



## Planning Proposal

### 74 Rickard Road and Part 375 Chapel Road in Bankstown

October 2019  
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## Introduction

Bankstown Local Environmental Plan 2015 is the statutory planning framework that establishes land use zones and building envelope controls such as floor space ratios and building heights in the former City of Bankstown.

Canterbury Bankstown Council is in receipt of a planning proposal application requesting to make changes to Bankstown Local Environmental Plan 2015 by increasing the building envelope controls for the site at 74 Rickard Road and part 375 Chapel Road in Bankstown from 4.5:1 FSR / 53 metre building height to 8:1 FSR / 83 metre building height for the purposes of an educational establishment (university).

The site is Council owned land and the Council reports to the Local Planning Panel Meeting of 30 September 2019 and the Ordinary Meeting of 22 October 2019 make reference to the Probity Plan.

Council considered the application at the Ordinary Meeting of 22 October 2019 and decided to proceed to the next stage, which is to submit a planning proposal to the Department of Planning, Industry & Environment to seek a Gateway Determination. The Gateway Determination would enable Council to exhibit the planning proposal and to request additional technical studies and investigations.

According to the Department's publication '*A guide to preparing planning proposals*', a planning proposal is a document that sets out the justification for making changes to Bankstown Local Environmental Plan 2015. A planning proposal is comprised of the following components:

Part 1	A statement of the intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved.
Part 2	An explanation of the proposed changes to Bankstown Local Environmental Plan 2015 to achieve the intended outcomes.
Part 3	The justification for making the proposed changes to Bankstown Local Environmental Plan 2015.
Part 4	Maps to identify the intended outcomes of the planning proposal.
Part 5	Details of the community consultation that is to be undertaken on the planning proposal.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to the planning proposal.



## Part 1–Intended Outcomes

This planning proposal applies to the site at 74 Rickard Road and part 375 Chapel Road in Bankstown (refer to Figure 1). The site is Council owned land (3,678m<sup>2</sup> in area) and comprises the following properties:

Property Address	Property Description	Existing Zone	Site Area	Land Classification	Existing Uses
74 Rickard Road, Bankstown	Lot 5, DP 777510	B4 Mixed Use	3,329m <sup>2</sup>	Operational	Car park, driveway and lawn
375 Chapel Road (part), Bankstown	Lot 6, DP 777510	B4 Mixed Use	349m <sup>2</sup>	Operational	Driveway

Figure 1: Site Map





The intended outcomes of this planning proposal are:

- To implement a major component of the vision for Bankstown as a health and education precinct as outlined in:
  - Greater Sydney Region Plan
  - South District Plan
  - Local Strategic Planning Statement
  - Bankstown Collaboration Area process.
- To provide a site specific framework that enables the development of the site for the purposes of an educational establishment (university).
- To deliver a high quality built form and public domain.
- To manage the likely environmental effects as a result of this planning proposal.
- To identify and deliver the infrastructure needs to support this planning proposal in a timely manner.



## Part 2–Explanation of Provisions

To achieve the intended outcomes, the proposed amendments to Bankstown Local Environmental Plan 2015 are:

- (a) Permit a maximum 8:1 Floor Space Ratio on the site (refer to Part 4, Map 4).
- (b) Permit a maximum 83 metre building height on the site (refer to Part 4, Map 6).
- (c) Insert a site specific, local provision designed to specifically manage the extent of overshadowing to Paul Keating Park at 375 Chapel Road, Bankstown, to read:

*Development must allow for 4 hours of continuous solar access to a consolidated area of Paul Keating Park between 10am and 3pm on 21 June (inclusive of existing shadow). The size of the consolidated area must be a minimum 50% of the area of Paul Keating Park (not including the building footprint of the Council Chambers).*

It is noted the proposed local provision has not been the subject of legal drafting and may be altered in the legal drafting process.

## Part 3–Justification

### Section A–Need for the planning proposal

#### **1. Is the planning proposal a result of any strategic study or report?**

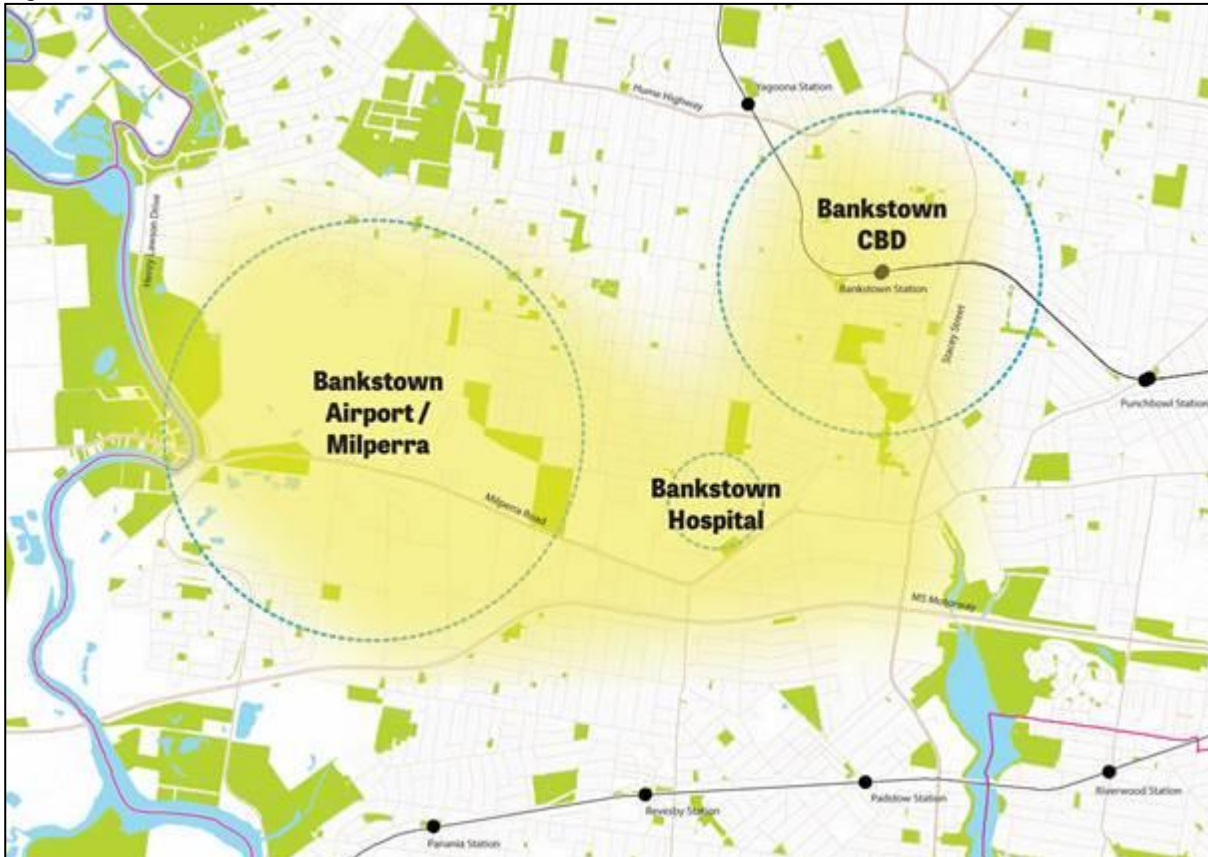
This planning proposal is the result of the Greater Sydney Region Plan, which aims to broaden Sydney's global economic footprint to support net jobs growth of 817,000 to 2036. The major centres, defined as metropolitan and strategic centres, account for 50% (2011) of all Sydney's jobs and play a significant role in providing jobs close to home. Facilitating the growth of metropolitan and strategic centres is important to growing jobs.

