

Submission to proposed Canterbury Transport Oriented Development Precinct Controls and Alternative Planning Approach

DRAFT Canterbury-Bankstown Council Submission
September 2024

CANTERBURY BANKSTOWN

Contents

1. Planning for the Canterbury Local Centre 3
1.1 Introduction 3
1.2 Transport Oriented Development Precincts 4
1.3 Planning Framework 7
1.4 Land to which the proposal applies 8
1.5 Objectives 10
1.6 Consultation 14
2. Proposed amendments 15
2.1 Land Use Zoning 17
2.2 Minimum lot sizes and special provisions for certain dwellings 19
2.3 Height of buildings 22
2.4 Floor space ratio 28
2.5 Underground floor space 29
2.6 Affordable housing 30
2.7 Additional permitted uses 33
2.8 Infrastructure provision 36
2.9 Heritage 39
2.10 Design and sustainability excellence 45
2.11 Active frontages 47
2.12 Map changes 48
3. Ministerial Directions 49
4. Next steps 52

1. Planning for the Canterbury Local Centre

1.1 Introduction

Canterbury-Bankstown Council is committed to delivering 80% of housing growth within centres, but this must be coordinated in a place-based way that achieves the best outcomes for our community. This submission and alternative Transport Oriented Development (TOD) controls provides Canterbury with capacity for future housing growth, delivers a new civic space and public realm improvements and protects low density areas and areas of heritage significance.

This submission is an alternative recommended planning controls that are informed by Council's master planning process, underway since late 2022. Whilst this submission does not represent a complete master plan, pending the Government's finalisation of controls for Canterbury in October 2024, further work is required to develop this alternate plan, such as public domain planning and detailed design controls. It is noted that Council, in its submission, objected to the application of the standard TOD Tier 2 and Low to Mid Rise Housing controls for Canterbury, instead suggesting that Canterbury (together with Campsie) be an Accelerated Precinct. Despite Council's advocacy, in May 2024, the NSW Government confirmed Canterbury as a TOD Tier 2 Precinct.

Canterbury Bankstown Council (Council) proposes to apply planning controls to the Canterbury Local Centre in place of the standardised planning controls contained in *Chapter 5 Transport Oriented Development* of the *State Environmental Planning Policy (Housing) 2021 (the Housing SEPP)*. The proposed planning controls have been informed by a master planning processes that commenced in 2022. It is recommended that the controls amend the Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023), rather than remaining within the Housing SEPP to ensure a single set of controls.

1.2 Transport Oriented Development Precincts

On 13 May 2024, the first stage of the NSW Government's TOD planning reforms was implemented through amendments to the Housing SEPP. The reforms apply to land within 400m of identified railway stations to facilitate additional housing that is well-located and more affordable. The planning controls set aside equivalent provisions within existing environmental planning instruments and include the following:

- A maximum building height of 22m for residential flat buildings
- A maximum building height of 24m for a building containing shop-top housing
- A maximum floor space ratio (FSR) of 2.5:1 for residential flat buildings or a building containing shop-top housing
- No minimum lot sizes
- A minimum site frontage of 21m for residential flat buildings and shop-top housing

A total of 37 station locations were identified for the TOD reforms, including Canterbury Station. The planning controls came into effect for 18 station locations on 13 May 2024 and will progressively be applied to the remaining station locations up until June 2025. The controls are due to come into effect for Canterbury in October 2024. In December 2023, the NSW Government announced draft Low to Mid Rise Housing reforms. These would allow for further high density housing within 800 metres of railway stations. The extent and timing of implementation of these controls is yet to be confirmed by the NSW Government.

The NSW Government has required that any alternative to the TOD controls should deliver equal or greater housing. Analysis of the TOD controls versus Council's alternate approach suggests that the TOD program will likely yield approximately 850 dwellings, or 930 dwellings including the Low to Mid Rise Housing reforms, whilst Council's alternate scheme will facilitate delivery of 1,000 dwellings in a more concentrated and appropriate way.

As an alternative to the TOD controls, Council is proposing place–based planning controls for Canterbury Local Centre, that have been informed by an urban design analysis of the centre and surrounds. The proposed controls will facilitate the uplift in housing delivery that the State Governments TOD program is seeking for Canterbury, while responding to its unique qualities and characteristics.

The aim of this alternate scheme is to redistribute the growth that would otherwise be implemented through the TOD program to a broader and more appropriate area, including:

- Redistributing density south and west of the Cooks River due to the natural barrier the river creates, and acknowledging the Campsie Town Centre Master Plan has already considered these areas;
- Providing high density development within a contained area north and east of the station, with immediate proximity to the Station;

- Lowering densities away from high density housing towards heritage conservation areas and low density areas to create appropriate transitions and scale of development.

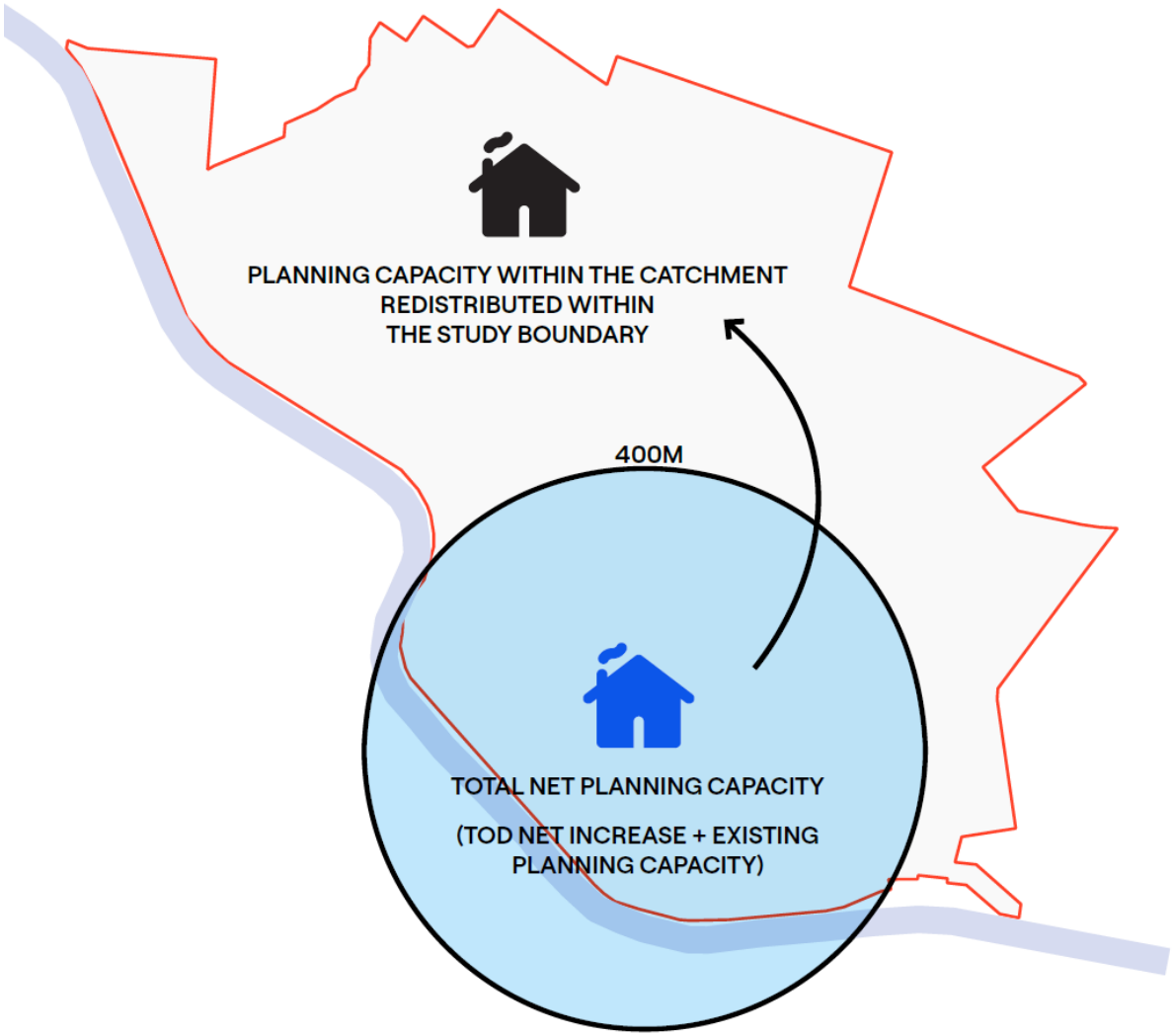


Figure 1. Redistribution of TOD Density

This submission is supported by an Urban Design Report and other technical studies and analysis. The structure plan and an aerial perspective of the alternate scheme is provided below.

