-style-type: none"> <li>• Due to the isolated and narrow extents of these flood areas and the potential for site-specific design opportunities, there is expected development potential for all 9 affected sites identified in the exhibited FIRA.</li> <li>• For the 11 East Terrace Bankstown, the FIRA recommends that: <ul style="list-style-type: none"> <li>○ proposed building orientation is aligned in the north-south direction of flow and is moved as far west in the site as possible</li> <li>○ the floodway should be concentrated on the east side of the site through landform changes</li> </ul> </li> </ul> <p><b>Evacuation in the PMF</b></p> <ul style="list-style-type: none"> <li>• The PMF is the largest flood that could conceivably occur at a particular location. The FIRA identifies the chance of a PMF occurring in Bankstown as a 1 in 10 million (1:10,000,000) year event. The Australian Rainfall and Runoff guidance notes that PMF floods are rarest for catchments less than 100 km<sup>2</sup>.</li> <li>• The PMF event is typically adopted as the design event for flood emergency responses as it represents the estimated upper limit of flooding, albeit extremely rare flooding. Emergency management, and therefore evacuation, is always considered as a PMF event.</li> <li>• Evacuation cannot occur prior to flooding as the onset of flooding is too quick. The NSW State Emergency Services (SES) require at least 2 hours to mount evacuations and there is insufficient time for this to occur in Bankstown.</li> <li>• It is important to note that existing residents and visitors would not be able to evacuate under SES guidance during flood events in Bankstown, irrespective of the outcome of the Rezoning Proposal.</li> <li>• The FIRA concluded that the proposed rezoning is suitable from a flood risk and impact perspective.</li> <li>• Most sites have direct access to flood free land in the largest conceivable flood event, being the PMF. The FIRA identified that some sites would need to shelter in place for durations ranging from less than 1 and up to 6 hours in the PMF event before being able to evacuate to flood free land via the road network.</li> </ul>

Submission points	Response
	<p><b>Stormwater Management</b></p> <ul style="list-style-type: none"> <li>• Sydney Water recommended that Canterbury-Bankstown City Council prepare an updated Flood Study to investigate whether Sydney Water will make upgrades to its stormwater assets owned in the Precinct.</li> <li>• The Department has provided this submission to Council to consider.</li> </ul>

## 5.7 Biodiversity

Submission points	Response
<ul style="list-style-type: none"> <li>• Submissions raised concerns about the impact of new development and increased population on surrounding wildlife and ecology.</li> <li>• Also, submissions raised the importance of preserving environmental values of the area including street trees as well as water and air quality.</li> </ul>	<ul style="list-style-type: none"> <li>• The protection and enhancement of biodiversity values, as well as increased tree canopy cover and urban greening, have been key considerations in the development of the Rezoning Proposal.</li> <li>• The NSW Department of Climate Change, the Environment, Energy and Water (DCCEEW) was consulted throughout the Rezoning Proposal process, including through the TOD Program and Biodiversity, Conservation &amp; Science Working Group, regarding appropriate requirements to protect biodiversity, and the Department is satisfied that biodiversity will be managed at the Development Application and State Significant Development Application stage under the existing legislative framework.</li> <li>• Any future application for development may identify and assess the impact of development on critically endangered ecological communities and endangered ecological communities. Where vegetation clearing is proposed, or vegetation/habitat is identified, Council would require relevant assessments to be undertaken in line with the <i>Biodiversity Conservation Act 2016</i> (BC Act). The BC Act contains Schedules which identify threatened and protected plants and ecological communities and prohibits actions that affect threatened species and their habitats.</li> <li>• Under the BC Act, if proposed clearing triggers the Biodiversity Offset Scheme (BOS), then a Biodiversity Development Assessment Report (BDAR) would be required.</li> <li>• The Department has provided recommended objectives and development controls relating to the protection of biodiversity, tree</li> </ul>

Submission points	Response
	<p>canopy cover and water sensitive urban design in the Precinct to Council to include in their DCP.</p> <p><b>Enhancement of biodiversity</b></p> <ul style="list-style-type: none"> <li>The Department has drafted amendments to the existing design excellence clause (Clause 6.15) of the Canterbury-Bankstown LEP 2023 to include the protection and promotion of green infrastructure as a matter for consideration.</li> <li>“Green infrastructure” means the network of green spaces, natural systems and semi-natural systems that support sustainable communities and includes waterways, bushland, tree canopy and green ground cover, parks and open spaces.</li> </ul>

## 5.8 Sustainability

Submission points	Response
<ul style="list-style-type: none"> <li>Submissions from the public and Council noted the importance of sustainable building standards, and sought clarity on how the design outcomes would be met.</li> </ul>	<ul style="list-style-type: none"> <li>The NSW Government is committed to ensuring that new and renovated buildings are sustainable, resilient for the future climate and bring NSW closer to net zero emissions. The Department is taking a consistent approach to sustainable buildings across TOD Accelerated Precincts and does not propose to introduce place-specific or precinct-specific sustainability targets.</li> <li>Instead, the Department is leading by allowing <i>State Environmental Planning Policy (Sustainable Buildings) 2023</i> (Sustainable Buildings SEPP) to set the benchmarks and standards for development within the State.</li> <li>The Sustainable Buildings SEPP came into effect on 1 October 2023. The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across NSW and has increased sustainability standards for residential (BASIX) and non-residential development.</li> <li>Department staff consulted with Council staff before Council’s exhibition of their Draft Bankstown City Centre DCP to ensure that Council’s desired requirements that were not captured by the Sustainable Buildings SEPP are included into their Bankstown City</li> </ul>



Submission points	Response
	Centre DCP, for example solar photovoltaic systems, urban greening, and food and green waste (FOGO) collection.

## 5.9 Heritage

### 5.9.1 St Paul's Anglican Church

Submission points	Response
<ul style="list-style-type: none"> <li>Submissions were received both in support of and objecting to the proposed heritage listing of St Paul's Anglican Church (461 Chapel Road, Bankstown).</li> </ul>	<ul style="list-style-type: none"> <li>The Department has received multiple heritage reports regarding St Paul's Anglican Church. These reports date back to 2015 when Council first investigated the heritage listing of the church.</li> <li>Council's submission advises that it previously resolved to investigate the heritage significance further and notes there is a current development approval issued for the demolition of buildings such as the hall (advised to have been activated). No further advice is provided in Council's submission to its position on the heritage listing of the site and it has not proposed to previously progress a heritage listing amendment.</li> <li>Representatives of the Sydney Anglican Church, including the property arm of Sydney Anglican, wrote to the Department to object to the listing of the site. The submission outlines an intention to deliver a seniors housing and affordable housing residential development with community facilities.</li> <li>The Department considers the progression of a heritage listing for the land not be progressed under this rezoning due to Council's position on the local listing being unclear and intentions for further investigations. Council (as the local authority) is most appropriately placed to consider any future local listing on the land.</li> <li>This approach will provide the opportunity for additional affordable/seniors housing with community facilities within 500m walking distance of Bankstown train station/future metro. This responds to the TOD Accelerated Precinct objectives for delivering well-located affordable homes near transport and community spaces.</li> </ul>

Submission points	Response
	<ul style="list-style-type: none"> <li>• This does not preclude Council from investigating the heritage significance of the church and their own planning proposal to heritage list the church in the future.</li> <li>• Recommended changes are outlined in <b>Section 6.1</b>.</li> </ul>

### 5.9.2 Vimy Street, Bankstown

Submission points	Response
<ul style="list-style-type: none"> <li>• Council requested that a Heritage Conservation Area (HCA) be applied to Vimy Street in the south of the Precinct.</li> </ul>	<ul style="list-style-type: none"> <li>• The heritage report commissioned for the Rezoning Proposal indicated that there was insufficient evidence to recommend listing the Vimy Street area as a HCA.</li> <li>• No further evidence has been provided to support the listing and thus no changes are proposed to the exhibited plan in this regard.</li> </ul>

## 5.10 Bankstown Central Shopping Centre

Submission points	Response
<ul style="list-style-type: none"> <li>• The landowner's submission was supportive of the Rezoning Proposal's intent to facilitate housing near mass transport infrastructure.</li> <li>• The landowner requested a reduction in minimum non-residential mandated requirements and additional height in parts of the site.</li> <li>• Council requested that a site-specific provision be introduced to address a number of matters associated with a draft</li> </ul>	<ul style="list-style-type: none"> <li>• The Bankstown Shopping Centre (Shopping Centre) is the largest landholding in the Precinct and is a key site immediately adjacent to the new metro. It is located at 1 and 1A North Terrace, Bankstown and has previously been subject to a planning proposal (PP-2022-1898) which was publicly exhibited but not finalised. To ensure a holistic and consistent planning approach, the Shopping Centre site is being incorporated into the Precinct.</li> <li>• The Shopping Centre planning proposal sought to enable the staged redevelopment of Bankstown Central Shopping Centre site for commercial and residential purposes. This was intended to be achieved by increasing the permissible height and density of the site to support the delivery of new housing, commercial and employment opportunities.</li> <li>• This was previously supported by a draft Planning Agreement to deliver several infrastructure items including (but not limited to): <ul style="list-style-type: none"> <li>○ a road extension to facilitate bus and pedestrian movements.</li> <li>○ construction of a new 5,000 square metre park.</li> </ul> </li> </ul>

Submission points	Response
<p>planning agreement previously supporting the planning proposal.</p>	<ul style="list-style-type: none"> <li>A key reason that the Department sought to incorporate the planning proposal into the Bankstown TOD rezoning was in recognition of key public benefit opportunities associated with the site. Key matters include an extension to Jacob Street to facilitate future bus and pedestrian connection and 5,000 square metres of publicly accessible open space within the site.</li> <li>In recognition of these matters, a site-specific clause has been prepared which will only allow additional height and FSR to be utilised if the consent authority is satisfied of several matters. This includes provision of a new road connecting Jacob Street to North Terrace and 5,000 square metres of publicly accessible open space.</li> </ul>