The Greater Sydney Region Plan (Objective 5) facilitates this growth by identifying Bankstown (strategic centre), Bankstown Airport and Bankstown–Lidcombe Hospital as a Collaboration Area (refer to Figure 2).





Figure 2: Bankstown Collaboration Area



Source: Greater Sydney Region Plan (Greater Sydney Commission, page 20)

The Greater Sydney Commission is currently finalising the Bankstown Collaboration Area Place Strategy in collaboration with Council and government authorities. The intended outcome is to coordinate investment and infrastructure to achieve 25,000 jobs and 25,000 students in the Collaboration Area by 2036.

The next step in the Collaboration process is to facilitate the growth of the emerging health and education precinct in Bankstown. The Greater Sydney Commission recognises Council and the proponent have identified a suitable site for the proposed university at 74 Rickard Road and part 375 Chapel Road in Bankstown. The key benefits of this site are:

- The proposed university is located within the emerging health and education precinct, in proximity to the Sydney Metro station, TAFE Campus, and Bankstown Library and Knowledge Centre (BLaKC). The desired future character of the emerging health and education precinct is to co-locate health and education facilities in proximity to the Sydney Metro station.



- The proposed new university would form an anchor in the Civic Precinct. The Civic Precinct and Paul Keating Park form the central focus of the Northern CBD Core. The established character is distinctly commercial due to a concentration of major civic and office buildings including the Council Chambers (heritage item), Town Hall, BLaKC, Civic Tower, Bankstown Court House, Compass Centre and Bankstown Central.

This planning proposal is consistent with the Greater Sydney Region Plan subject to the proponent addressing the following matters prior to exhibition:

- The proponent to confirm the delivery of supporting infrastructure. Based on the submitted studies and peer reviews, the infrastructure required to support this planning proposal includes (but is not limited to):
  - Water infrastructure to enable the development to adequately deal with flooding constraints.
  - Public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road to improve pedestrian connections to public transport and shops.
  - Bike and car parking requirements for students, staff and visitors (if the proponent is unable to meet these requirements, Council's Planning Agreements Policy may be applied to address the shortfalls).
  - Updated SIDRA traffic model for the purposes of consultation with the Roads & Maritime Services.
- The proponent to undertake further analysis to test the overshadowing and wind impacts as a result of the proposal.

An update to this planning proposal will occur following a review of the additional information.

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

This planning proposal is the best means to achieve the intended outcomes, namely to enable an educational establishment (university) to facilitate the growth of the emerging health and education precinct in Bankstown.

An alternative option would be to vary the development standards under clause 4.6 of Bankstown Local Environmental Plan 2015. However, this option would set an undesirable precedent and does not provide certainty as to the outcomes envisioned for the site.





## **Section B–Relationship to strategic planning framework**

### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional, subregional or district plan or strategy (including any exhibited draft plans or strategies)?**

This planning proposal is consistent with the Greater Sydney Region Plan and South District Plan as outlined below.

#### **3.1 South District Plan (Planning Priority S1) – Planning for a city supported by infrastructure**

The planning proposal seeks to increase height and FSR commensurate with facilitating a new vertical university campus. Planning priority 1 seeks to align growth with infrastructure (existing or new). The subject site is located in the heart of the Bankstown CBD within close walking proximity to a major train station (Bankstown), bus interchange and within the civic centre (400m). Whilst the proposal can be absorbed within the existing infrastructure capacity, Bankstown train station also forms part of the new Sydney Metro City and Southwest. Accordingly, the proposal aligns with locating growth near infrastructure. Further, the university is educational infrastructure and a form of social infrastructure, also supporting the future growth of Bankstown CBD.

#### **3.2 South District Plan (Planning Priority S2) – Working through collaboration**

The subject site is located within the Bankstown Collaboration Area. As part of a whole of government collaboration with key stakeholders, the Bankstown Collaboration Area report and South District Plan both identified Bankstown as an emerging health and education precinct. One of the key anchors to establish Bankstown as a health and education precinct was the investment of a vertical campus on the subject site, consistent with the proposal. The campus will be co-located near the Bankstown TAFE and nearby the Bankstown-Lidcombe Hospital; encouraging clustering of other similar uses and facilitating further collaboration to shape the Bankstown CBD.

#### **3.3 South District Plan (Planning Priority S11) – Supporting growth of targeted industry sections**

The establishment of a vertical campus, reliant on the proposed height and FSR, would result in significant economic investment in the Bankstown CBD and LGA. The proposal details that the ongoing economic benefits could amount to \$138.3 million per year GVA for the LGA as a result of the campus. The proposal states that the ongoing operation of the campus could facilitate up to 720 jobs in the Bankstown CBD, up to 2,000 students on campus and up to 10,000 students overall, a large proportion of the targets set out in the South District Plan, Council's LSPS and the Bankstown Collaboration Area for student and employment growth to 2036. The proposal supports



the growth of higher educational opportunities locally and internationally, including associated employment and research opportunities. The campus will also attract investment from other businesses who will seek to cluster with the university. The proposal is consistent with this priority.

### **3.4 South District Plan (Planning Priority S12) – Delivering integrated land use and transport planning and a 30 minute city.**

The proposal is consistent with the planning priority to deliver integrated land use and transport planning within a 30 minute city. The proposal seeks additional height and FSR to establish a university campus within a strategic centre. Supported by an existing train station that will be a Sydney Metro station, the proposal is within 400m walk from Bankstown train station as well as a major bus interchange at Bankstown Central Shopping Centre. Future students or workers will be able to easily access the university, employment, public transport and retail needs within Bankstown Strategic Centre, thereby fulfilling the objective to integrate land use and transport to create walkable, 30 minute cities.

### **3.5 Greater Sydney Region Plan (Objective 21) and South District Plan (Planning Priority S8)–Health and education precincts**

As outlined in Section A(1) of this planning proposal, Objective 21 and Planning Priority S8 classify Bankstown as a strategic centre with an emerging health and education precinct. The proposed university is a City shaping infrastructure project that aligns with this initiative and would inject a significant number and variety of jobs in Bankstown.

### **3.6 Greater Sydney Region Plan (Objective 22) and South District Plan (Planning Priority S9)–Strategic centres**

According to Objective 22 and Planning Priority S9, Bankstown may grow and evolve over time to accommodate investment, business opportunities and jobs provided the growth is linked to the delivery of enabling infrastructure.

This planning proposal is consistent with the above objective and planning priority subject to the proponent confirming the delivery of supporting infrastructure prior to exhibition. Based on the submitted studies and peer reviews, the infrastructure required to support this planning proposal includes (but is not limited to):

- Water infrastructure to enable the development to adequately deal with flooding constraints.
- Public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road to improve pedestrian connections to public transport and shops.



- Bike and car parking requirements for students, staff and visitors (if the proponent is unable to meet these requirements, Council's Planning Agreements Policy may be applied to address the shortfalls).

### **3.7 Greater Sydney Region Plan (Objective 12) and South District Plan (Planning Priority S6)–Great places that bring people together**

According to Objective 12 and Planning Priority S6, great places require open spaces that attract residents, workers and visitors.

This planning proposal is consistent with the above objective and planning priority subject to managing the building's overshadowing impacts on Paul Keating Park.

A key issue is the location of the proposal directly north of Paul Keating Park (refer to Figure 3). The park serves as the centrepiece of the Civic Precinct; surrounded by significant community buildings and is the location of many social, cultural and performative events and festivals. It is the heart of a centre that is transitioning to a strategic centre with more commercial uses and taller and denser buildings.