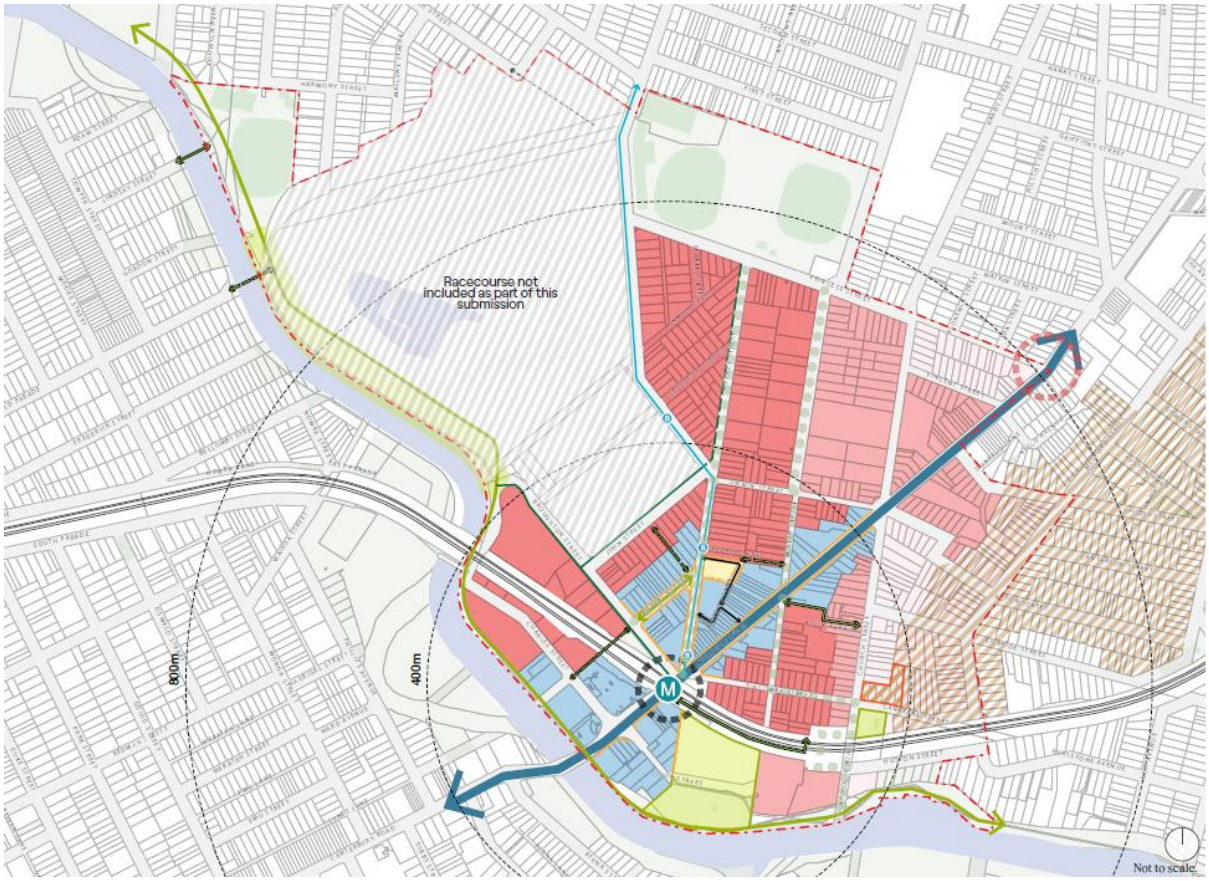


Figure 2. Proposed structure plan



Figure 3. Aerial view of Council's alternate scheme (artists impression only)

1.3 Planning Framework

This submission recommends amendments to planning controls in lieu of the NSW Government's standardised TOD controls and potential future Low to Mid Rise Housing Program controls. The aim of the proposed alternative controls is to provide a place-specific and appropriate outcome that still delivers housing growth in line with Council's strategic planning framework for 80% of housing growth to be delivered within centres, and ensure that housing growth is well located and supported by infrastructure.

The proposed amendments to the CBLEP are the first in suite of planning policies which will work together to encourage the delivery of a high quality centre in Canterbury Local Centre. Following community feedback and directive from the NSW Government on the proposed controls to be gazette in October 2024, it is intended that further design and planning work be completed to finalise the Canterbury Master Plan and ensure completion of a robust planning framework, as set out in the table below.

Table 1. Planning framework

Planning policy	Purpose	Status
TOD Precinct Planning Controls and Low to Mid Rise Housing controls (LEP Amendment)	Amend the CBLEP as described in this document, to set the basis for land use and built form in the Canterbury Precinct. The controls proposed in this document are an alternative to the standard TOD controls for six-storey development within 400 metres of Canterbury and potential future expansion of the Low to Mid Rise Controls for apartment development within 800 metres of the Canterbury local centre.	Draft submission and alternative controls for exhibition. It is therefore proposed that the standard TOD controls and future Low to Mid Rise Housing controls do not apply to Canterbury.
Development Control Plan Amendments	Provided a detailed set of design and built form controls to complement the implemented LEP controls.	To be finalised pending confirmation on final controls for Canterbury Local Centre by the NSW Government.
Canterbury Bankstown Local Contributions Plan 2022	Review the plan and ensure appropriate level of infrastructure for Canterbury and surrounds to support the anticipated growth.	To be finalised pending confirmation on final controls for Canterbury Local Centre by the NSW Government.

Housing SEPP – Affordable Housing Bonus

As proposed in the Bankstown Accelerated Precinct Explanation of Intended Effects, it is proposed that given this submission is based on an urban design analysis of the centre, that no further affordable housing incentives are available (except as otherwise stated in this submission). This includes the in-fill affordable housing floor space ratio and height of building bonus under Chapter 2, Part 2, Division 1 of the Housing SEPP. As further discussed in this submission, it is recommended that a 3% affordable housing levy be applied in Canterbury, which exceeds the recommended TOD control of 2%.

It is therefore recommended that Canterbury be exempt from these bonuses. If these bonuses are to continue to apply, it is recommended that the height and floor space recommendations be adjusted accordingly.

1.4 Land to which the proposal applies

Canterbury Local Centre is located on lands of the Wangal, Cadigal and Gamey Gal people, 10.5km southwest of the Sydney CBD. It is bounded by Earlwood to the south, Hurlstone Park to the east, Campsie to the west and Ashbury to the north. The centre accommodates a range of retail, business and other services, as well as schools. The centre is designated a 'local centre' in Council's Local Strategic Planning Statement. Local centres are key centres with good levels services and amenities, and will accommodate housing growth, noting Council's target of 80% of housing growth to occur in centres.

The centre is serviced by Canterbury train station centre, which is currently being converted to a Metro station as part of the Sydney Metro City & Southwest project.

This submission relates to land within the Canterbury Master Plan Study Area, shown below. The study area generally includes land within 600-800 metres of Canterbury Station, however it excludes:

- Adjacent conservation areas in Hurlstone Park;
- Land on the western and southern side of the Cooks River, as these have either been considered as part of the Campsie Town Centre Master Plan or are too disconnected from the Canterbury centre due to the natural barrier of the Cooks River, particularly for areas south of Canterbury Road.

Whilst TOD and potential Low to Mid Rise Housing Program controls would influence all areas within the 400 metre and 800 metre catchments of Canterbury Local Centre, Council's alternate approach seeks to prioritise and manage growth where it is appropriate and accessible, whilst maintaining the existing planning controls for areas considered inappropriate for further intensification.



Figure 4. Proposed land application

How this differs to the State Government TOD approach
The State Government's TOD Program applies uniformly across a 400m radius from the stations (measured in a straight line). Council's alternative approach has investigated a broader walking catchment and developed site-specific controls for Canterbury, excluding areas not suitable for more intense development, and concentrating development where appropriate and accessible, giving regard to natural barriers like the Cooks River.

1.5 Objectives

This submission is a response to the NSW Government's TOD and Low to Mid Rise Housing programs and provides an alternative to the standardised proposed TOD controls to be implemented in October 2024. The objectives of the alternative approach proposed in this submission are:

1. Accommodate Council's forecasted housing, population and jobs growth;
2. Create a framework for the future height, massing, urban grain, landscaping, setbacks, materials and density that achieves design excellence and beautiful places;
3. Ensure that development contributes positively to the fabric of the centres and enhances the quality of life;
4. Provide for the safety, comfort and connectivity of pedestrians and cyclists whilst improving the efficient movement of public transport, vehicles, freight and servicing vehicles whilst maintaining high quality place amenity;
5. Reinforce, protect and enhance the unique, rare and special characteristics of each centre;
6. Contribute to the environmental sustainability of the urban environment and minimise adverse impacts to the natural ecology of the area and climate change;
7. Achieve a suitable transition and separation between buildings;
8. Ensure development can comply with State Legislation design requirements including the Apartment Design Guide;
9. Improve quality and access to open and public space; and
10. Create vibrant, connected centres with a mix of compatible activities and uses.