## 5.11 Sites Outside of the Rezoning Precinct

Submission points	Response
<ul style="list-style-type: none"> <li>Some landowners requested additional sites be included for rezoning as part of this project.</li> <li>The sites requested were wide ranging, from locations within the broader Precinct boundary but not proposed for rezoning, to those outside but near the boundary, to requests for sites some distance from the precinct boundary.</li> <li>La Salle Catholic College made a submission requesting a development outcome on the playing fields located to the south of the school buildings.</li> </ul>	<ul style="list-style-type: none"> <li>The rezoning precinct included in the finalisation of the Rezoning Proposal has been informed by feasibility, urban design testing, previous strategic planning for the area and the objectives of the TOD Accelerated Precincts. These principles have been retained in the final Rezoning Proposal and therefore no additional sites have been included.</li> <li>La Salle Catholic College shares a boundary with the current Bankstown TAFE and the location of the future Bankstown Hospital. HINSW are undertaking master planning for the new Hospital through a separate planning pathway and the outcome on the site is unknown at the time of finalising the Rezoning Proposal for the Precinct.</li> <li>Any changes to controls on La Salle Catholic College land must be considered in conjunction with the controls for the new hospital, and thus, the Department recommends that any planning control changes be deferred to a later date when the hospital planning controls are certain.</li> </ul>

# 6 Post-Exhibition Amendments

In response to the issues raised by the community, landowners and other stakeholders', further refinements to aspects of the plan and additional testing were conducted by the Department. This has resulted in several refinements to the Rezoning Proposal. The changes discussed below relate to a review of submissions with further amendments to the mapping referred to under Section 7.1.

## 6.1 Environmental Planning Instrument Planning Framework

### 6.1.1 83-99 North Terrace and 62 The Mall, Bankstown (Compass Centre)

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>Planning controls:<ul style="list-style-type: none"><li>Zone: B4 Mixed Use</li><li>FSR: 5:1</li><li>HOB: 83 metres</li><li>2:1 minimum non-residential FSR</li></ul></li></ul>	<ul style="list-style-type: none"><li>Planning controls:<ul style="list-style-type: none"><li>Zone: No change</li><li>FSR: 5.8:1</li><li>HOB: No change</li><li>1.4:1 minimum non-residential FSR</li></ul></li></ul>

### 6.1.2 23-27A Marion Street & Kitchener Parade, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>Planning controls:<ul style="list-style-type: none"><li>Zone: B4 Mixed Use</li><li>FSR: 4:1</li><li>HOB: 54 metres</li><li>1.4:1 minimum non-residential FSR</li></ul></li></ul>	<ul style="list-style-type: none"><li>Planning controls:<ul style="list-style-type: none"><li>Zone: No change</li><li>FSR: 5:1</li><li>HOB: 62 metres</li><li>1.4:1 minimum non-residential FSR</li></ul></li></ul>

### 6.1.3 1 West Terrace, 258-260 South Terrace, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 5.5:1</li><li>○ HOB: 58 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 6.5:1</li><li>○ HOB: 72 metres</li></ul></li></ul>

### 6.1.4 34-38 Restwell Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 5:1</li><li>○ HOB: 42 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 6:1</li><li>○ HOB: 50 metres</li></ul></li></ul>

### 6.1.5 40 Restwell Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 3.5:1</li><li>○ HOB: 42 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 5.5:1</li><li>○ HOB: 50 metres</li></ul></li></ul>

### 6.1.6 1–27 Greenfield Parade, 13–19 Restwell Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B3 Commercial Core</li><li>○ FSR: 5:1</li><li>○ HOB: 39 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: No change</li><li>○ HOB: 39 metres on western lots and 47 metres on eastern lots</li></ul></li></ul>

### 6.1.7 33 Meredith Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: SP2 Infrastructure Zoning</li><li>○ FSR: 4:1</li><li>○ HOB: 55 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 5.5:1</li><li>○ HOB: No change</li></ul></li></ul>

### 6.1.8 30-34 Sir Joseph Banks Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: R4 High Density Residential</li><li>○ FSR: 2:1</li><li>○ HOB: 23 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 2.3:1</li><li>○ HOB: 26 metres</li></ul></li></ul>



### 6.1.9 2, 6 and 10 Leonard Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: R4 High Density Residential</li><li>○ FSR: 2:1</li><li>○ HOB: 23 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 2.3:1</li><li>○ HOB: 26 metres</li></ul></li></ul>

### 6.1.10 67 Rickard Road, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 4.5:1</li><li>○ HOB: 78 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 5:1</li><li>○ HOB: No change</li></ul></li></ul>

### 6.1.11 493-497 Chapel Road, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 2:1</li><li>○ HOB: 23 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 2.7:1</li><li>○ HOB: 35 metres</li></ul></li></ul>

### 6.1.12 31-35 Rickard Road and 1-3 Sir Joseph Banks Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 2.5:1</li><li>○ HOB: 30 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: No change</li><li>○ FSR: 3.4:1</li><li>○ HOB: 36 metres</li></ul></li></ul>

### 6.1.13 5 and 7 West Terrace, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: B4 Mixed Use</li><li>○ FSR: 3:1</li><li>○ HOB: 38 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: RE1 Public Recreation</li><li>○ FSR: N/A</li><li>○ HOB: N/A</li></ul></li></ul>

### 6.1.14 15 Jacobs Street, Bankstown

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: RE1 Public Recreation</li><li>○ FSR: 2:1</li><li>○ HOB: 23 metres</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Planning controls:<ul style="list-style-type: none"><li>○ Zone: R4 High Density Residential</li><li>○ FSR: 2.3:1</li><li>○ HOB: 26 metres</li></ul></li></ul>

### 6.1.15 461 Chapel Street, Bankstown (St Paul's Anglican Church)

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"> <li>• Planning controls: <ul style="list-style-type: none"> <li>○ Zone: B4 Mixed Use</li> <li>○ FSR: 4.5:1</li> <li>○ HOB: 55 metres</li> <li>○ Proposed heritage significance</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Planning controls (via an incentive clause): <ul style="list-style-type: none"> <li>○ Zone: No change</li> <li>○ Base FSR: 3.1</li> <li>○ Incentive FSR: 6.7:1</li> <li>○ Base HOB: 35 metres</li> <li>○ Incentive HOB: 79 metres</li> </ul> </li> <li>• Conditions <ul style="list-style-type: none"> <li>○ Access to incentive building height and FSR is subject to: <ul style="list-style-type: none"> <li>▪ any residential accommodation being for affordable and/or seniors housing, and</li> <li>▪ at least 1000 square metres must be provided for community facility floor space.</li> </ul> </li> </ul> </li> </ul>

### 6.1.16 1 and 1A North Terrace, Bankstown (Bankstown Central Shopping Centre)

Exhibited Controls	Post-exhibition amendments
<ul style="list-style-type: none"> <li>• Planning controls: <ul style="list-style-type: none"> <li>○ Zone: B4 Mixed Use</li> <li>○ FSR: Part 7:1, 3.4:1, 3.8:1 and 3:1</li> <li>○ HOB: Part 86 meters, 83 metres, 67 metres, 50 metres, 70 metres, 55 metres, 35 metres and 46 metres</li> <li>○ Part 0.9:1 and 2:1 minimum non-residential FSR</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Planning controls: <ul style="list-style-type: none"> <li>○ Zone: No change</li> <li>○ Base FSR: As per existing Canterbury-Bankstown LEP 2023</li> <li>○ Incentive FSR: Part 7:1, 3.8:1, 3.4:1 and 3:1</li> <li>○ Base HOB: As per existing Canterbury-Bankstown LEP 2023</li> <li>○ Incentive HOB: Part 86 metres, 83 metres, 67 metres, 65 metres, 56 metres, 50 metres and 35 metres</li> <li>○ Site-specific clause to only allow increase in building height and FSR if planning consent authority is satisfied of several matters, including: <ul style="list-style-type: none"> <li>▪ at least 5000 square metre of the site area will be used for the purposes of a single public open space,</li> <li>▪ the development will include a road 24.8 metre wide to enable a connection between Jacobs Street and North Terrace, and</li> <li>▪ a supporting development control plan.</li> </ul> </li> </ul> </li> </ul>

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## 6.2 Other Notable Changes

### 6.2.1 Embedding Aboriginal Outcomes

The Gandangara Local Aboriginal Land Council expressed to the Department that it sought to embed Aboriginal outcomes into planning controls and legislation.

The Department consulted with Council staff before Council's exhibition of their Draft Bankstown City Centre DCP so that Aboriginal outcomes were embedded into objectives and controls in Council's DCP for the Precinct.

Council's exhibited DCP contains a series of controls that applies to all development in the Precinct which Clause 6.15 Design Excellence of the Canterbury-Bankstown LEP 2023 is applicable to and is optional for development that is not applicable to Clause 6.15 of the Canterbury-Bankstown LEP 2023.

Clause 6.15 Design Excellence of Canterbury-Bankstown LEP 2023 has been amended to more comprehensively address Aboriginal outcomes with two additional matters for consideration being included to address Aboriginal cultural heritage and designing with Country.



# 7 Amendments to the Planning Framework

The following outlines the amendments to Canterbury Bankstown LEP 2023 to give effect to the Precinct's rezoning and provide development controls that support future development. These amendments will be given effect through a self-repealing and amending SEPP.