**Figure 3:** *Diagram defining Paul Keating Park for the purposes of the solar access control*



**Source:** Solar Amenity Study (Council, page 22)

As part of the assessment of the proposed increases in height and FSR, Council has determined the extent of overshadowing impacts to Paul Keating Park that are



reasonable from a landmark university building, whilst also balancing the economic, social and educational catalytic nature of the proposal for the Bankstown CBD.

A site specific solar access control is proposed in response to the increased height and FSR sought by the proponent to facilitate the larger floor plates and requirements for a vertical university campus. The site specific control seeks to manage the impacts on the park from a future university building and is not a solar access control for Paul Keating Park.

As envisaged by the South District Plan, Canterbury Bankstown LSPS and Bankstown CBD and Bankstown Airport Collaboration Place Strategy, Bankstown CBD is realising its planned growth and change into a health and education precinct. The university is the first major catalytic change (which has commenced construction) that will be followed by the future location of a new Bankstown hospital. The future vision of Paul Keating Park may change when the location is finalised.

Further, Council is also undertaking its own masterplanning of the Bankstown Strategic Centre. Partly funded by the Department of Planning, Industry and Environment, the Bankstown Strategic Centre masterplan is holistically reviewing the entire precinct with this work concurrently being undertaken with implementing the Place Plan established by the Bankstown - Bankstown Airport Collaboration Area and draft Paul Keating Masterplan.

As part of the Bankstown Strategic Centre masterplan, Council is seeking to create capacity for an increased worker and residential population to meet the targets and aspirations of Council's LSPS, Employment Strategy and Housing Strategy. Consideration of the needs and role of Paul Keating Park will occur through the masterplan process, where Council will have a greater understanding of the demands of an increased resident, worker and visitor population.

This planning proposal is limited to the proposed changes on the subject site, with no changes proposed to the broader precinct, including a planning control to manage the site specific impacts from the proposed increases to height and FSR. The final form including height and FSR of the building that has been submitted as an SSDA has been designed to accommodate and achieve compliance with this site specific control.

On this basis, it is proposed to apply a site specific solar access control to manage the extent of impact that the future university building can have on Paul Keating Park to manage the extent overshadowing:

*Development must allow for 4 hours of continuous solar access to a consolidated area of Paul Keating Park between 10am and 3pm on 21 June (inclusive of existing shadow). The size of the consolidated area must be a minimum 50% of the area of Paul Keating Park (not including the building footprint of the Council Chambers).*



In accordance with the revised solar access report authored by Urbis, dated June 2020 Revision C, the proponent has demonstrated that a revised building envelope can achieve the proposed solar access control. Council is satisfied with the methodology shown in the report from the proponent

#### **4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

##### **4.1 Community Strategic Plan '*CBCity 2028*'**

The vision of the Community Strategic Plan is to build a City that is thriving, dynamic and real. The 'Prosperous & Innovative' direction intends to achieve the vision by providing opportunities for economic and employment growth. This planning proposal is consistent with the Community Strategic Plan.

##### **4.2 Local Strategic Planning Statement '*Connective City 2036*'**

The Metropolitan Directions under the Local Strategic Planning Statement classify Bankstown as a major centre for intensive jobs and commerce, including those relating to education. This planning proposal is consistent with the Local Strategic Statement as it would act as a catalyst to achieve the Metropolitan Directions and would provide an education hub for the community.

The Local Strategic Planning Statement also proposes to improve the public domain (Evolution 8). Paul Keating Park and The Appian Way are acknowledged as primary urban spaces in Bankstown. The assessment identifies the need for the proponent to undertake further analysis to confirm that the overshadowing on these public spaces align with the solar access control as set out in Section B(3) of this planning proposal.

#### **5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

This planning proposal is consistent with applicable State Environmental Planning Policies (refer to Attachment A), namely:

##### **5.1 SEPP (Educational Establishments and Child Care Facilities) 2017**

The SEPP identifies the matters for consideration in relation to traffic generating educational establishments such as potential traffic safety, road congestion or parking implications of the development (clause 57).

The application's Transport Management and Accessibility Plan (TMAP) states that the proposal would service 2,000 students and 650 staff at any one time. The TMAP aims to provide limited off-street car parking to encourage travel by sustainable modes





(public transport, walking and cycling) while mitigating the impacts of the proposal on the surrounding road network.

The TMAP estimates that 20% of students would walk and cycle to the proposed university, 65% would commute by public transport, 5% would drive in their cars, 5% would travel as car passengers, and 5% other. The TMAP also estimates that 15% of staff would walk and cycle to the proposed university, 62% would commute by public transport, 15% would travel in their cars, 3% would travel as car passengers, and 5% other forms of transport. Staff are more likely to drive than students given greater access to a car, as well as having access to the on-site car parking spaces.

The proposal would provide between 84–94 off-street car parking spaces for staff across two basement levels (subject to final basement design) and no student or visitor parking. Other assumptions behind the mode share targets are:

- Based on the trip origin data, most students are expected to live within the walking and cycling catchments of the proposal.
- Experience with the WSU Parramatta Campus shows that students and staff would choose public transport if there is limited parking provision.
- The Sydney Metro will be an attractive travel mode for both staff and students once operational in 2024.
- Students are more likely to be dropped-off or car share with other students.

The peak arrival hour is expected to be between 8am and 9am, with almost 50% of staff and one third of student arriving in that time. In terms of departure times, there is a peak between 5pm and 6pm for staff (45% departing at this time). The peak is less pronounced for students, with departures occurring consistently over a four hour period between 3pm and 7pm.

Council engaged an independent transport consultant to peer review the traffic, transport and parking information submitted with the application.

In-principle, the peer review supports the aim to minimise off-street car parking as a way to support more sustainable modes of transport, subject to the implementation of a range of off-site measures to change travel behaviour. The peer review recommends that the proponent contributes to the following off-site measures if the proposal is to achieve the mode share targets:

#### **5.1.1 Pedestrian infrastructure requirements**

The peer review highlights the need for high quality pedestrian connections if the proposal is to maximise walking trips and discourage car use to/from the proposed university.





If the proposal is to achieve the mode share targets, the peer review recommends that the proponent contributes to public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road to improve pedestrian connections to public transport and shops. The public domain works would be consistent with Council's Bankstown Complete Streets Transport and Place Plan.

### **5.1.2 Cycling infrastructure requirements**

The peer review applied the 'NSW Planning for Walking and Cycling Guideline' in relation to the proposed off-street bike parking spaces. The proposed university would generate the need for 153–298 spaces (i.e. 120–133 short-term and 33–65 long term spaces). The proposal would need to provide up to 298 spaces and associated end-of-trip facilities on the site.

### **5.1.3 Public transport infrastructure requirements**

The peer review considers that existing and future public transport services would adequately serve the proposal.

### **5.1.4 Road infrastructure requirements**

The peer review recommends an update to the SIDRA traffic model to address the following gaps:

- Recalibrate the model to reflect actual conditions (i.e. vehicle queuing).
- Widen the study area to surrounding intersections to assess the wider implications arising from the proposal.

While the peer review indicates that the updated SIDRA traffic model is unlikely to register any noticeable traffic impacts at intersections, the update may affect the traffic modelling results and should be documented accordingly for the purposes of consultation with the Roads & Maritime Services.

### **5.1.5 Parking infrastructure requirements**

The TMAP proposes the following off-street parking provision:

<b>Proposal</b>	<b>Off-street parking provision</b>
3,400 student load capacity (estimated 2,000 at any one time)	No parking to be provided.
600–650 staff load capacity (estimated 350 staff and 150 visitors / industry partners at any one time)	84–94 (including 4 disability spaces) subject to the final basement design.