The objectives are supported by six key moves, outlined below:

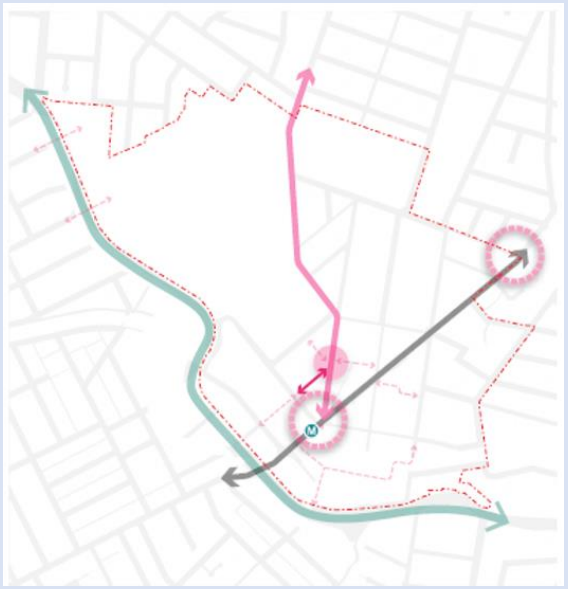
Key move 1: Density and Transition

- Intensification of land uses around the Metro.
- Co-locate increased intensity of land use with increased building heights.
- Connecting the eastern and western portions of Canterbury Road.
- Concentrating building height along Canterbury Road and Broughton Street, amplifying the intensity of development.
- Removing TOD related density on the western side of the Cooks River to maintain its low density, suburban character and acknowledge is disconnection from the remainder of the centre by the Cooks River.
- Providing more sympathetic, lower built form where the centre interfaces with heritage conservation areas (including proposed heritage conservation areas) and low density housing.
- Removing TOD related density around Tasker Park, given this was already considered as part of the Campsie Town Centre Master Plan.



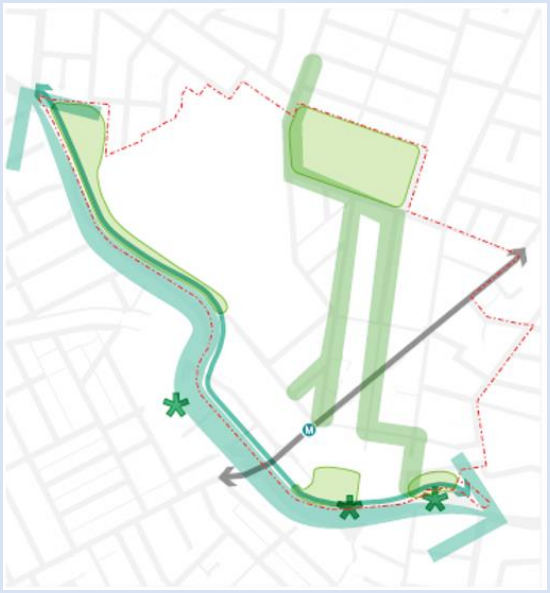
Key move 2: Connections and walkability

- Concentrate pedestrian activity in areas of no or limited vehicle movement. This includes the creation of a high street that promotes walkability and a thriving economy of retail and commercial uses.
- Creating new through-site links and mid-block connections to enhance connectivity and improve connections between housing and retail blocks and provide improved connectivity to key destinations and anchors in Canterbury.



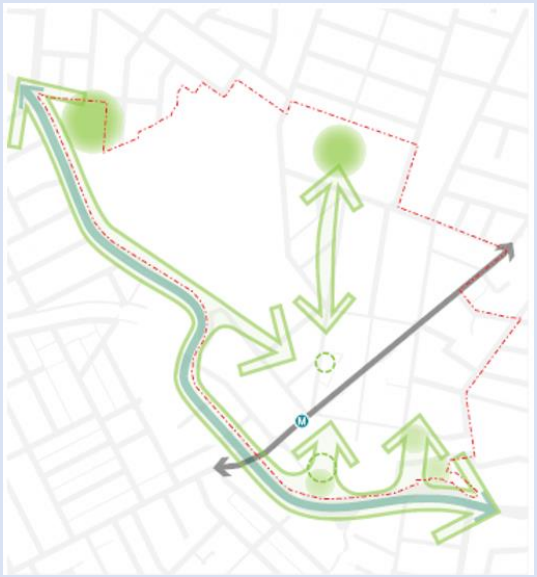
Key move 3: Green Corridors to Cooks River

- Increased accessibility to the Cooks River corridor.
- Create street typologies that encourage greener streets, utilising the public domain to enhance tree canopy within the centre.



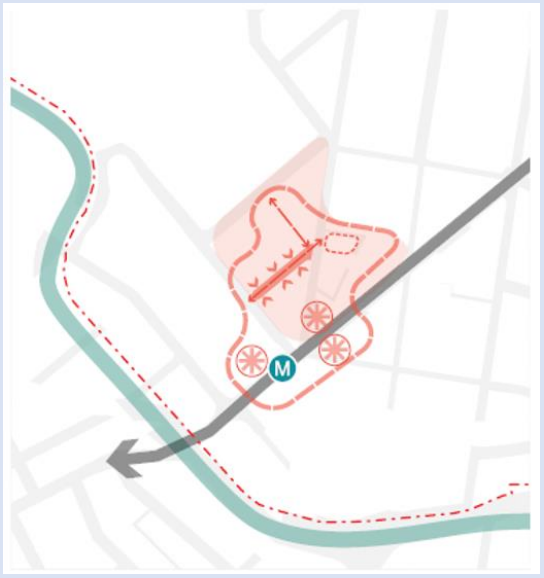
Key Move 4: Connectivity of Open Spaces

- Providing a well-connected network of existing and new green and civic open spaces, utilising the public domain to improve pedestrian experiences, tree canopy.



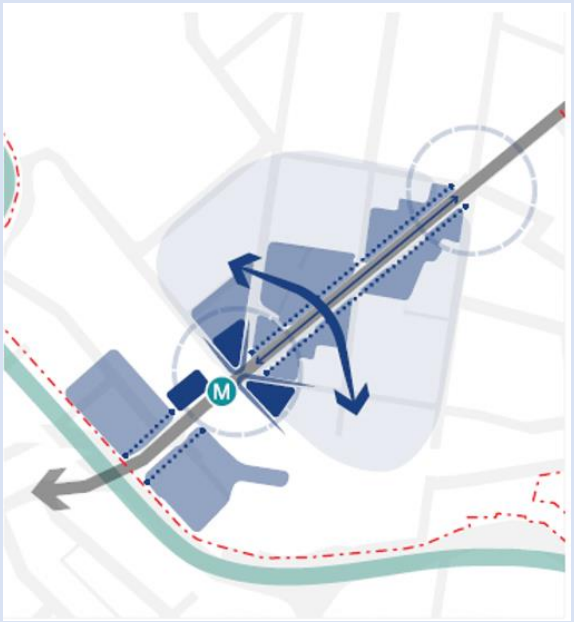
Key Move 5: Vibrancy at the Heart

- Create a new civic heart at the centre core free of traffic and safe for people.
- Create a new active, civic street along Robert Street.



Key Move 6: Bridging of Barriers

- Renewing Canterbury Road by bridging the eastern and western sides, facilitating retail and pedestrian activity, consistent with recommendations of the Canterbury Road Review 2017, while maintaining its function as a principal arterial.
- Enabling opportunities for future connections including across the railway corridor, and to Campsie via Clissold Parade, as per the Campsie Town Centre Master Plan.



1.6 Consultation

In 2022, Council undertook early engagement in the development of the Canterbury Master Plans which the TOD Precincts work builds upon.

The proposed alternative approach will be exhibited for a period of two weeks to meet requirements of the State Government's TOD program timeframes.

Following the exhibition, Council will engage relevant stakeholders and community representatives to further refine the place-based approach to development of the Canterbury Local Centre once the State Government confirm the controls. An early engagement report has been prepared under separate cover.

2. Proposed amendments

This section of the submission describes the proposed changes to the CBLEP based on the master planning work that has been done for Canterbury to date and is provided as an alternative to the standard TOD controls established under the Housing SEPP.

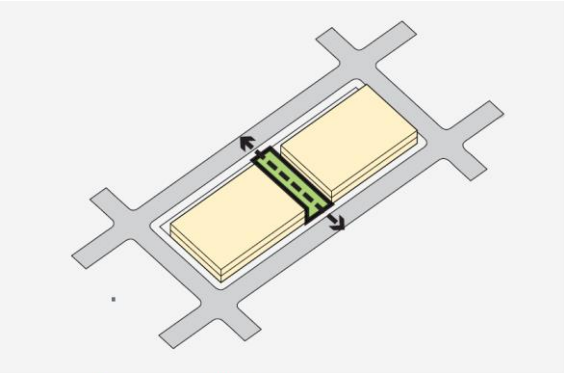
The proposed LEP controls have been developed taking into account development feasibility, solar access, orientation and overshadowing, natural ventilation, visual and acoustic privacy, ceiling heights, open space and landscaping, public domain interface, noise and general amenity.

Detailed urban design testing and modelling was prepared to test the proposed controls to ensure the desired density and massing can be accommodated within the building height and setback controls with high quality amenity outcomes.

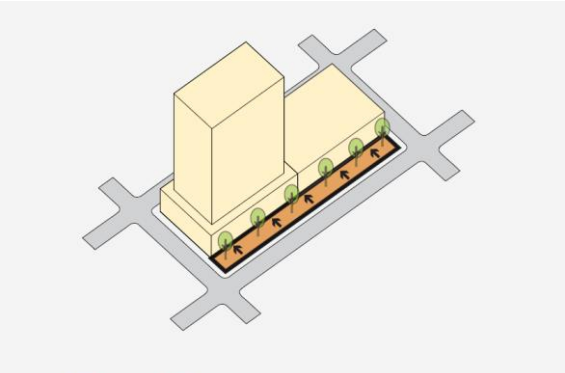
The proposed controls complement each other and will work in unison with DCP controls which are currently being developed.