## 7.1 Canterbury-Bankstown Local Environmental Plan 2023

Provision	Intended outcome
Land Use Zoning	<ul style="list-style-type: none"><li>• Rezone land from B4 Mixed use to B3 Commercial Core;</li><li>• R4 High Density Residential to B4 Mixed Use;</li><li>• R3 Medium Density Residential to R4 High Density Residential;</li><li>• B4 Mixed Use to RE1 Public Recreation; and</li><li>• SP2 Infrastructure to B4 Mixed Use and B3 Commercial Core.</li></ul> <p>Refer to <b>Appendix A</b> for the proposed land zoning map.</p>
Height of Buildings	<p>Amend the maximum height of building map to apply a maximum height ranging from 9 metres to 86 metres.</p> <p>Refer to <b>Appendix B</b> for the proposed height of building map.</p>
FSR	<p>Amend the maximum FSR map to apply a maximum FSR ranging from 1:1 to 7.5:1.</p> <p>Refer to <b>Appendix C</b> for the proposed FSR map.</p>
Minimum Non-Residential FSR	<p>Introduce a minimum non-residential FSR map to apply a minimum non-residential FSR ranging from 0.9 and 1.4 to apply to key sites in the Precinct.</p> <p>Refer to <b>Appendix D</b> for the proposed minimum non-residential FSR map.</p>
Community Facility Floor Space Incentive	<p>Introduce a community facility map to identify sites that can receive additional bonus floor space up to 3,000 square metres for the purposes of community facilities and introduce an associated incentive provision the Canterbury-Bankstown LEP 2023.</p> <p>Refer to <b>Appendix E</b> for the proposed community facility floor space incentive map.</p>
Bankstown City Centre Map	<p>Introduce a Bankstown city centre map to identify sites that can receive additional bonus floor space for the purposes of office space and for additional trading hours via exempt development pathways.</p>

Provision	Intended outcome
	Refer to <b>Appendix F</b> for the proposed Bankstown city centre map.
Underground FSR	<p>Introduce an underground FSR map to identify where underground floor space will be permitted in addition to the maximum FSR prescribed on certain sites on the FSR map in the B4 Mixed Use and B3 Commercial Core zones.</p> <p>Refer to <b>Appendix G</b> for the proposed underground FSR map.</p>
Affordable housing	<p>Introduce a new affordable housing map to identify the Rezoning Proposal area. The Affordable Housing Map supports a new provision in the Canterbury-Bankstown LEP 2023.</p> <p>Refer to <b>Appendix H</b> for the proposed affordable housing map.</p>
Incentive Height of Building	<p>Introduce an incentive height of building map to identify three sites to deliver public benefit outcomes including open space, community facilities, or road and pedestrian connections as identified in new provisions in the Canterbury-Bankstown LEP 2023.</p> <p>Refer to <b>Appendix I</b> for the proposed incentive height of building map.</p>
Incentive FSR	<p>Introduce an incentive FSR map to identify three sites to deliver public benefit outcomes including open space, and road and pedestrian connections as identified in new provisions in the Canterbury-Bankstown LEP 2023. Additionally, the incentive FSR map indicates the area where the underground floor space concessions apply in the precinct.</p> <p>Refer to <b>Appendix J</b> for the proposed incentive FSR map.</p>
Active Street Frontage	<p>Introduce an active street frontage map to reflect the intended activation of streets in the centre of the Precinct, improve walkability, and ensure appropriate activation of the public realm along certain ground floor street frontages.</p> <p>Refer to <b>Appendix K</b> for the proposed active street frontage map.</p>
Heritage	<p>Amend Schedule 5 Environmental Heritage and the associated heritage map to list seven items located in the Precinct boundary as items of local heritage in Canterbury-Bankstown LEP 2023.</p> <p>Refer to <b>Appendix L</b> for the proposed heritage map.</p>
Special Provisions	<p>Amend the Special Provisions Map to remove 'Area 3' from part of the Bankstown Shopping Centre site.</p> <p>Refer to <b>Appendix M</b> for the proposed Special Provisions Map.</p>

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## 7.2 Consideration of State Policies and Plans

### 7.2.1 Housing SEPP

The Canterbury-Bankstown LEP 2023 will be amended to include a clause that will require all new residential development, including local and state significant development applications, to contribute to the provision of affordable housing. Depending on the site, affordable housing contributions of 3% and 4% on key sites, to be held in perpetuity and managed by a registered Community Housing Provider (CHP), are mandatory for all new residential development within the Precincts, except where an existing affordable housing arrangement has been approved.

Therefore, no additional affordable housing incentives are available within Bankstown TOD Accelerated Precinct, including the infill affordable housing floor space ratio and height of building bonuses under Chapter 2, Part 2, Division 1 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

### 7.2.2 Infrastructure Contributions

Development in the precinct will be required to pay a Housing and Productivity Contribution (HPC). This is a contribution levied on new residential, commercial and industrial development in HPC regions (Greater Sydney, Illawarra-Shoalhaven, Central Coast and Lower Hunter) which funds State and regional infrastructure.

The Government committed \$520 million from the Housing and Productivity Fund to be spent on community infrastructure in the TOD Accelerated Precincts. This will provide upgrades to critical transport, and active transport infrastructure, as well as new and improved public open space.

Council has adopted the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 to help fund new local infrastructure for already planned growth. The Department has collaborated with Council and shared the projected growth resulting from the Rezoning Proposal as well as the infrastructure projects required to support that growth.

### 7.2.3 Special Entertainment Precincts

A Special Entertainment Precinct (SEP) allows councils to set localised sound limits to encourage live performances, incentivise later trading for live performance venues and a mechanism to monitor and manage complaints through a precinct management plan.

Since the passing of the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023, the Department has made changes to the Local Government Act 1993 that empowers councils to create a SEP by identifying the area in its local environment plan or by requesting the Minister for

Planning and Public Spaces to identify a SEP in a State Environmental Planning Policy. This is part of the NSW Government's work to improve the precinct framework that allows councils to set requirements for amplified music and adopt their own plans to encourage more live music and performance venues.

The Office of the 24-Hour Economy (under Minister John Graham) has prepared guidelines to assist councils to establish a SEP and also has funding available.

SEPs can be made by a council anywhere within their LGA, regardless of whether the precinct is within or outside of a TOD Accelerated Precinct. The TOD Rezoning Proposal does not prevent or facilitate a SEP being established.

In the draft Rezoning Proposal, the explanation of intended effect noted that the Department will work closely with Council to identify the areas within the TOD Accelerated Precinct to establish a SEP. The operation of the SEP would commence once either council had adopted and published on their website a precinct plan of management which will regulate noise from amplified music from premises in the SEP.

The Department will continue to work with Council to have this in place in its LGA in line with development occurring.

# 8 Conclusion

The Rezoning Proposal amends planning controls for the Bankstown TOD Accelerated Precinct through a self-repealing SEPP under the EP&A Act. This SEPP will update the controls within the Canterbury-Bankstown LEP 2023 to align with the objectives and controls of the Rezoning Proposal.

The Rezoning Proposal leverages off the extensive evidence base established by Council and aims to realise the vision outlined in Council's Master Plan, while accelerating housing delivery in Bankstown.

The Department has undertaken a detailed assessment of the Rezoning Proposal and is satisfied the issues raised have been adequately addressed for rezoning purposes.

The Department's assessment has addressed several key issues raised, including transport, infrastructure, affordable housing, flooding and stormwater management, biodiversity, height and density, and public open space. It is considered that the issues raised have been adequately addressed for rezoning purposes, subject to the adoption of amendments to the Canterbury-Bankstown LEP 2023 as outlined in this report.

The Department recommends the rezoning of the Precinct be supported to enable the delivery of approximately 14,000 new homes, capacity for 14,300 new jobs, new public open space, community facilities and critical transport connection improvements. The proposed residential uplift will also facilitate the delivery of 3% affordable housing provided in perpetuity with 4% required on key sites.

The rezoning includes robust controls and design guidance which will enable appropriate consideration of issues through subsequent stages of the planning process.

The assessment undertaken as part of this finalisation report has demonstrated that the proposed planning controls for the Bankstown TOD Accelerated Precinct appropriately respond to the opportunities and constraints of the site. The assessment has sought to balance the various views contained in submissions from stakeholders, communities and Council.