Visitors	No parking to be provided.
Loading facilities	3 loading dock bays in the basement and a loading zone at Rickard Road.
Drop-off / pick-up spaces	Drop-off / pick-up spaces at The Appian Way shared zone.

The intended outcome is to encourage staff and students to travel by other modes. Any students or visitors wishing to drive will need to utilise existing off-street public or private car parking spaces within Bankstown.

The peer review undertook a comparison with 15 other universities in Sydney and Newcastle. The key findings are people driving to universities can range from 11–75% staff and 5–40 % students, and most universities do not provide off-street car parking for students, particularly those located within close proximity to public transport. Based on the above findings, the peer review provides the following recommendations:

Student parking: In relation to the proposed mode share target of 5% students driving to the proposed university, the peer review estimates the parking demand to equate to 100 car parking spaces assuming there will be 2,000 students on the site at any one time.

While the peer review considers the provision of no on-site student car parking to be acceptable, the peer review indicates the wider area cannot accommodate the 100 space demand as existing parking demand in the area is very high, with limited parking capacity available throughout the day.

An option is to apply Council's Planning Agreements Policy to address the shortfall. This would enable Council to use the funds to construct public car spaces within Bankstown.

Staff parking: In relation to the proposed mode share target of 15% staff driving to the proposed university, the peer review estimates the parking demand to equate to 98 car parking spaces assuming there will be 650 staff on the site at any one time. The proposal to provide 84–94 spaces (subject to final basement design) for staff represents a shortfall of 4–14 spaces.

Visitor parking: The peer review recommends that the proposal provides some visitor car parking spaces e.g. 1–2 spaces.

Loading facilities: The peer review recommends that all loading activities associated with the proposal be undertaken on the site. An off-site loading zone on Rickard Road would not be desirable from a traffic capacity perspective.

Drop-off / pick-up spaces: The peer review indicates that drop-off / pick-up activity would need to occur at The Appian Way, consistent with the proposal.



In considering the peer review findings, this planning proposal is consistent with the SEPP subject to the proponent providing a detailed response and/or justification on the following matters prior to exhibition:

- How the proposal may address the need for public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road, to improve pedestrian connections to public transport and shops.
- How the proposal may address the bike parking requirement and associated end-of-trip facilities on the site.
- How the proposal may address the car parking requirements for students, staff and visitors. If the proponent is unable to meet these requirements, Council's Planning Agreements Policy would apply to address the shortfalls.
- How the proposal may address the on-site loading space requirements.

## **5.2 SEPP (Infrastructure) 2007**

The SEPP identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure development. The site is in the vicinity of Stacey Street (state road) and Rickard Road (ring road).

Council engaged an independent transport consultant to peer review the traffic, transport and parking information submitted with the application. The peer review recommends an update to the SIDRA traffic model to address the following gaps:

- Recalibrate the model to reflect actual conditions (i.e. vehicle queuing).
- Widen the study area to surrounding intersections to assess the wider implications arising from the proposal.

While the peer review indicates that the updated SIDRA traffic model is unlikely to register any noticeable traffic impacts at intersections, the update may affect the traffic modelling results and should be documented accordingly for the purposes of consultation with the Roads & Maritime Services.

In considering the peer review findings, this planning proposal is consistent with the SEPP subject to the proponent submitting an updated SIDRA traffic model prior to exhibition.

## **6. Is the planning proposal consistent with applicable Ministerial Directions?**

### **6.1 Consistency with applicable Ministerial Directions**

This planning proposal is consistent with most applicable Ministerial Directions (refer to table towards the end of this document), namely:



### **6.1.1 Ministerial Direction 1.1 (Business and Industrial Zones)**

The objectives of Ministerial Direction 1.1 are to encourage employment growth in suitable locations, and to protect employment land in business zones.

This planning proposal is consistent with the Ministerial Direction as it retains the existing business zone, and does not reduce the total potential floor space area for employment uses in business zones.

### **6.1.2 Ministerial Direction 2.3 (Heritage Conservation)**

The objective of Ministerial Direction 2.3 is to conserve items and places of environmental heritage significance. The site is not listed as a heritage item. However, the proposal is in the vicinity of the Council Chambers (local heritage item) at 375 Chapel Road, Bankstown.

*According to the application's Heritage Impact Statement, 'the Bankstown Council Chambers is of a local level of historical significance for its association with the activities of the Council over the last 45 years. This significance is enhanced by the fact that the item has maintained a continuity of use over that period, which continues today. The Council Chambers are also important as a component of the 1962 – 1976 Civic Centre development and for representing the aesthetic characteristics of that development, which is regarded as a competent design by a noted architect.*

*The Chambers is aesthetically distinctive and occupies a prominent place within the Bankstown Civic Centre and can be seen to have landmark qualities. The item is of aesthetic significance at a local level.*

*The Council Chambers is likely to be important to the local community's sense of place and to be of a local level of social significance as the visible representation of the local Council. It is likely that many members of the community have attended Council meetings or interacted directly with the site. The Council Chambers also has representative values at a local level as a component of the 1962–1976 Civic Centre development. The Bankstown Civic Centre was one of a group of ambitious modernist Civic Centre developments that were undertaken in suburban centres throughout NSW in the 1960s. However, the loss of the Administration Building has reduced the overall significance of the Civic Centre group'.*

The assessment of the heritage impact concludes that *'the scale of the building is supported on the basis that is in keeping with the scale and character of the Bankstown City Centre. However, in order to ensure that the proposed building would not dominate*



*the context of the heritage listed item the building has been designed in a modular form with 4 distinct components which splay at different angles to the south west corner of the site. This is in contrast to the more formal prismatic arrangement of the northern presentation which responds to the existing forms along Rickard Road. The substantial mature plantings surrounding the heritage item (which are outside the subject site and would be retained) would ensure that the heritage item is still able to be read in isolation, and the character of the immediate context would remain unchanged'.*

While the proposal is located partly on the property that is identified as 375 Chapel Road, the Heritage Impact Statement considers the proposal would not encroach on the heritage listed curtilage. This planning proposal is consistent with the Ministerial Direction following a review of the Heritage Impact Statement.

### **6.1.3 Ministerial Direction 2.6 Remediation of Contaminated Land**

The subject proposal does not rezone or seek to change the use of the site, with an educational establishment already a permitted use in the zone. Any contamination issues can be addressed as part of any future development application.

### **6.1.4 Ministerial Direction 3.4 (Integrating Land Use and Transport)**

The objective of Ministerial Direction 3.4 is to improve access to jobs and services by walking, cycling and public transport. Clause 4 refers to the 'Guidelines—Improving Transport Choice' (DUAP 2001), which requires Council to identify infrastructure improvement opportunities early in the planning process.

Council engaged an independent transport consultant to peer review the traffic, transport and parking information submitted with the application. In considering the peer review findings, this planning proposal is consistent with the Ministerial Direction subject to the proponent providing a detailed response and/or justification on the following matters prior to exhibition:

- How the proposal may address the need for public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road, to improve pedestrian connections to public transport and shops.
- How the proposal may address the bike parking requirement and associated end-of-trip facilities on the site.
- How the proposal may address the car parking requirements for students, staff and visitors. If the proponent is unable to meet these requirements, Council's Planning Agreements Policy would apply to address the shortfalls.
- How the proposal may address the on-site loading space requirements.



### **6.1.5 Ministerial Direction 3.5 Development near Regulated Airports and Defence Airfields**

The objectives of Ministerial Direction 3.5 are to ensure the effective and safe operation of airports, and to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity.