The maximum FSR control does not necessarily allow for the achievement of the full extent of what may be possible under the 'Building Envelope' controls (such as the achievement of the maximum building height). In these instances, the additional permissible height does not provide justification for exceedance of the FSR control. Rather, it provides for development which is smaller than the maximum potential building envelope with decreased bulk and greater opportunities for articulation and variation in building form.

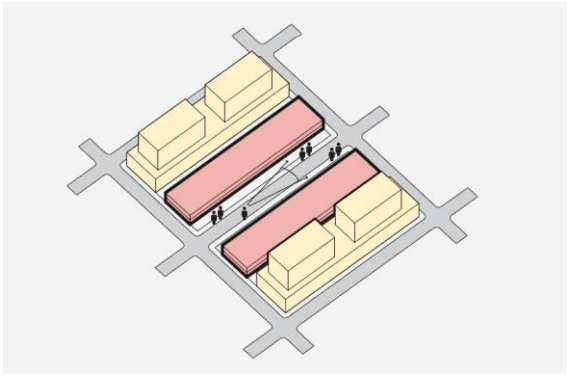
The images below demonstrates potential building massing that could be delivered through the proposed controls.



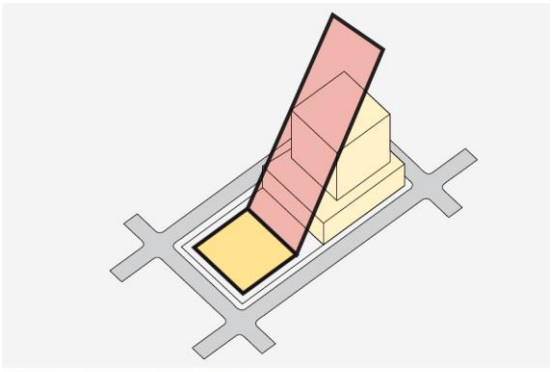
Strategy 1: Allow for through block permeability



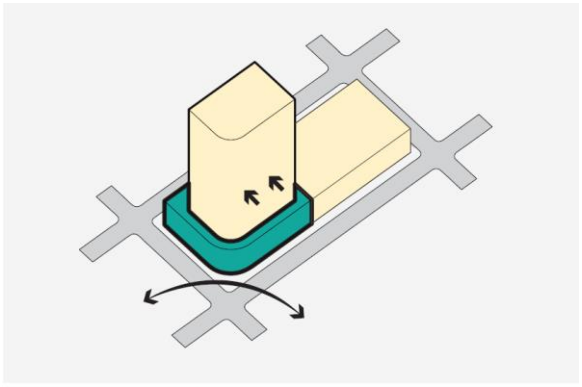
Strategy 2: Setback building to allow for street extension in narrow streets



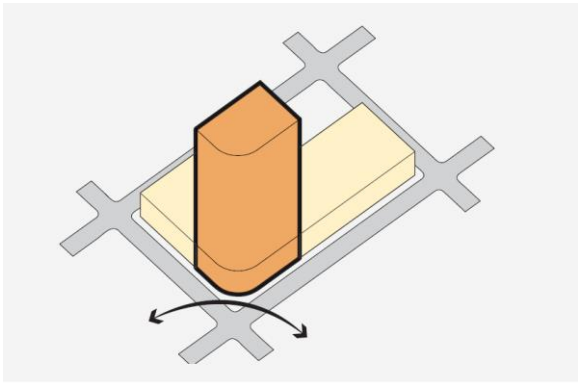
Strategy 3: Focus activity on the street



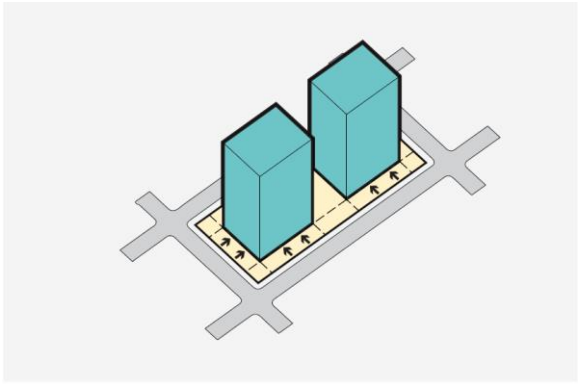
Strategy 4: Protect solar amenities



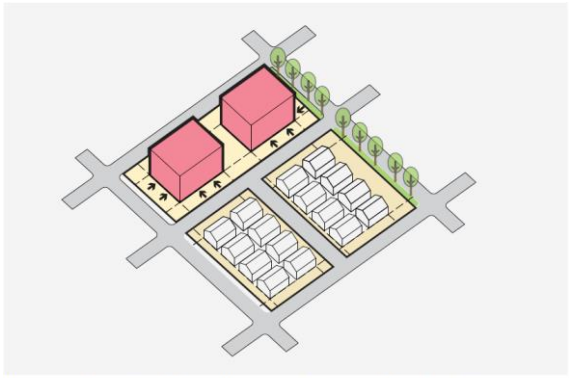
Strategy 5: Above podium setbacks



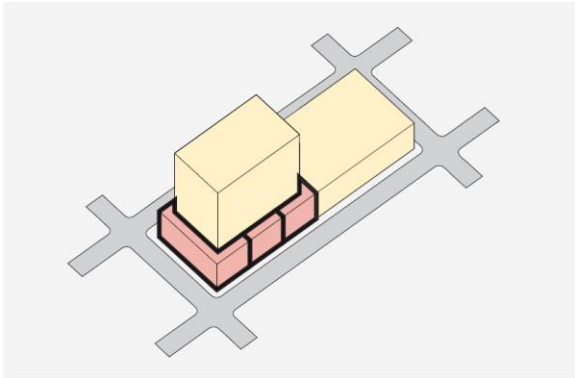
Strategy 6: Prioritise height at key intersection



Strategy 7: Provide landscape setback in residential zones



Strategy 8: At the interface with conservation areas have podiums respond to their scale



Strategy 9: Respond to fine grain of cadastre

2.1 Land Use Zoning

This submission is informed by a Master Plan review of the existing land use zones that apply across Canterbury and seeks to facilitate an increase in housing supply within the walking catchment of stations while protecting employment floor space, daily services and identified special character areas.

The following key land use zoning changes are proposed:

- Within 400m of the station:
    - Extend the B2 zone:
        - along the eastern side of Canterbury Road, north of intersection with Minter Street
        - to the eastern and western sides of Robert Street
    - Rezone R3 Medium density adjoining the B2 zone to R4 High density, to reflect the proposed density of development
    - Rezone sites on the eastern side of Church Street, directly north of the rail corridor, to reflect their proposed inclusion in the heritage conservation area (refer to ‘Heritage’ further in this submission)
- 400m to 800m:
    - Rezone R3 zone bound by Jeffrey Street, Canterbury Park and the racecourse to provide an extension to the existing R4 zone land west of Minter Street.

The proposed changes are illustrated below and provided within the Urban Design Report.