# Appendix A – Proposed Land Zoning Map

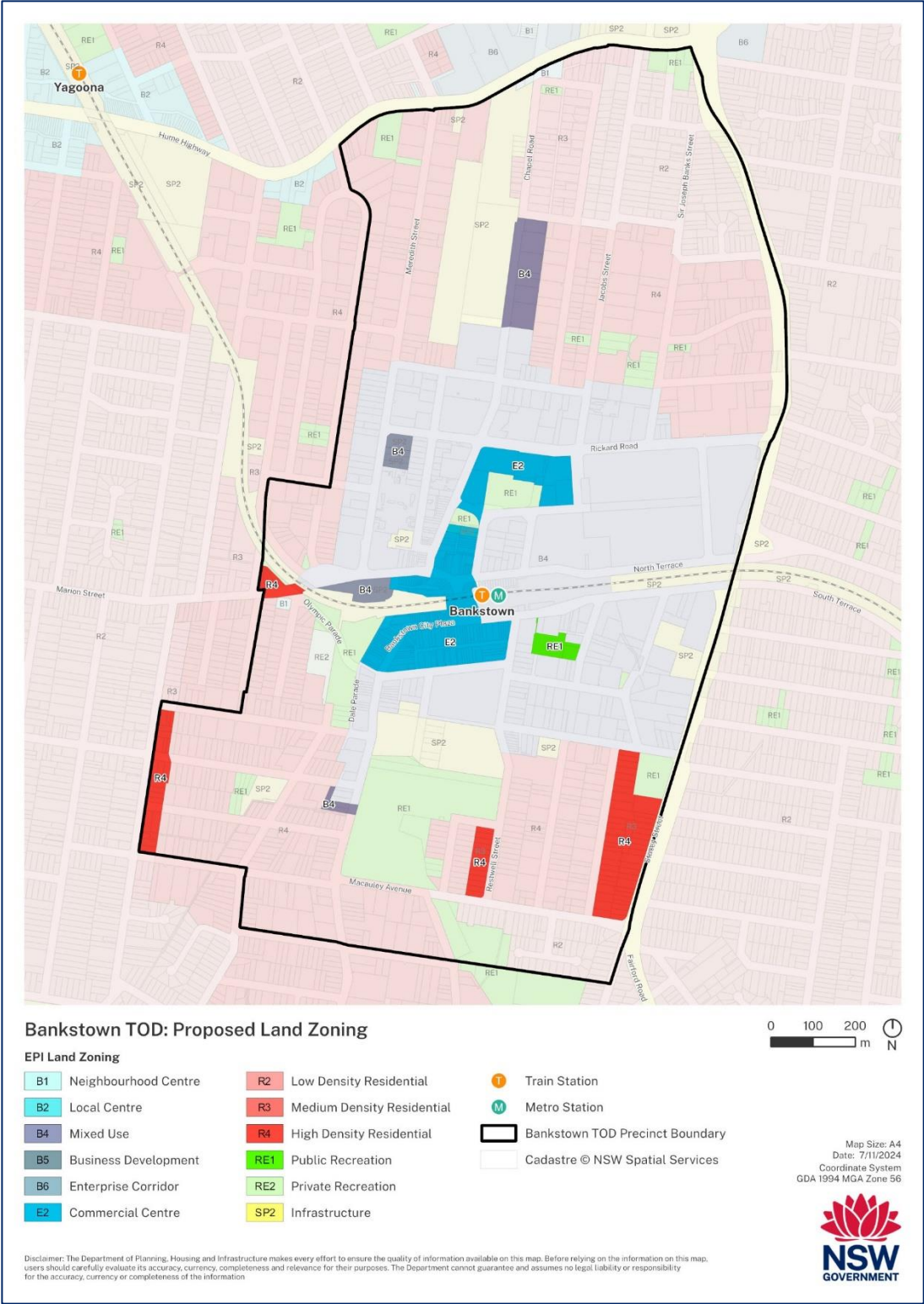


Figure 5: Proposed Land Zoning Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix B – Proposed Height of Building Map

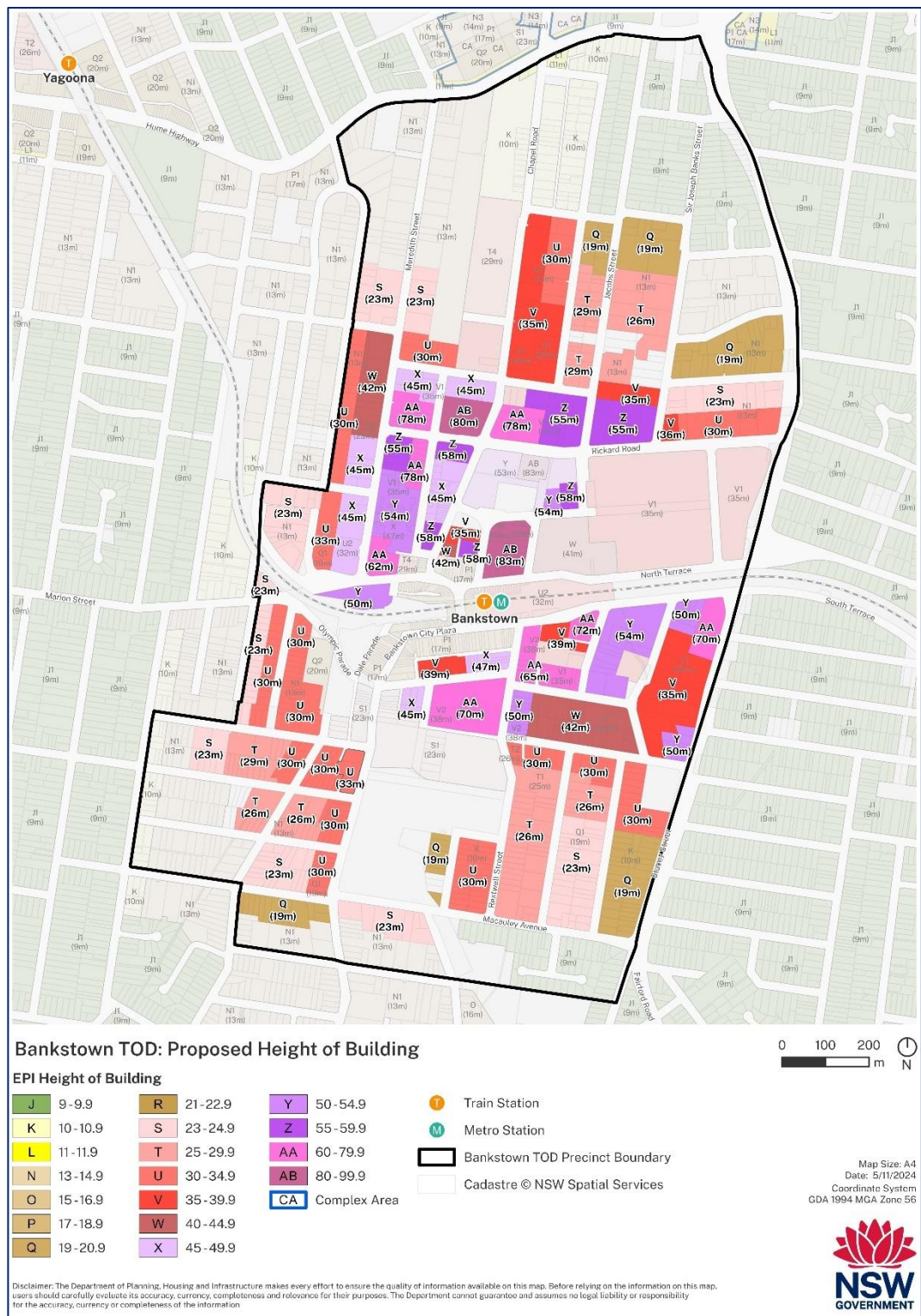


Figure 6: Proposed Height of Building Map (Source: Department of Planning, Housing and Infrastructure, 2024)



# Appendix C – Proposed Floor Space Ratio Map

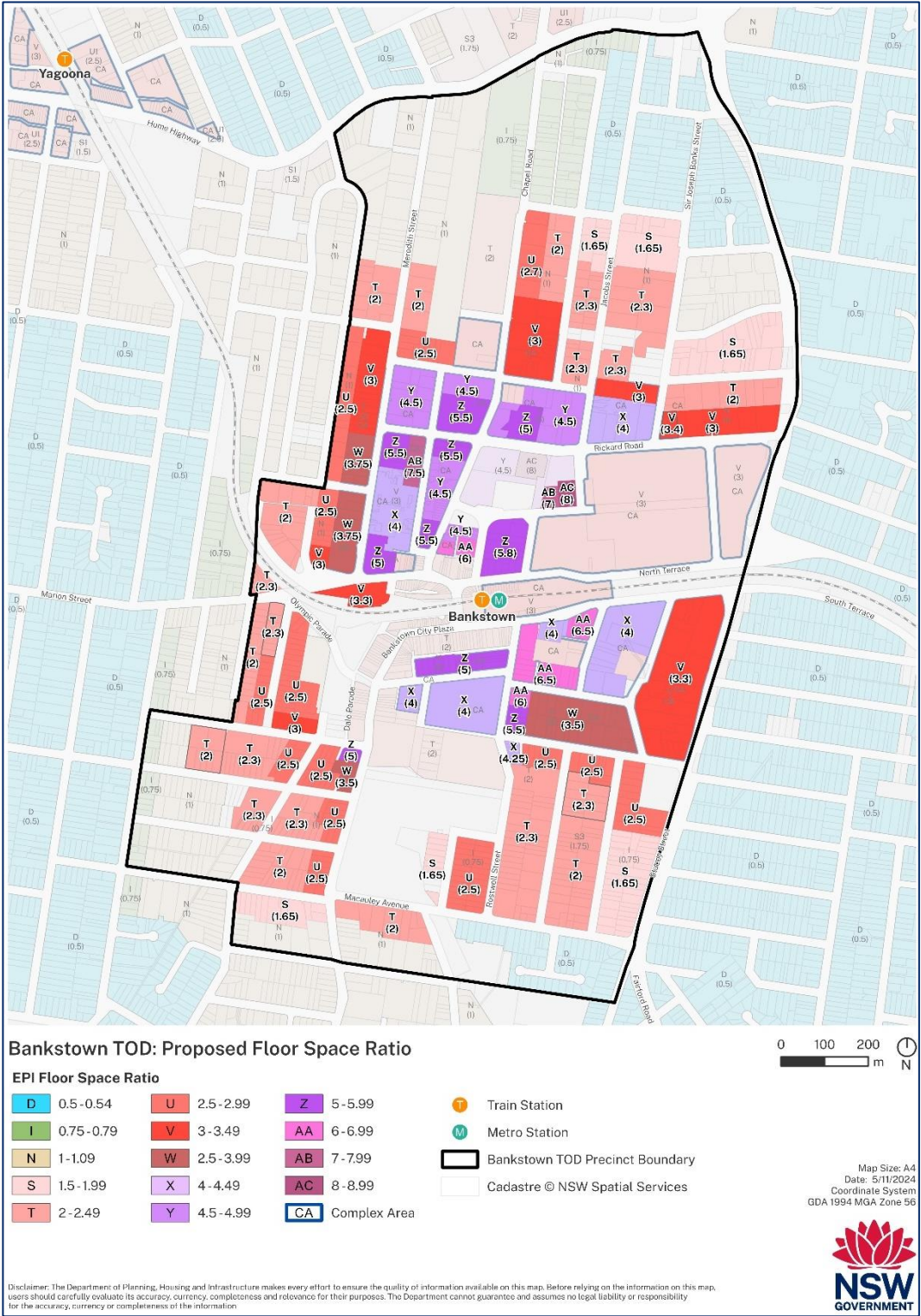


Figure 7: Proposed Floor Space Ratio Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix D – Proposed Minimum Non-residential Floor Space Ratio Map