The site is subject to prescribed airspace restrictions due to the proximity to the Bankstown Airport. In March 2019, the proponent submitted an Aeronautical Impact Assessment Report, which indicates the Obstacle Limitation Surface level is 108.1 metres AHD. This means, as a starting point, the proposed building height would need to be below 108.1 metres AHD. The submitted concept design shows the proposed building height at 83 metres (19 storeys). This equates to 106.780 metres AHD.

Council has received approval from the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development and Bankstown Airport both dated 18 November 2019. These were provided to the Department of Planning, Industry and Environment on 10 and 11 March 2020, and the proposal is now consistent with the Ministerial Direction.

### **6.1.6 Ministerial Direction 4.3 (Flood Prone Land)**

The objective of Ministerial Direction 4.3 is to ensure the proposal is commensurate with flood hazards and includes consideration of the potential flood impacts both on and off the site. To date, this planning proposal is inconsistent with clause 6 as it seeks to permit an increase in the development of the site.

However, in accordance with clause 9(b), the proposal may be inconsistent only if Council can satisfy the Department of Planning, Industry & Environment that the proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.

In this case, the relevant plan is the Salt Pan Creek Catchments Floodplain Risk Management Plan (adopted by the former Bankstown City Council at the Ordinary Meeting of 17 December 2013). The Floodplain Risk Management Plan requires the redevelopment of sites along The Appian Way to maintain or enhance the capacity of existing overland flow paths.

Council commissioned a Site Flood Assessment Report to review the flood impacts as a result of the proposal and the infrastructure that would be required to mitigate the flood impacts.





In relation to existing conditions, the site forms part of the Salt Pan Creek upper catchment and is affected by an overland flow path, stretching from Rickard Road to the open channel at North Terrace. The maximum water depth on the site is 0.61 metres in a 100 year flood event. This is due to the inadequate capacity of the existing stormwater system and blockages that occur to stormwater pits and culverts, in particular at North Terrace which impacts on the drainage capacity of The Appian Way.

The proposal would block part of the overland flow path, making flood conditions more hazardous between the proposal and the Civic Tower. The maximum water depth would increase from 0.61 metres to 0.87 metres in a 100 year flood event and would increase the extent of high risk stormwater flooding. While a freeboard is a common safeguard to minimise risk on the site, it is recommended that further infrastructure works be delivered that would mitigate flooding impacts associated with the building, noting that these works would include broader stormwater infrastructure beyond the site.

The report recommends the following infrastructure improvements to mitigate the flood impacts as a result of the proposal:

Proposal	Peer Review Recommendations
<p>The proposal does not propose infrastructure improvements to mitigate the impacts as a result of the proposal.</p> <p>The proposal comments that Council should request Sydney Water to upgrade the Stacey Street canal and investigate ways to upgrade the canal along The Appian Way to minimise the potential flood impact on the site.</p>	<p>Introduce capacity improvements to the existing stormwater system to manage increased flood water levels as a result of the proposal.</p> <p>This would require an additional culvert at North Terrace, which would significantly reduce the flood impacts both on and off the site. The maximum water depth would reduce from 0.61 metres to 0.52 metres in a 100 year flood event and would reduce the extent of high and medium risk stormwater flooding.</p>

The initial planning proposal found that the proponent would therefore need to contribute to this infrastructure improvement if the proposal is to be consistent with the Ministerial Direction and the Floodplain Risk Management Plan.

Council has finalised the decision of the required stormwater infrastructure works and is satisfied that the design, including the culvert works and other associated works, are consistent with the Salt Pan Creek Catchments Floodplain Risk Management Plan and will decrease flooding as a result of these works. As a result, the finalised design is consistent with Ministerial Direction 4.3.



Council is in further discussions with the proponent in relation to the funding and delivery arrangements for the stormwater infrastructure works, which is a matter for Council and the proponent to resolve.

### **Section C–Environmental, social and economic impact**

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

This planning proposal does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

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

Based on the submitted studies, the proposal indicates that wind conditions for the majority of trafficable outdoor locations within and around the development will be suitable for their intended uses. However, some areas will experience strong winds which will exceed the relevant criteria for comfort and safety, namely at the building corners. A suggested ground level treatment is to include densely foliating evergreen trees alongside the site boundaries at The Appian Way and Paul Keating Park.

Council's urban design peer review comments that the limited solar access to The Appian Way may constrain tree and vegetation growth to address the wind impacts. The proposal to present the full height of the building to The Appian Way and Rickard Road requires further consideration. The peer review recommends increasing the setback above the podium level to Rickard Road and The Appian Way. The increased setback would potentially reduce the wind impacts on pedestrian amenity in the surrounding streets.

The proponent would need to undertake further analysis to demonstrate how the proposal would address the wind impacts prior to exhibition.

**9. Has the planning proposal adequately addressed any social and economic effects?**

This planning proposal represents a major education investment and will transform the energy and experience of Bankstown. According to the application's Planning Proposal Report, the delivery of a proposed university in Bankstown constitutes a significant public benefit, together with the following community benefits:

- The proposal includes public domain improvements adjacent to the site boundaries i.e. Rickard Road and The Appian Way.



- The proposal would have flow-on economic benefits to existing and new commercial and retail businesses that would service the proposed university.
- The proposal would provide increased capacity to conduct and showcase research and teaching relevant to the region.
- The proposal would provide a unique opportunity for local businesses to exchange knowledge and link with other national and international research precincts.
- There is the potential for partnerships with Council to expand social infrastructure by making spaces within the building publicly accessible.

This planning proposal also provides opportunities to:

- Establish an educational anchor that would draw the community and local students into career pathways.
- Transform Bankstown into a place to innovate, with support services for local start-ups, social enterprises and creative industries.
- Grow the night time economy and support local businesses in Bankstown.
- Attract facilities such as conferencing facilities, restaurants and cafes to support the growth in workers, students and visitors.

### **Section D–State and Commonwealth interests**

#### **10. Is there adequate public infrastructure for the planning proposal?**

Based on the submitted studies and peer reviews, the infrastructure required to support this planning proposal includes (but is not limited to):

- Water infrastructure to enable the development to adequately deal with flooding constraints.
- Public domain works at The Appian Way (between Rickard Road and The Mall), Civic Drive, Jacobs Street and Rickard Road to improve pedestrian connections to public transport and shops.
- Bike and car parking requirements for students, staff and visitors (if the proponent is unable to meet these requirements, Council's Planning Agreements Policy may be applied to address the shortfalls).

The proponent would need to confirm the delivery of the supporting infrastructure prior to exhibition.

#### **11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?**

An update to this section will occur following consultation with state and Commonwealth public authorities in accordance with the Gateway Determination.