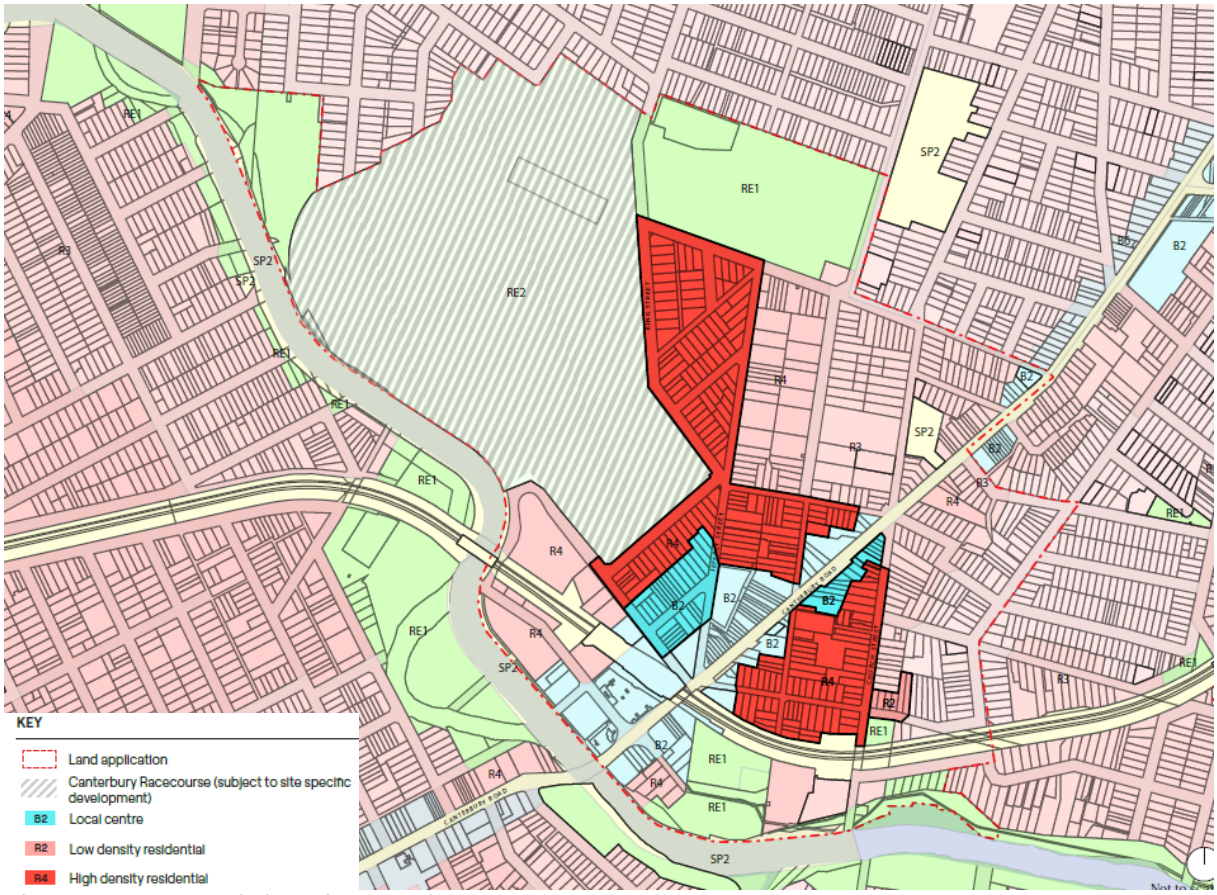


Figure 5. Recommended Land Use Zoning Map

How this differs to the State Government TOD approach

The State Government's TOD Program would permit Residential Flat Buildings and Shop Top Housing anywhere within 400m of the station (measured in a straight line). The Low to Mid Rise Housing reforms (draft) would allow for further residential flat building development within 800 metres of the Canterbury centre.

Council's alternative approach permits these uses beyond the 400m radius where appropriate and prohibits these uses where there is lower density character desired to be retained, or where barriers inhibit accessibility to the centre. Council's alternative approach also ensures active street edges to support the local centre. It is also noted that Council's recommendation is to maintain the prohibition of residential flat buildings in the B2 Local Centre Zone, to ensure the delivery of active, non-residential, ground floor uses.

2.2 Minimum lot sizes and special provisions for certain dwellings

A minimum lot size for certain residential dwellings is proposed to ensure lots are large enough to accommodate certain residential development, particularly residential flat buildings, and maintain adequate frontage and amenity. The TOD controls do not provide for a minimum lot size controls, however the urban design testing recommends minimum standards should be achieved in order to meet State design controls for apartments and minimum amenity standards, whilst still allowing for landscaping, deep soil and open space.

The following amendments are proposed to Clause 4.1B of the CBLEP (amendments in red):

4.1B Minimum lot sizes and special provisions for certain dwellings

(1) The objectives of this clause are as follows—

(a) to ensure lots for residential accommodation are large enough to accommodate proposed dwellings, setbacks to adjoining residential land, private open space and landscaped areas, driveways and vehicle manoeuvring areas,

(b) to ensure lots for non-residential accommodation are large enough to accommodate setbacks to adjoining land, private open space and landscaped areas, play areas, pedestrian access, set down and pick up areas, car parks, driveways and vehicle manoeuvring areas,

(c) to minimise the likely adverse impact of development on the amenity of the area,

(d) to require the consolidation of 2 or more lots where the area or width of an existing lot is inadequate,

(e) to ensure lots are large enough to protect special attributes, including natural or cultural features, heritage items, heritage conservation areas, trees and natural topographical features,

(f) to prevent fragmentation or isolation of land.

(2) Development consent must not be granted to development on land specified in Column 1 of the table to this subclause for a purpose specified in Column 2 unless—

(a) the lot is at least the size specified in Column 3, and

(b) the width of the lot at the front building line is at least the width specified in Column 4.

Column 1	***Column 2***	***Column 3***	***Column 4***
"Area 1" on the Clause Application Map	*Attached dwellings*	*750m^2*	*20m*
Zone R3 or R4	*Boarding houses*	*1,000m^2*	*20m*

Zone R2 in "Area 1" on the Clause Application Map	*Centre-based child care facilities*	*—*	*20m*
Zone R3 or R4 in "Area 1" on the Clause Application Map	*Multi dwelling housing*	*1,000m²*	*20m*
Zone R2, R3 or R4 in "Area 1" on the Clause Application Map	*Places of public worship*	*800m²*	*20m*
Zone R4 in "Area 1" on the Clause Application Map	*Residential flat buildings*	*1,500m²*	*30m*
Zone R4 in "Area 4" on the Special Provisions Map	*Residential flat buildings*	*1,700m²*	*40m*
Zone R4 in "Area 1" on the Clause Application Map	*Serviced apartments*	*1,500m²*	*30m*
Zone B6 in "Area 1" on the Clause Application Map	*Serviced apartments*	*5,000m²*	*—*
Zone R4 in "Area 1" on the Clause Application Map	*Shop top housing*	*1,500m²*	*30m*
Area 8	*Semi-detached dwellings*	*210m²*	*—*
Area 8	*Attached dwellings*	*140m²*	*—*
Area 8	*Dwelling houses—*		
	(a) adjoining Ashford Avenue, Milperra	*300m²*	*—*
	(b) otherwise	*245m²*	*—*
Zone R4 in "Area 9" on Special Provisions Map	*Residential flat buildings*	*1,500 m²*	*30 metres*
Zone R4 in "Area 9" on Special Provisions Map	*Shop top housing*	*1,500 m²*	*30 metres*
Zone R4 in "Area 9" on Special Provisions Map	*Serviced apartments*	*1,500 m²*	*30 metres*

(3) In this clause—

***Area 8** means land identified as "Area 8" on the Special Provisions Map.*

***Area 9** means land identified as "Area 9" on the Special Provisions Map.*

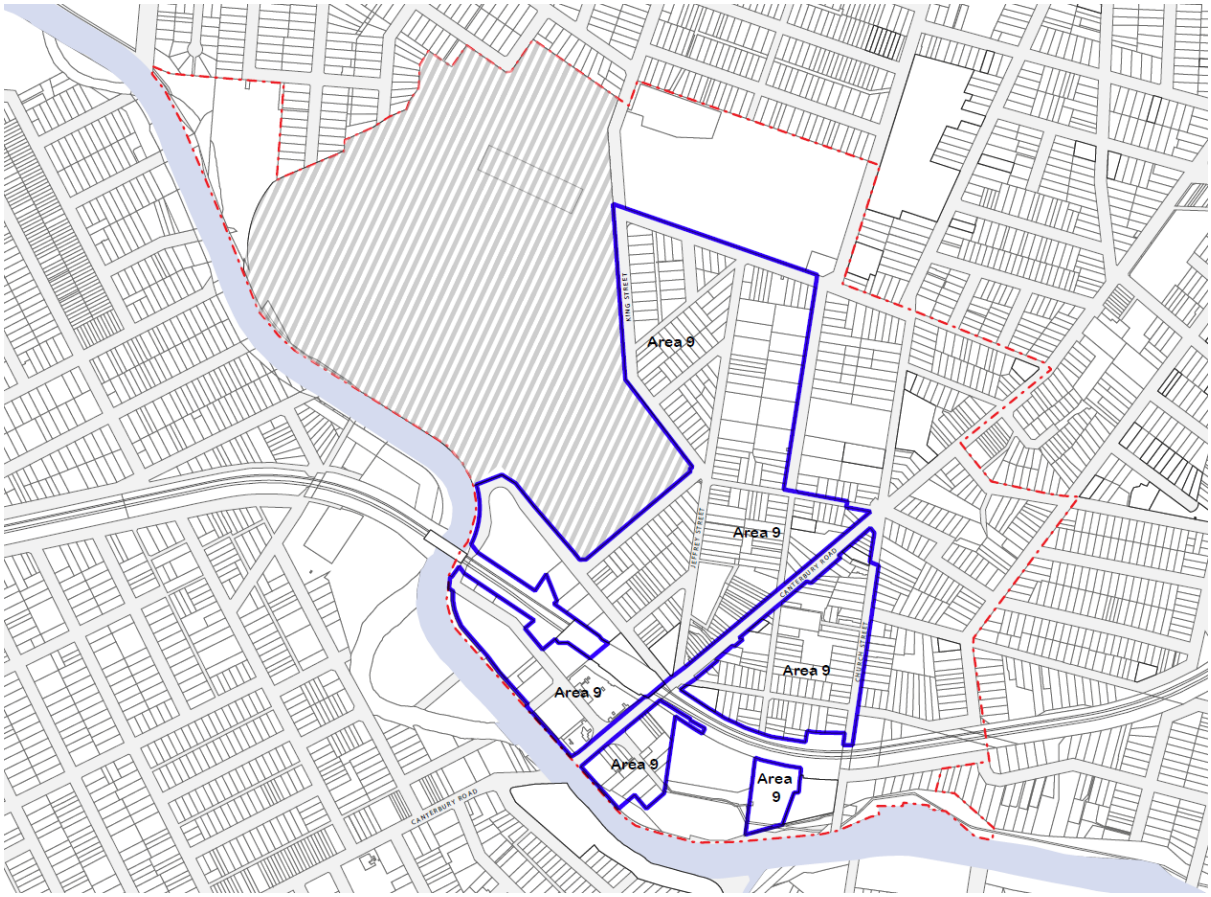


Figure 6. Proposed amendment to Special Provisions Map

The standard TOD provisions specify a minimum site frontage width of 21m and alternatively, Council is proposing a minimum frontage width requirement of 30m. This is driven by the need to maximise active frontages on Canterbury Road, Jeffrey Street, Roberts Street and other key streets within the centre which do not benefit from rear lane access. This will require vehicle access (service/waste vehicle access) as well as potential substations, to be located on the street frontage. A minimum frontage of 30m allows the provision of vehicle access and services, while ensuring the majority of the frontage is maintained for active uses. The lot typology in this area also allows for a 30m frontage as an amalgamation of 2-3 lots, with approximately four lots on narrower lot typologies. Feasibility testing demonstrates that this is a viable amalgamation pattern for the Canterbury local centre.