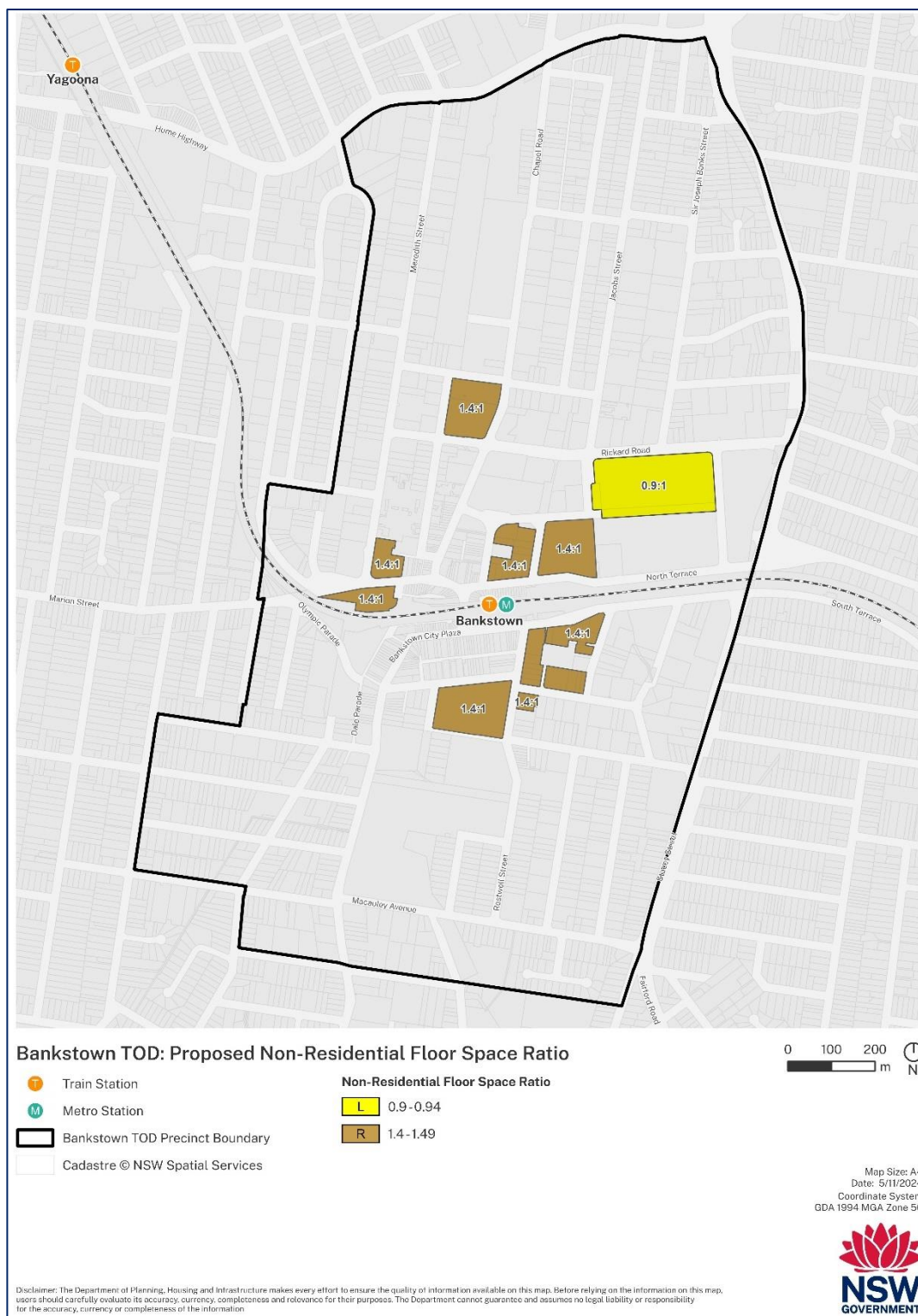


Figure 8: Proposed Minimum Non-residential Floor Space Ratio Map (Source: Department of Planning, Housing and Infrastructure, 2024)



# Appendix E - Proposed Community Facility Floor Space Incentive Map

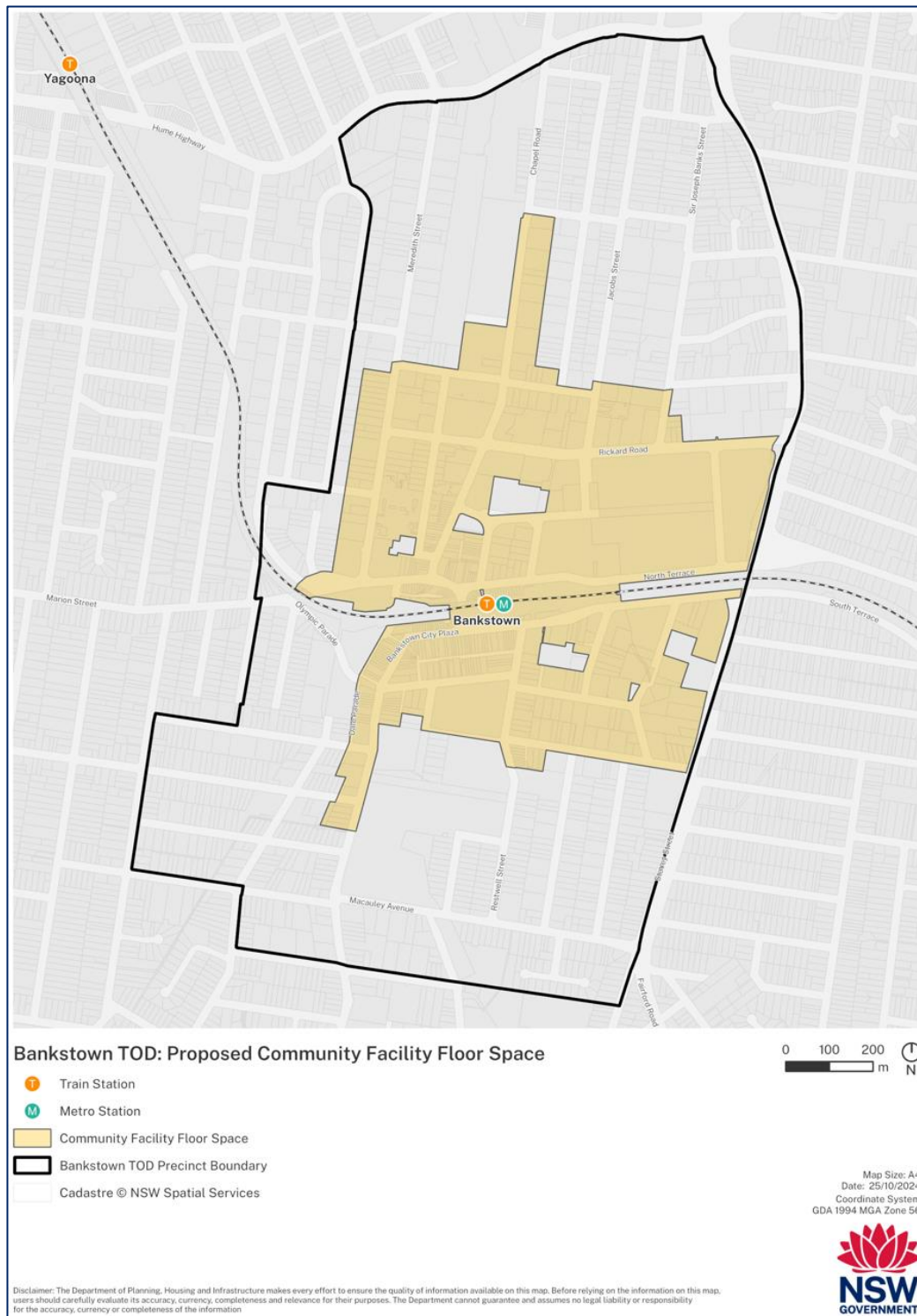


Figure 9: Proposed Community Facility Floor Space Incentive Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix F – Proposed Bankstown City Centre Map