## **Part 4–Maps**

The maps accompanying this planning proposal are:

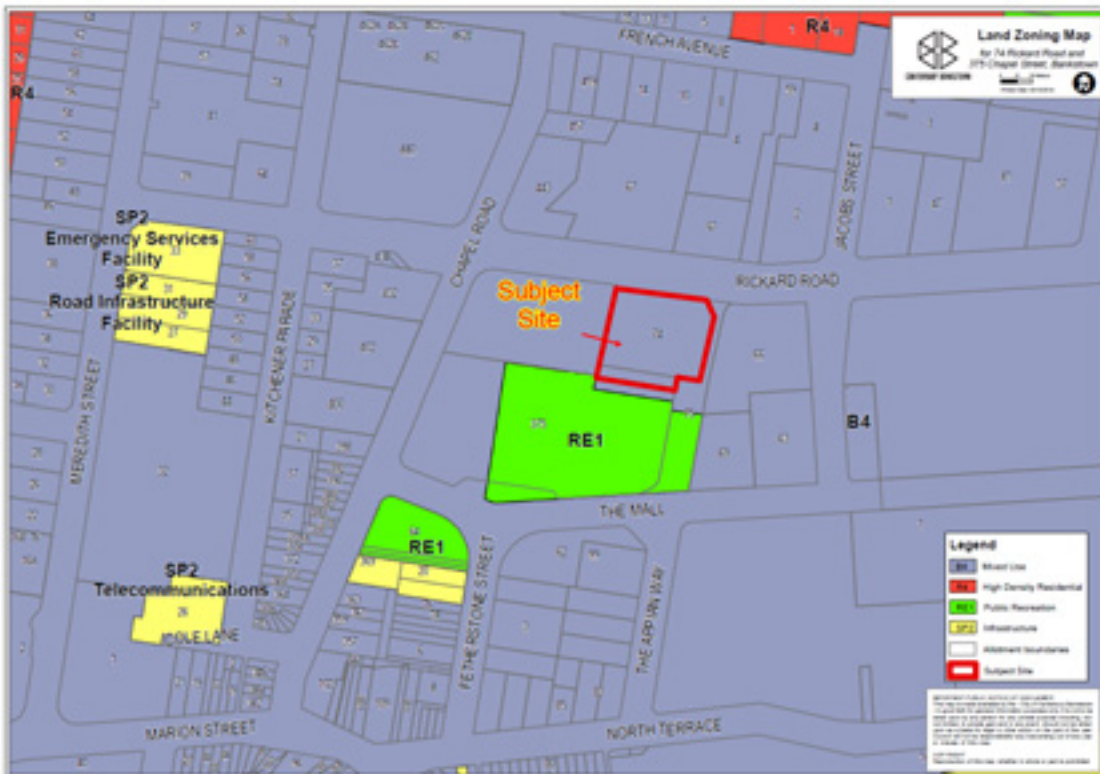
- Map 1–Land Application Map
- Map 2–Current Land Zoning Map
- Map 3–Current Floor Space Ratio Map
- Map 4–Proposed Floor Space Ratio Map
- Map 5–Current Building Height Map
- Map 6–Proposed Building Height Map
- Map 7–Existing Heritage Map
- Map 8–Existing Special Provisions
- Map 9–Extent of Paul Keating Park Map