Together with the above, it is noted that the current minimum lot size map includes a minimum lot size on all residential land in the precinct of 460 sqm.

Recommendation:

It is proposed to remove the application of Clause 4.1 and the minimum lot size map to the new B2 Local Centre Zone areas for consistency, as per the map below.

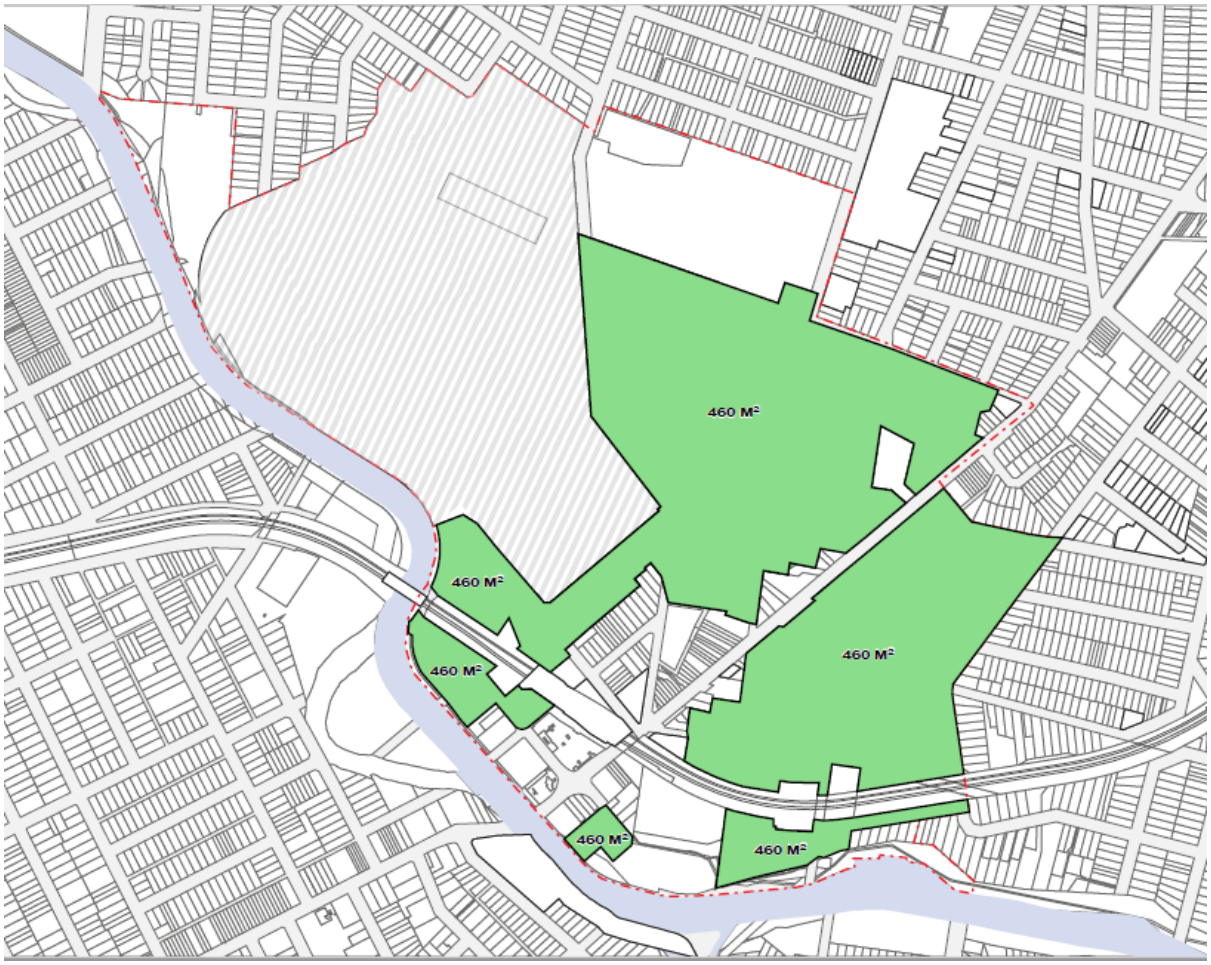


Figure 7. Amended minimum lot size map to exclude B2 zoned land.

2.3 Height of buildings

The proposed TOD controls seek to apply a standardised maximum building height of 22m to 24m within 400 metres of Canterbury Station. Whilst Council's alternate approach seeks to contain the area of growth, building heights controls generally exceeds the TOD controls for areas where growth is proposed.

Under Council's alternate approach, the greatest intensification of the building height occurs around Canterbury Station, primarily within the 400m catchment. Directly north, east and north-west of the station along Canterbury Road, Robert Street, Broughton Street and John Street and Tincombe Street building heights vary from 29.5m up to a maximum of 61.5m. A predominant building height of 42m applies along Canterbury Road (refer to recommended Height of Buildings Map below).

Building heights are also proposed to be increased to 23m on identified opportunity sites bound by Jeffrey Street, King Street, James Street, Princess Street and Searle Street. While these sites are more than 400m from the station, they remain within 800m from the station. These sites are proposed for uplift given their

proximity to significant open space (Canterbury Park) and the racecourse, while still being accessible to the station. The proposed heights provide a transition from the higher scale development proposed within the centre to the racecourse and surrounding lower scale residential development.

The following departures to the TOD building heights within 400m of the station are proposed:

- Noting that Cooks River has been established as the natural boundary of the centre, existing height controls of 8.5m and 18m will be maintained for the R3 and R4 zoned properties further south on the opposite side of the river.
- Existing building heights will be maintained for sites containing strata titled residential flat buildings accommodating over four to eight units, as these are constrained from redevelopment. The sites are located south of the railway corridor between Charles Street and the river and along Close Street and on Broughton Street, opposite the racecourse. The existing building heights of 11.5m and 21m will be maintained.
- An 18m height limit is proposed on the western side of Church Street to provide a 4 storey transition to the existing heritage conservation area, which is proposed to be expanded as outlined in the 'heritage' section below.

Overall, the proposed building heights:

- Provides for the intensification of development around the station to maximise housing provision.
- Minimises overshadowing to key open spaces, existing and proposed.
- Responds to the heritage characteristics of the area.
- Provide for landmark buildings on prominent corners to improve the legibility of the centre.

How this differs to the State Government TOD approach

The State Government's TOD Program would permit six storeys for Residential Flat Buildings (22m) and Shop Top Housing (24m) anywhere within 400m of the station (measured in a straight line). The draft Low to Mid Rise Housing changes could also result in up to four storey apartment buildings beyond 400 metres and within 800 metres of the centre.

Council's alternative approach provides a range of varying building heights across the precinct, generally tallest close to the station and core, with lower building heights around the edges of the centre, and areas of no change. This provides for better mitigation of potential amenity impacts, a greater range of housing typologies, and a more varied and interesting skyline.