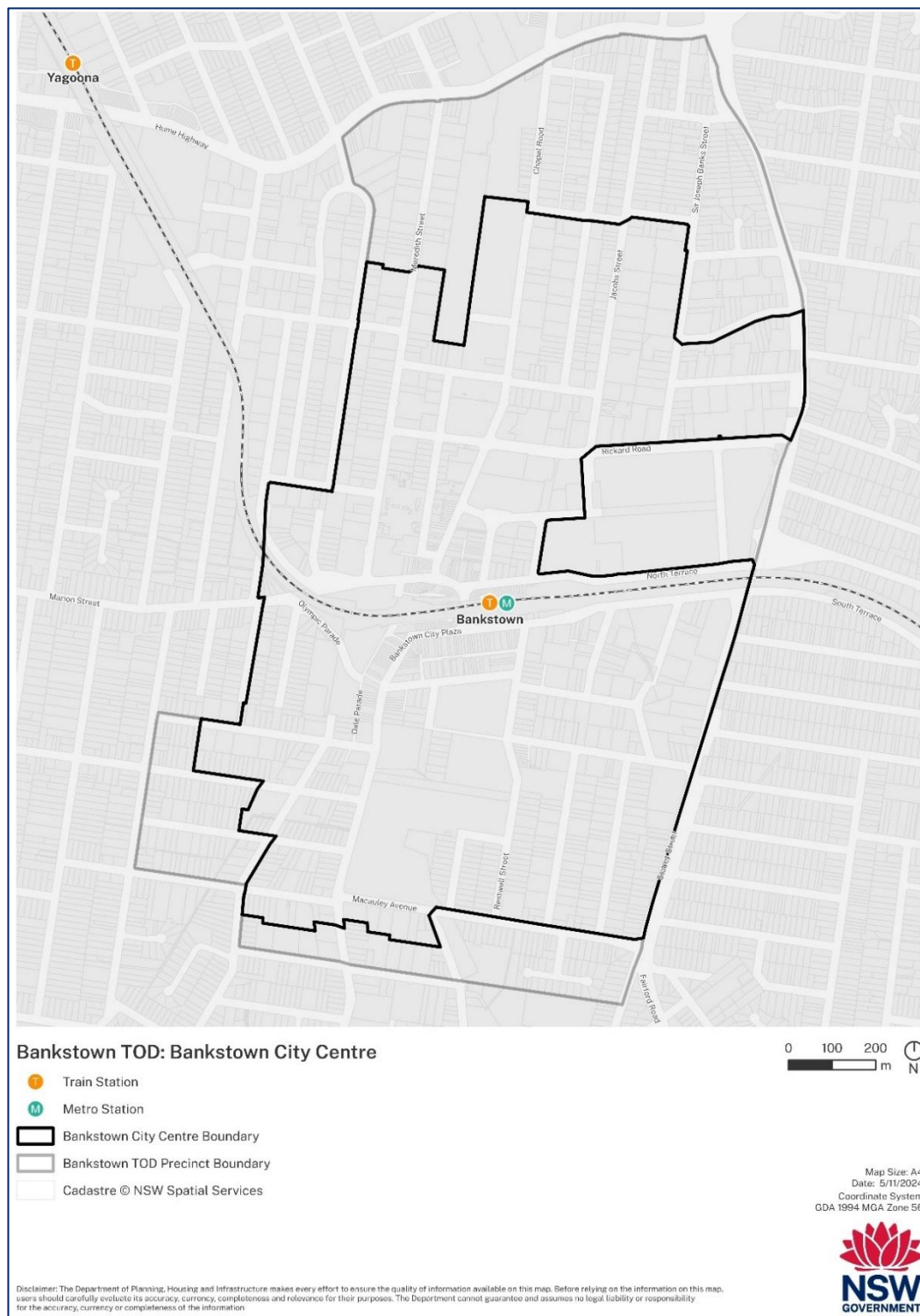


Figure 10: Proposed Office Floor Space Incentive Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix G – Proposed Underground Floor Space Ratio Map

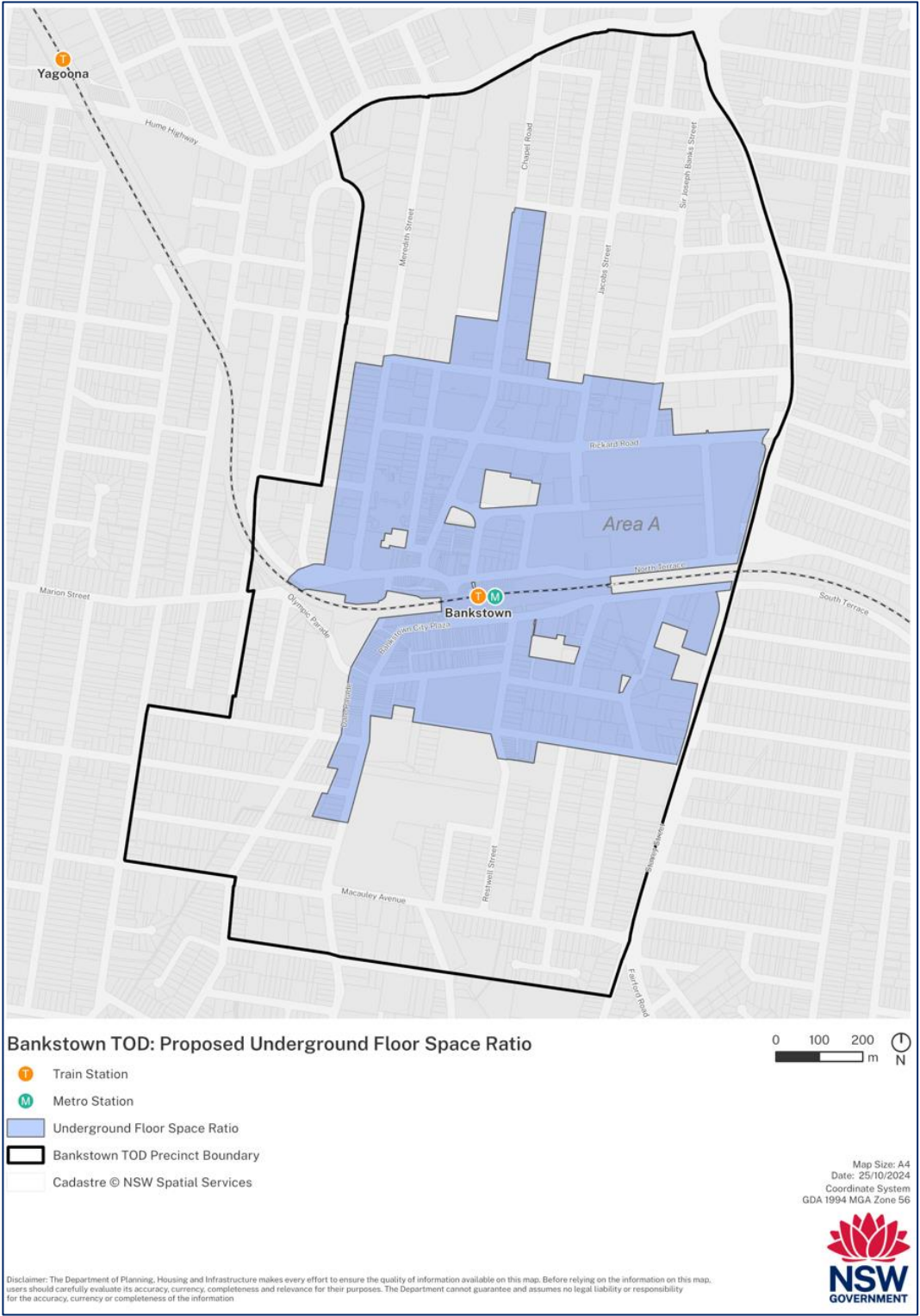


Figure 11: Proposed Underground Floor Space Map (Source: Department of Planning, Housing and Infrastructure, 2024)



# Appendix H – Proposed Affordable Housing Map

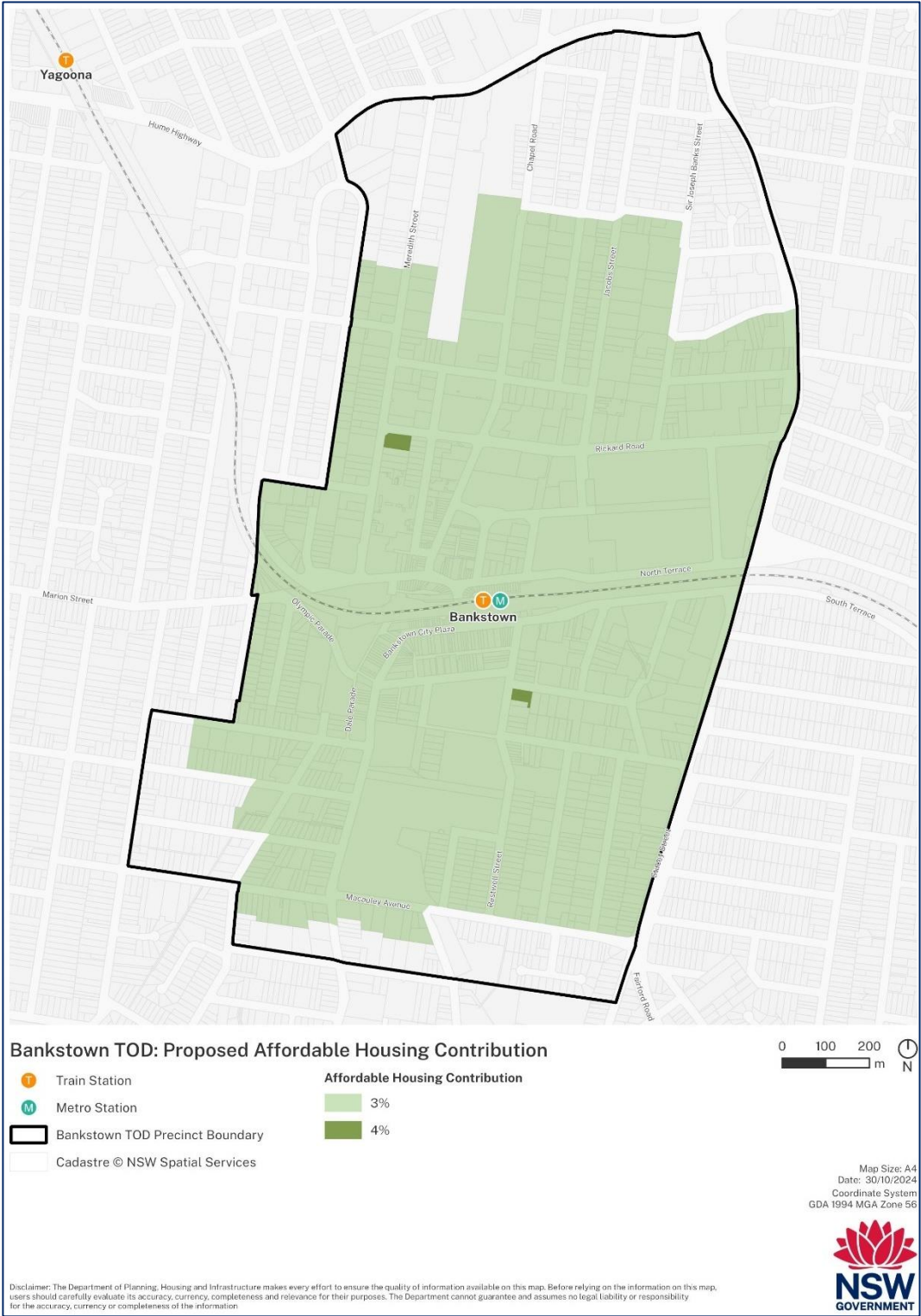


Figure 12: Proposed Affordable Housing Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix I – Proposed Incentive Height of Building Map