**Map 1: Land Application Map**



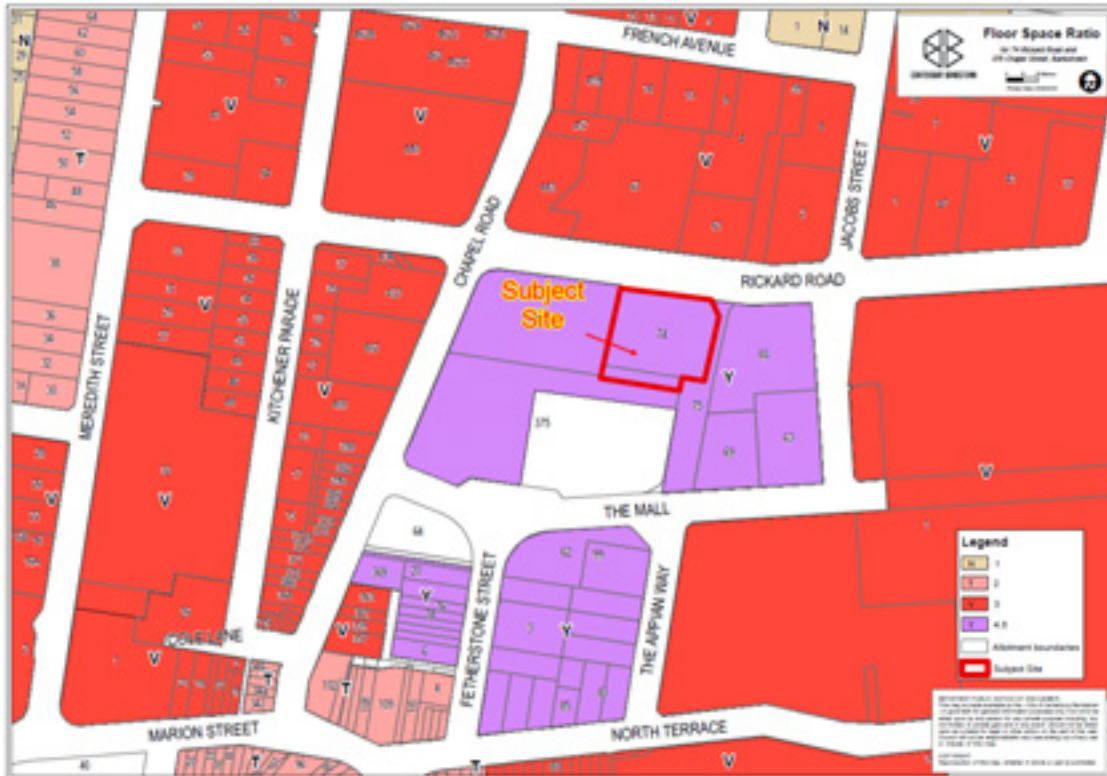
**Map 2: Current Land Zoning Map**



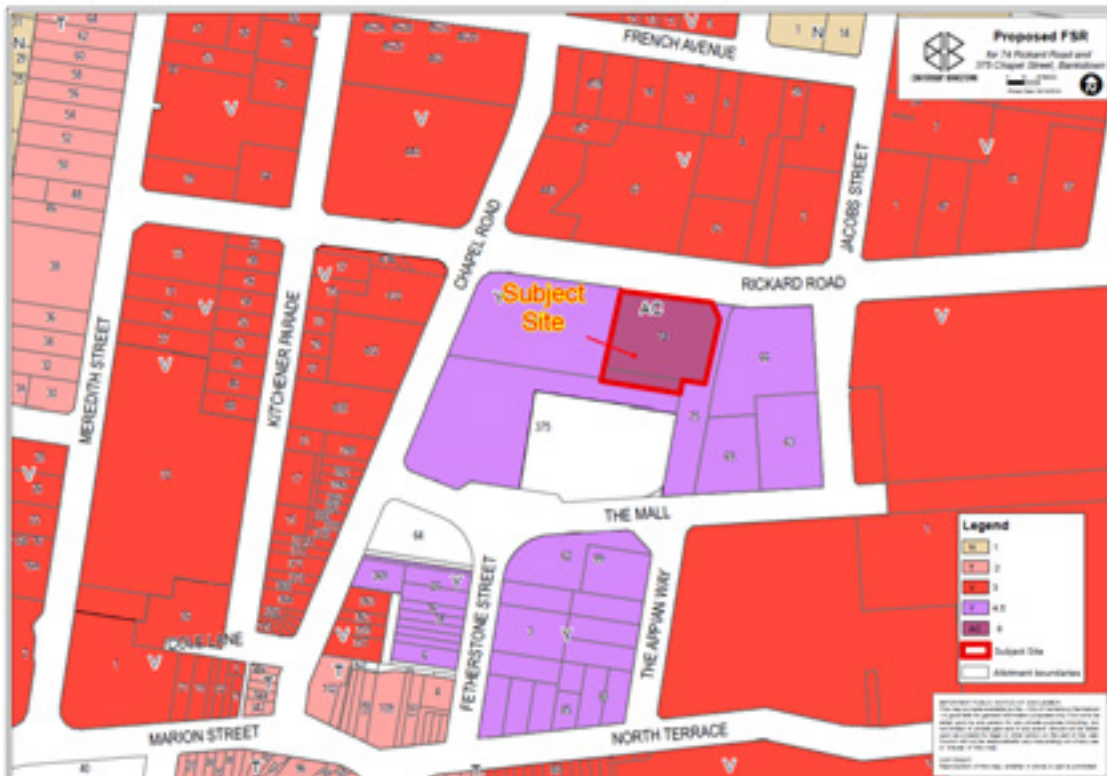




**Map 3: Current Floor Space Ratio Map**



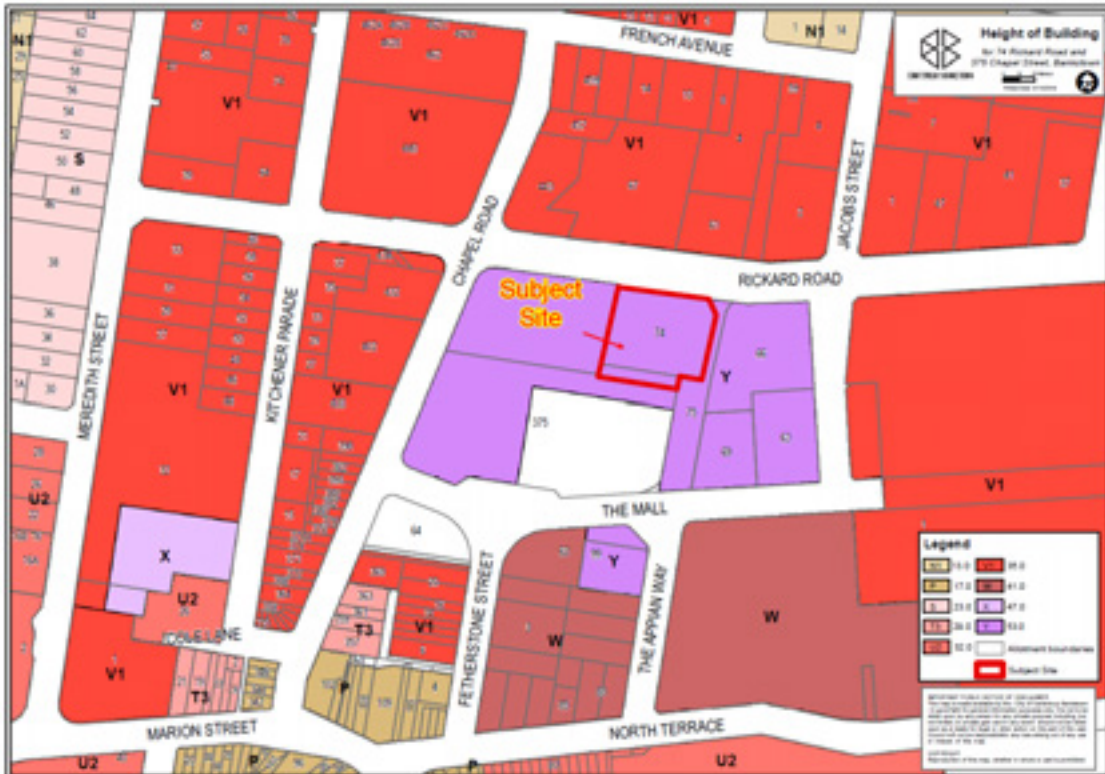
**Map 4: Proposed Floor Space Ratio Map**