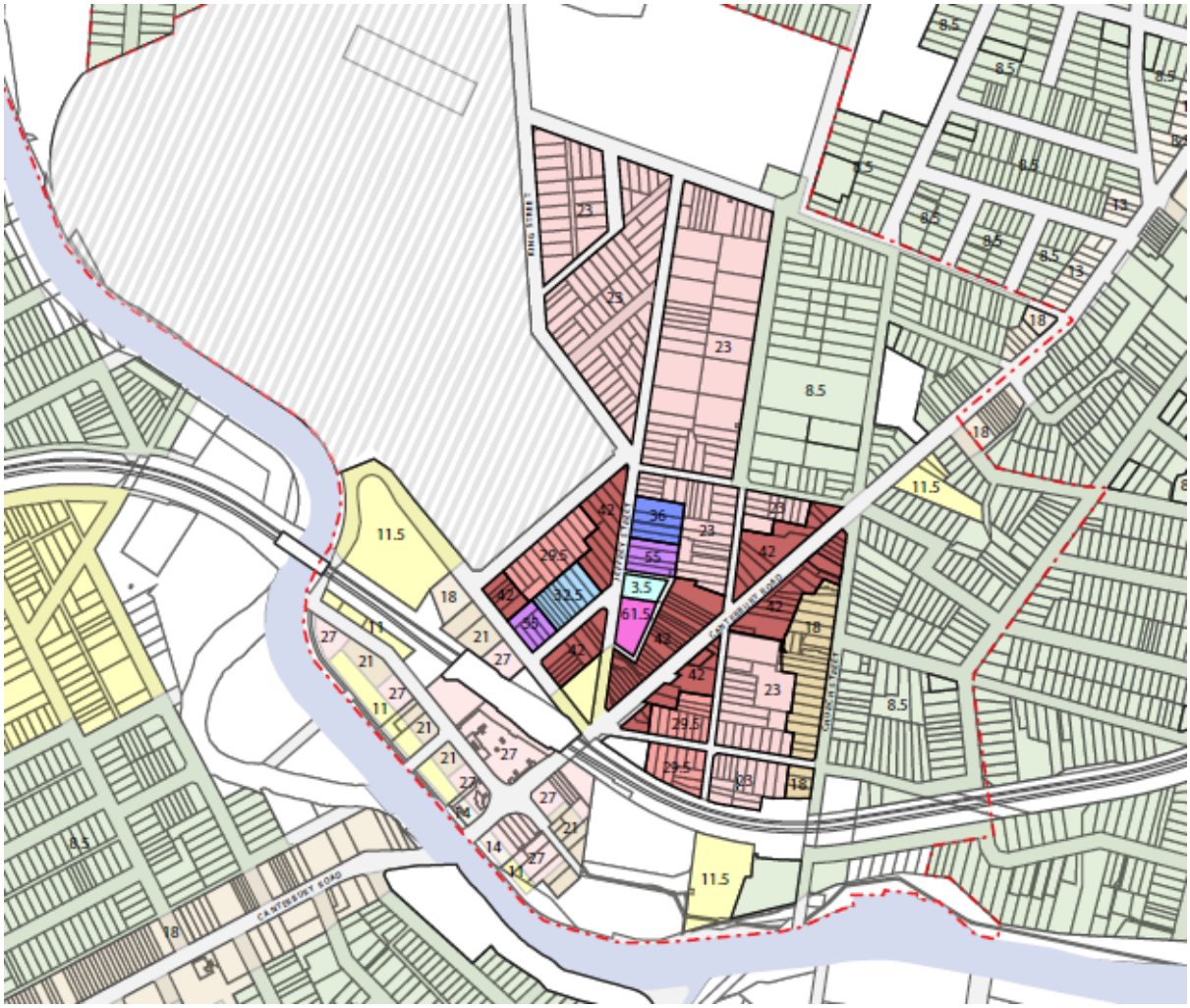


Figure 8. Recommended height of buildings map

The proposed building height controls corresponds with the built form structure plan and the proposed height in storeys, as shown in the image below.

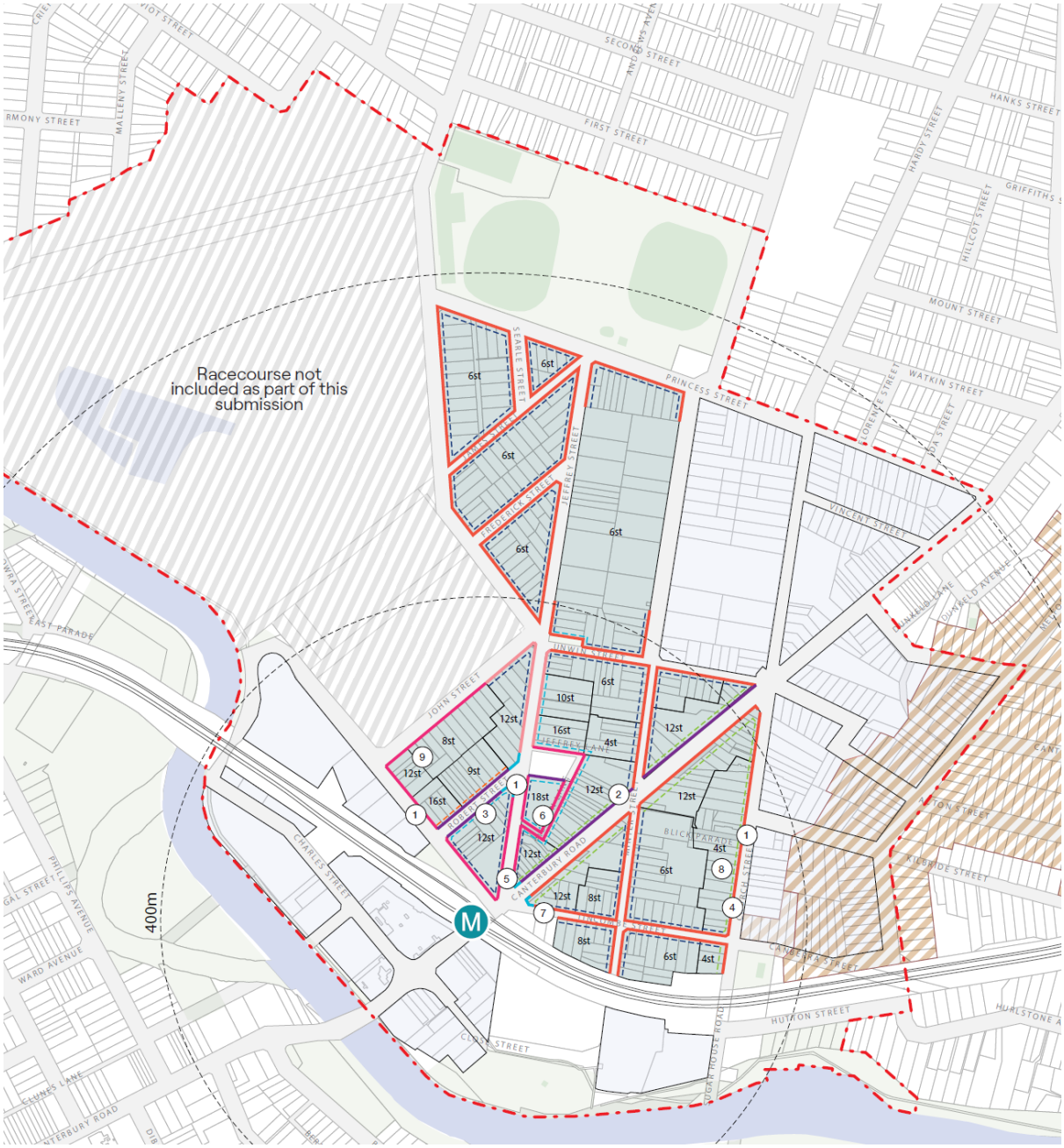


Figure 9. Proposed built form structure plan

Street wall heights and setbacks

In tandem with the proposed building heights, the urban design analysis has identified street wall heights, street setbacks and setbacks above podium and street wall to achieve the desired built form outcomes and character of the local centre. This includes:

- A 2-storey street wall height and upper storey setback of 5m along Canterbury Road to reflect the fine-grain character of the existing built form (refer to example at the Figure below);
- 4 storey street wall height within the rest of centre core with variable upper storey setback of 2m to 5m;
- Variable street setbacks of 3m to 9m to accommodate a range of tree canopies.

These controls will be further tested for implementation through the Development Control Plan.