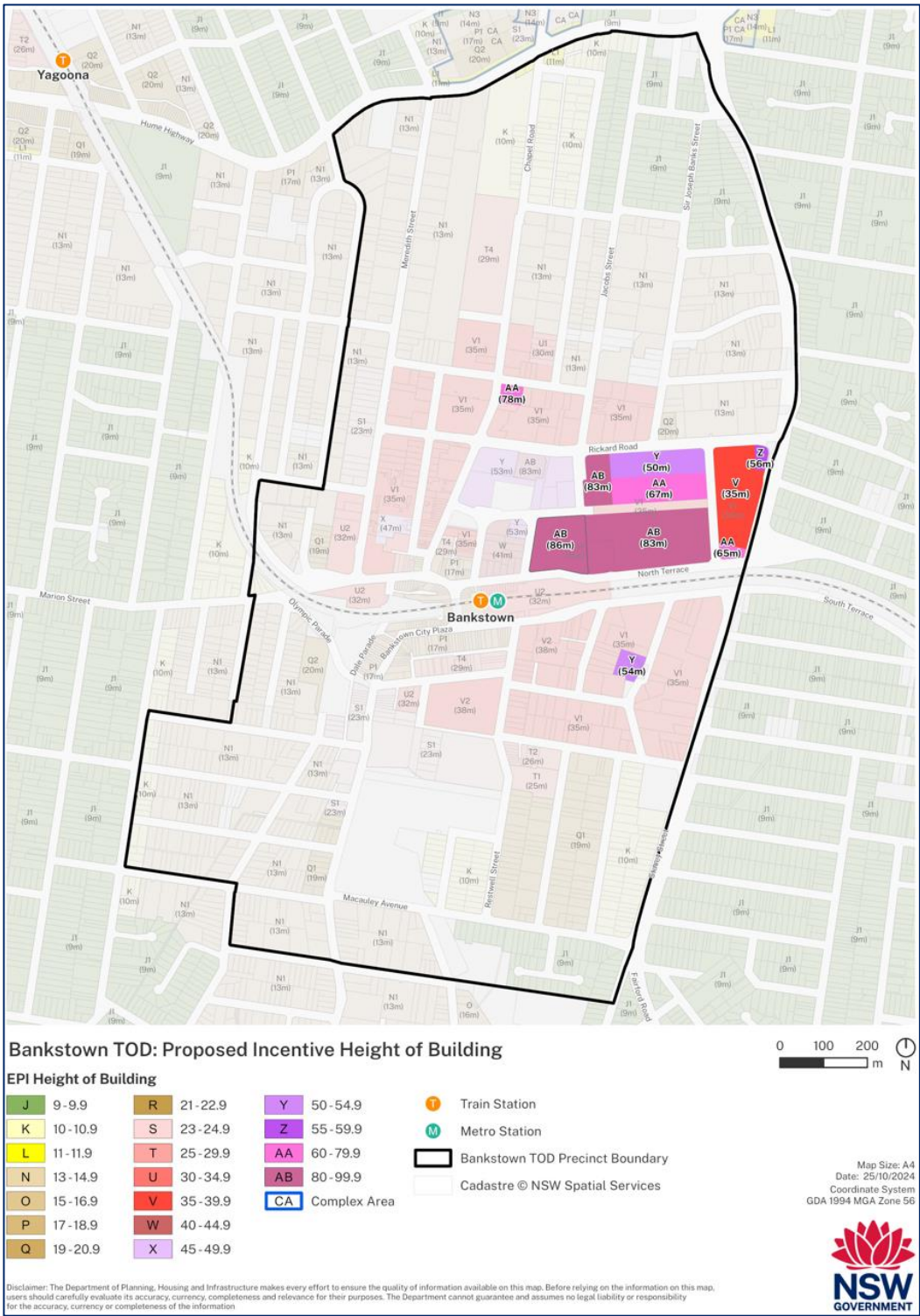


Figure 134: Proposed incentive Height of Building Map (Source: Department of Planning, Housing and Infrastructure, 2024)



# Appendix J – Proposed Incentive Floor Space Ratio Map

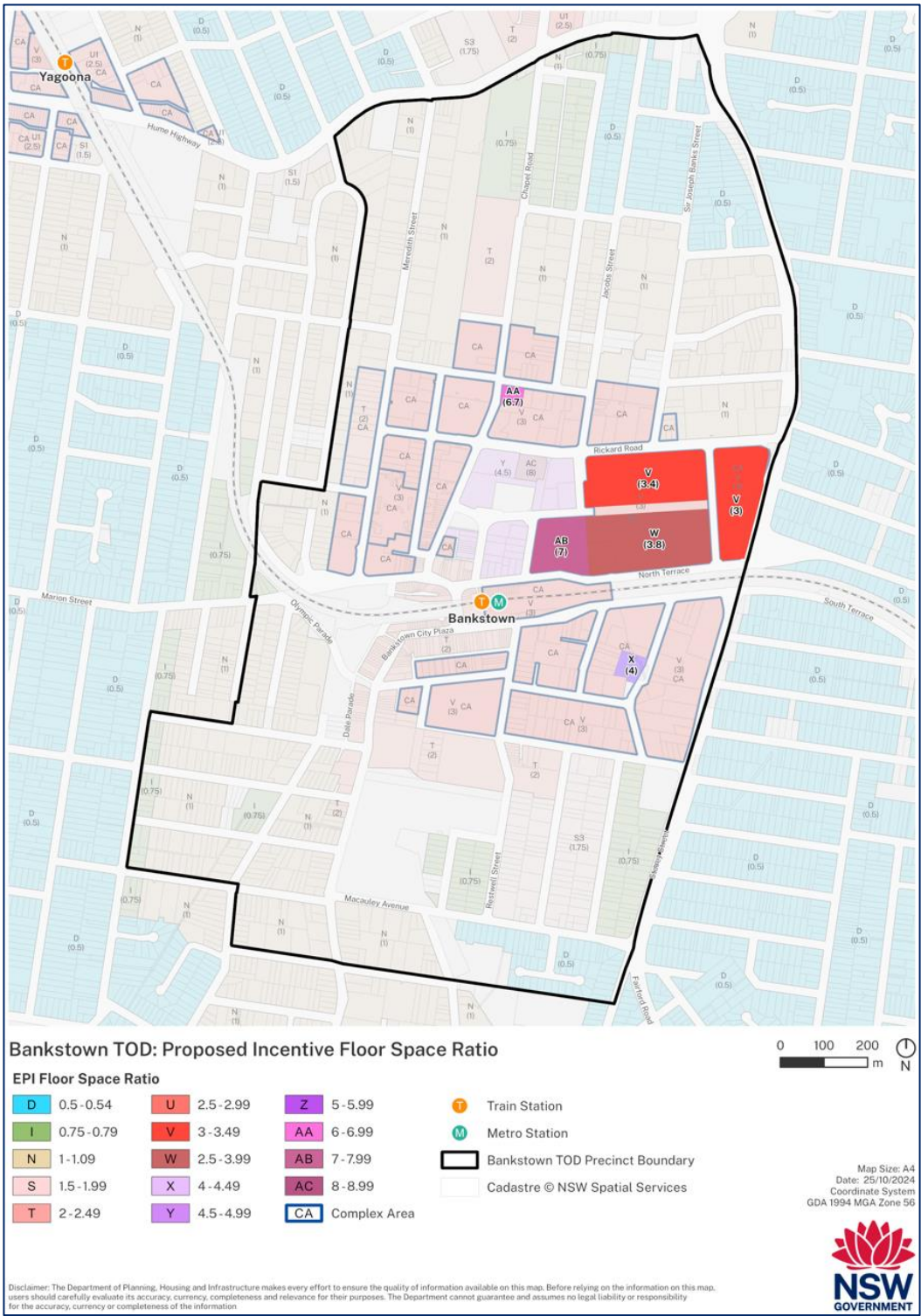


Figure 14: Proposed incentive Floor Space Ratio Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix K – Proposed Active Street Frontage Map