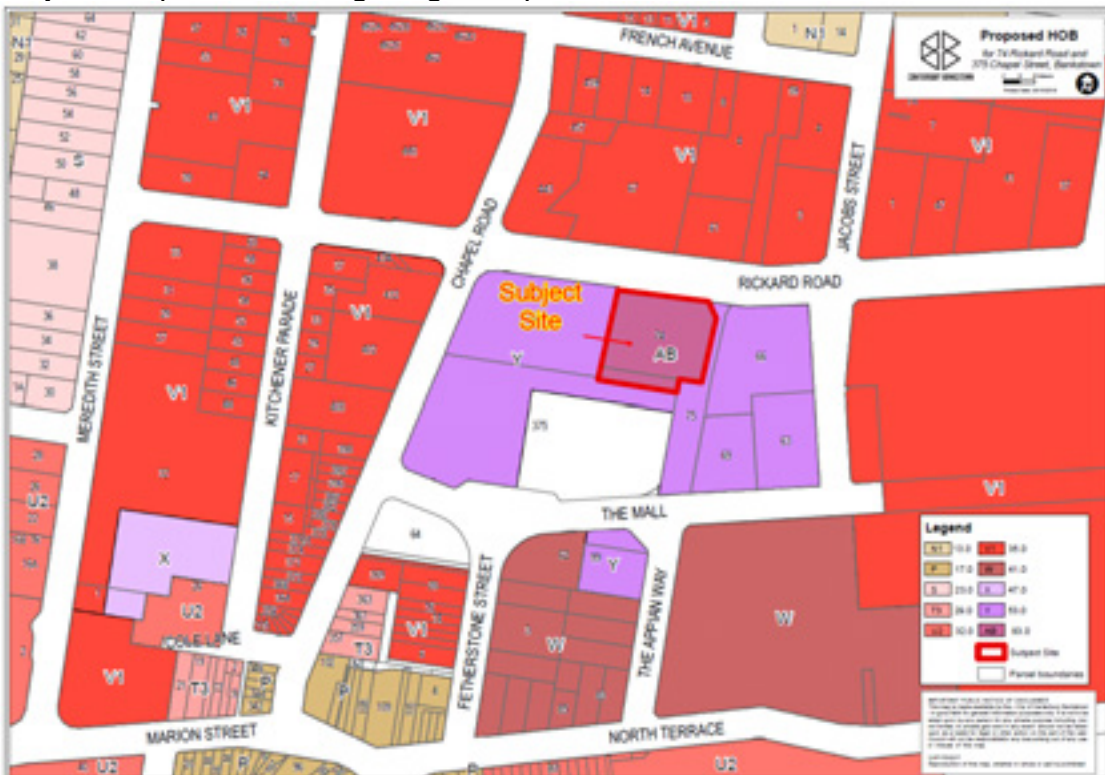




**Map 5: Current Building Height Map**



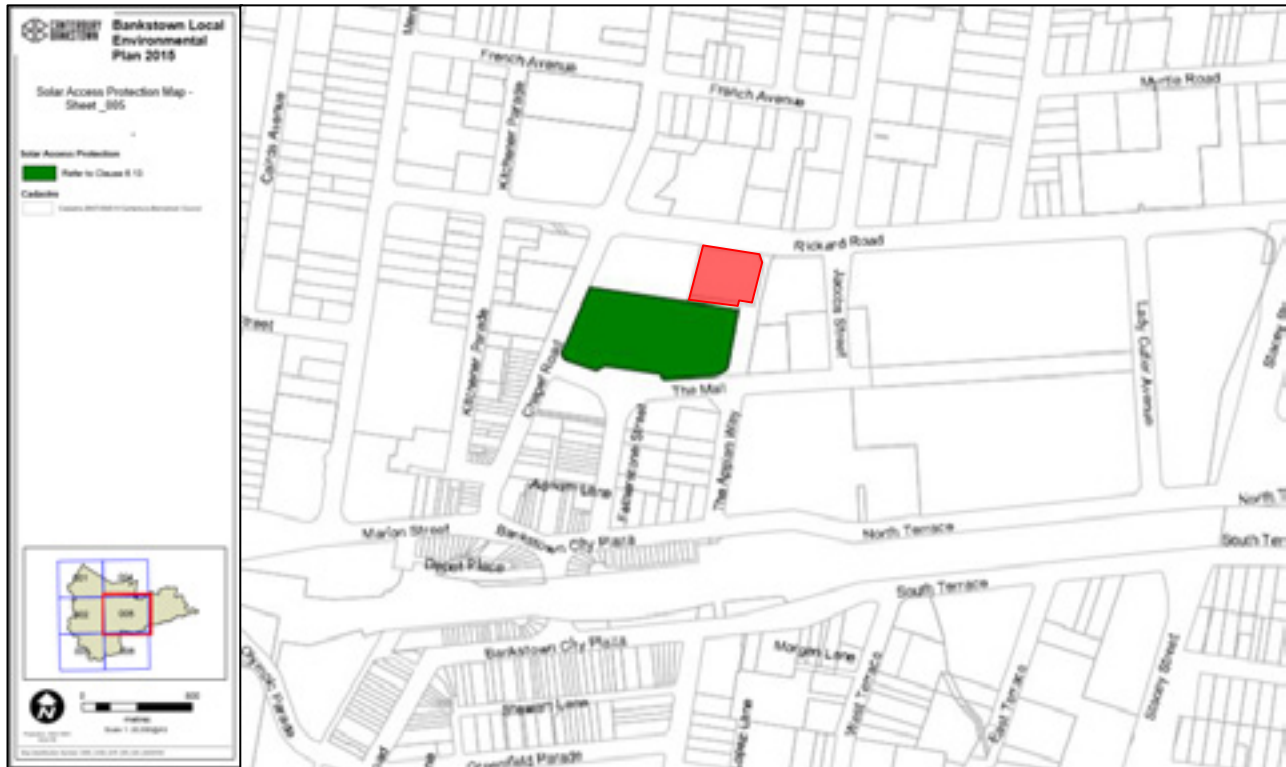
**Map 6: Proposed Building Height Map**







## Map 9 Extent of Paul Keating Park Map



## Part 5–Community Consultation

The exhibition period for this planning proposal is likely to take a minimum 28 days and would comprise:

- Written notification to affected and adjoining property owners
- Exhibition in accordance with COVID-19 requirements
- Exhibition in accordance with a *guide to preparing local environmental plans* (Department of Planning and Environment, 2018)
- Exhibition in accordance with the Canterbury Bankstown CPP, except where inconsistent with COVID-19 requirements
- Written notification to state and Commonwealth public authorities including:
  - Ausgrid
  - Sydney Metro Authority
  - Roads & Maritime Services
  - Sydney Water
  - Transport for NSW (including former RMS)
  - NSW State Emergency Services
  - NSW Department of Planning, Industry and Environment - Environment, Energy and Science Group (former Office of Environment and Heritage)





## Part 6–Project Timeline

Dates	Project timeline
June 2020	Issue of Gateway Determination
August 2020	Complete additional information
October 2020	Exhibit planning proposal
December 2020	Report to Council following the exhibition
January 2020	Submit Local Environment Plan to the Department of Planning, Industry & Environment for notification purposes

## Attachment A –State Environmental Planning Policies

SEPPs (as at October 2019)		Applicable	Consistent
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
33	Hazardous & Offensive Development	Yes	Yes
36	Manufactured Home Estates	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
55	Remediation of Land	Yes	Yes
64	Advertising & Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	Yes	Yes
70	Affordable Housing (Revised Schemes)	Yes	Yes
	(Aboriginal Land) 2019	No	N/A
	(Affordable Rental Housing) 2009	Yes	Yes



	(Building Sustainability Index: BASIX) 2004	Yes	Yes
	(Coastal Management) 2018	No	N/A
	(Concurrences) 2018	Yes	Yes
	(Educational Establishments & Child Care Facilities) 2017	Yes	Yes
	(Exempt & Complying Development Codes) 2008	Yes	Yes
	(Gosford City Centre) 2018	No	N/A

	(Housing for Seniors or People with a Disability) 2004	Yes	Yes
	(Infrastructure) 2007	Yes	Yes
	(Kosciuszko National Park–Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production & Extractive Industries) 2007	Yes	Yes
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production & Rural Development) 2019	Yes	Yes
	(State & Regional Development) 2011	Yes	Yes
	(State Significant Precincts) 2005	Yes	Yes
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non–Rural Areas) 2017	Yes	Yes



	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
	Greater Metropolitan REP No.2–Georges River Catchment	Yes	Yes
	(Koala Habitat Protection) 2019	No	N/A
	(Concurrences and Consents) 2018	Yes	Yes

## Attachment B - Ministerial Directions

Direction & Issue Date		Applicable	Consistent
<b>Employment and Resources</b>			
1.1	Business and Industrial Zones [01/05/17]	Yes	Yes
1.2	Rural Zones [14/04/16]	Yes	Yes
1.3	Mining, Petroleum Production & Extractive Industries [01/07/09]	Yes	Yes
1.4	Oyster Aquaculture [01/07/09]	No	N/A
1.5	Rural Lands [28/02/19]	No	N/A
<b>Environment and Heritage</b>			
2.1	Environment Protection Zones [14/04/16]	Yes	Yes
2.2	Coastal Management [03/04/18]	No	N/A
2.3	Heritage Conservation [01/07/09]	Yes	Yes
2.4	Recreation Vehicle Areas [14/04/16]	Yes	Yes
2.5	Application of E2 and E3 Zones & Environmental Overlays in Far North Coast LEPs [02/03/16]	No	N/A
<b>Housing, Infrastructure and Urban Development</b>			
3.1	Residential Zones [14/04/16]	Yes	Yes
3.2	Caravan Parks & Manufactured Home Estates [14/04/16]	Yes	Yes
3.3	Home Occupations [01/07/09]	Yes	Yes





3.4	Integrating Land Use & Transport [14/04/16]	Yes	Yes
3.5	Development Near Licensed Aerodromes [20/08/18]	Yes	No
3.6	Shooting Ranges [16/02/11]	Yes	Yes
3.7	Reduction in Non-Hosted Short Term Rental Accommodation Period [15/02/19]	No	N/A

Hazard and Risk			
4.1	Acid Sulfate Soils [01/07/09]	Yes	Yes
4.2	Mine Subsidence & Unstable Land [14/04/16]	No	N/A
4.3	Flood Prone Land [01/07/09]	Yes	No
4.4	Planning for Bushfire Protection [01/07/09]	Yes	Yes
Regional Planning			
5.1	Implementation of Regional Strategies [01/05/17]	No	N/A
5.2	Sydney Drinking Water Catchments [03/03/11]	No	N/A
5.3	Farmland of State & Regional Significance on the NSW Far North Coast [01/05/17]	No	N/A
5.4	Commercial & Retail Development along the Pacific Highway, North Coast [21/08/15]	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) [Revoked]	No	N/A
5.6	Sydney to Canberra Corridor [Revoked]	No	N/A
5.7	Central Coast [Revoked]	No	N/A
5.8	Second Sydney Airport: Badgerys Creek [Revoked]	No	N/A
5.9	North West Rail Link Corridor Strategy [30/09/13]	No	N/A
5.10	Implementation of Regional Plans [14/04/16]	Yes	Yes
5.11	Development of Aboriginal Land Council Land [06/02/19]	Yes	Yes
Local Plan Making			



6.1	Approval & Referral Requirements [01/07/09]	Yes	Yes
6.2	Reserving Land for Public Purposes [01/07/09]	Yes	Yes
6.3	Site Specific Provisions [01/07/09]	Yes	Yes

Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney [14/01/15]	Yes	Yes
7.2	Implementation of Greater Macarthur Land Release Investigation [22/09/15]	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy [09/12/16]	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use & Infrastructure Implementation Plan [15/05/17]	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use & Infrastructure Plan [25/07/17]	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use & Infrastructure Plan [05/08/17]	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor [22/12/17]	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use & Infrastructure Plan [20/08/18]	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan [25/09/18]	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct [25/09/18]	No	N/A