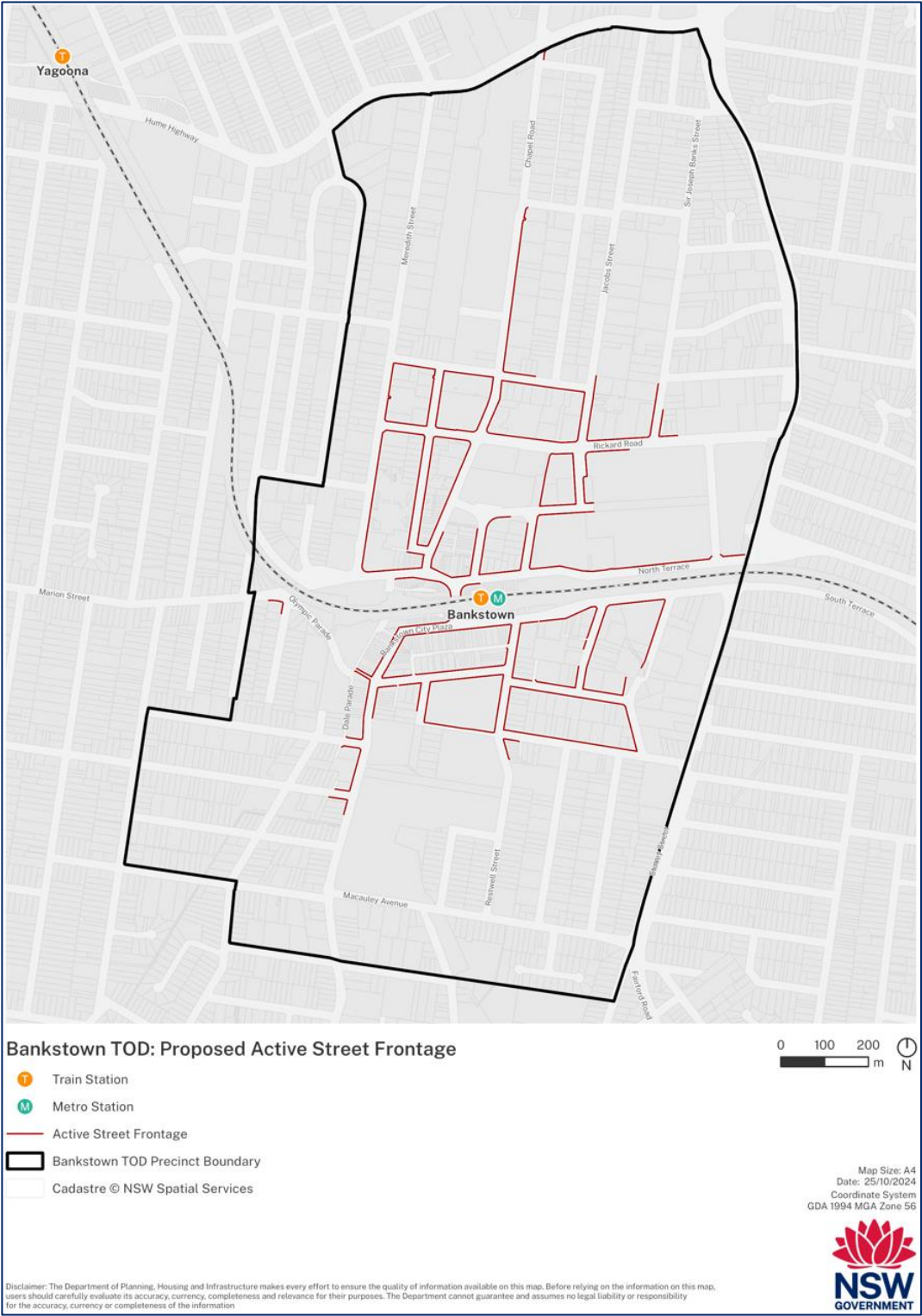


Figure 15: Proposed Active Street Frontage Map (Source: Department of Planning, Housing and Infrastructure, 2024)

# Appendix L – Proposed Heritage Map

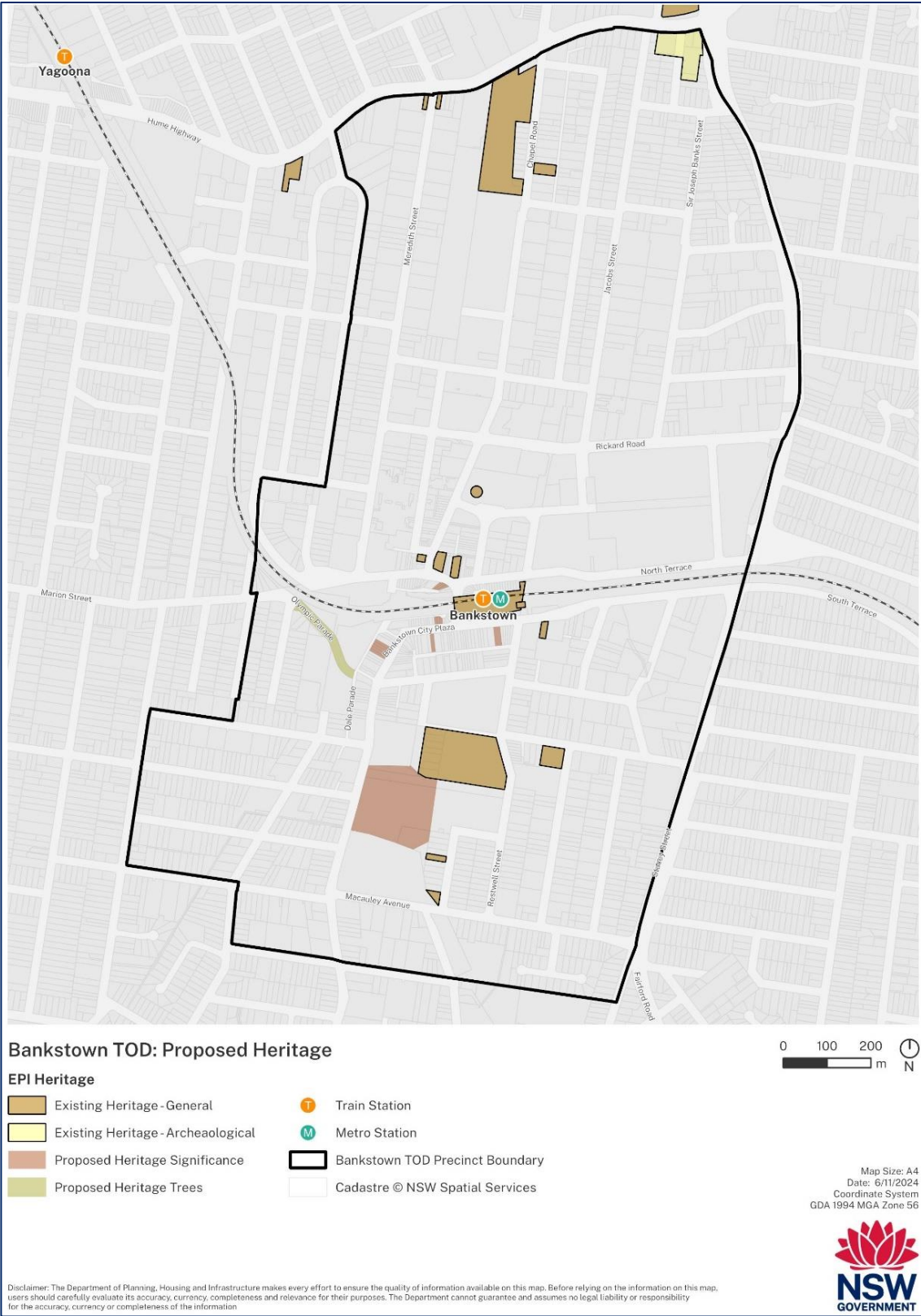


Figure 16: Proposed Heritage Map (Source: Department of Planning, Housing and Infrastructure, 2024)



# Appendix M – Proposed Special Provisions Map

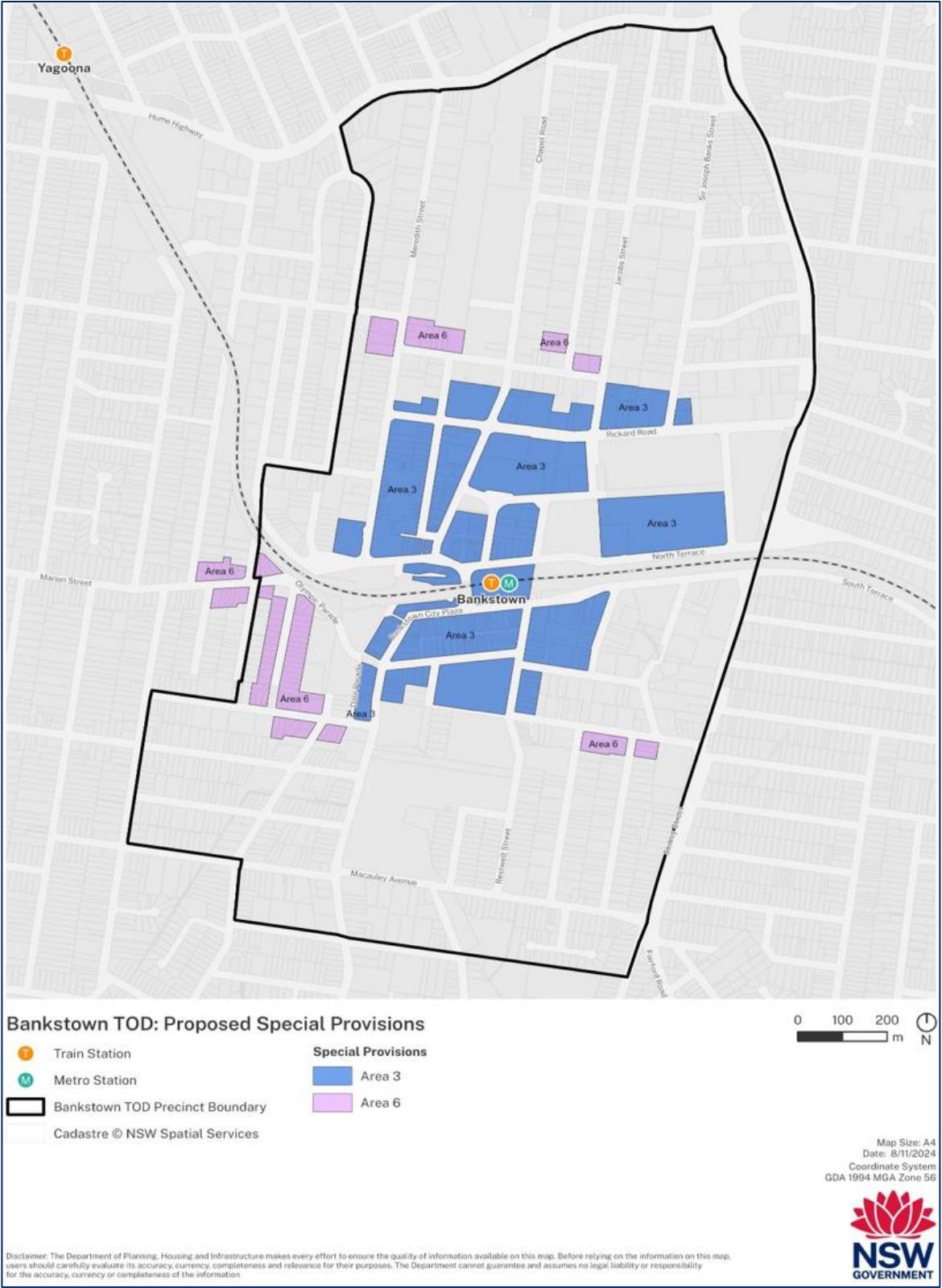


Figure 17: Proposed Special Provisions Map (Source: Department of Planning, Housing and Infrastructure, 2024)