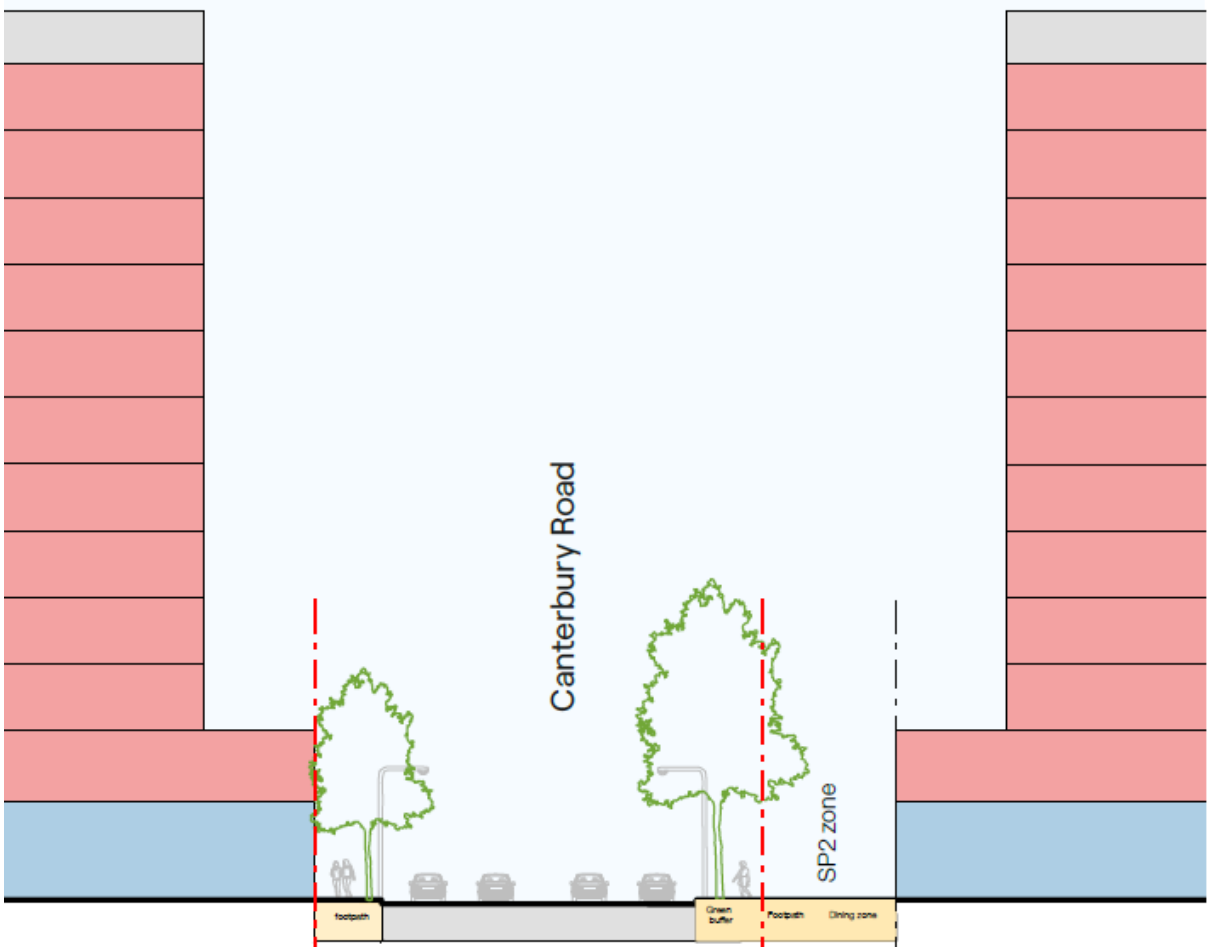


Figure 10. Indicative street wall height section for Canterbury Road

Rooftop gardens

It is proposed to introduce a control that would enable rooftop gardens to be developed. A key issue is often these result in conflict with the maximum height of building control. As such, it is proposed to amend the maximum height of building controls to allow for rooftop gardens, as per the amendments in red below.

Clause 4.3 – Height of buildings as follows:

(1) The objectives of this clause are as follows—

(a) to establish the height of development consistent with the character, amenity and landform of the area in which the development will be located,

(b) to maintain the prevailing suburban character and amenity by limiting the height of development to a maximum of 2 storeys in Zone R2,

(c) to provide appropriate height transitions between development, particularly at zone boundaries,

(d) to minimise overshadowing to existing buildings and open space,

(e) to minimise the visual impact of development on heritage items and heritage conservation areas,

(f) to support building design that contributes positively to the streetscape and visual amenity of an area.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

(2A) Despite subclause (2), the following maximum building heights apply—
6m for a secondary dwelling that is not attached to the principal dwelling in Zone R2 on land identified as "Area 1" on the Clause Application Map*, 8.5m for a dwelling house in* Zone R4 on land identified as "Area 2" on the Clause Application Map*, 11m for a building on a lot that is less than 5,000m2 on land identified as "Area 1" on the* Height of Buildings Map that is in Zone B6,

(2B) The maximum wall height for a secondary dwelling that is not attached to the principal dwelling in Zone R2 on land identified as "Area 1" on the Clause Application Map is 3m.

(2C) The maximum wall height for a dwelling house or dual occupancy in Zone R2 on land identified as "Area 1" on the Clause Application Map is 7m.

(2D) In this clause—
***wall height** means the vertical distance between the ground level (existing) and the higher of—*
(a) the underside of the eaves at the wall line, or
(b) the top of the parapet or the flat roof.

(3) Despite subclause (2), consent may be granted to development on land identified as "Area 9" on the Special Provisions Map where inclusion of a *roof top garden causes the development to exceed the maximum height of buildings shown for the land on the Height of Buildings Map if the consent authority is satisfied that—*

(a) Development of a rooftop garden of no less than 50% of the total roof area of a building that exceeds, or causes a building to exceed, the height limits set by subclause (2),
(b) the rooftop garden will cause minimal impact on visual and acoustic privacy,
(c) the rooftop will cause minimal overshadowing,
(d) planting and green landscaping is used to soften rooftop spaces and reduce local heat island,
(e) the rooftop garden is of a high standard of finish and design which adequately addresses safety, sun protection, security, accessibility and wind effects, and
(f) the rooftop garden will be maintained in perpetuity to ensure it remains safe and provides a high level of aesthetic and amenity.

2.4 Floor space ratio

As a result of urban design analysis, maximum floor space ratio controls are proposed, ranging from 1:1 to 5:1, as per the map below.

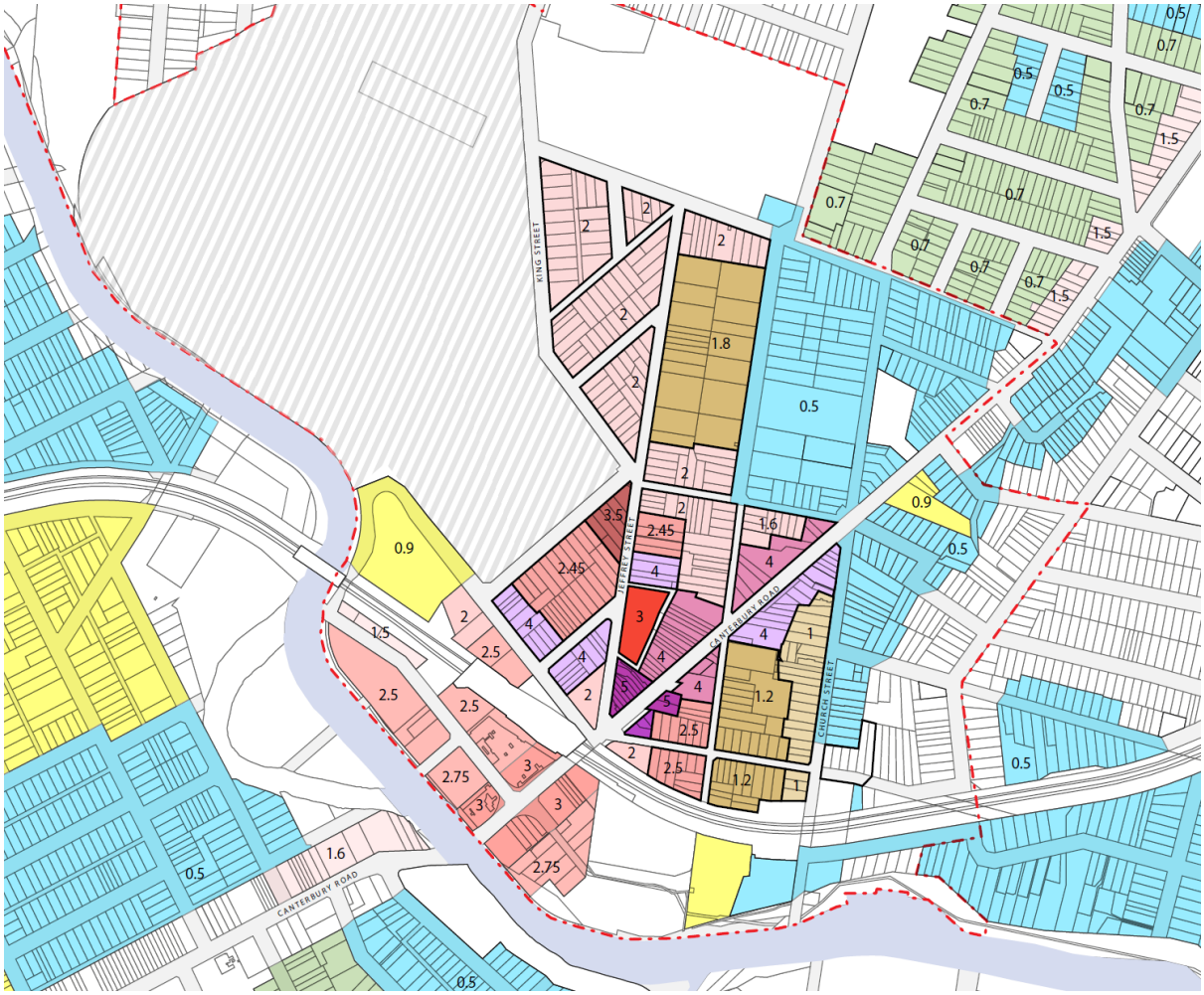


Figure 11. Recommended maximum floor space ratio controls

How this differs to the State Government TOD approach

The State Government's TOD Program would permit a Floor Space Ratio of up to 2.5:1 for all Residential Flat Buildings and Shop Top Housing anywhere within 400m of the stations (measured in a straight line).

Council's alternative approach provides a range of varying development densities across the precinct, generally greatest close to the station. This provides for better mitigation of potential amenity impacts, a greater range of housing typologies, and a more varied and interesting streetscape character. It gives regard to sun access to streets, adequate building separation and ensuring development can achieve good standards of design and amenity.

2.5 Underground floor space

Due to the potential to develop limited uses in basement/underground settings on certain sites within the Canterbury local centre, it is proposed to facilitate underground floor space in addition to the maximum FSR for land in the B2 Zone for large sites. This provision has the ability to facilitate larger floorplate uses such as supermarkets, community facilities and entertainment facilities, underground, while maximising activation and permeability at street level reducing large format uses along street frontages.

This approach has been adopted in other Council LEPs. For example, the Sydney LEP 2012 contains similar clauses that allow additional equivalent GFA for particular uses, such as end of journey floor space, entertainment and club floor space amongst others uses These additional floor space provisions are contained at Clauses 6.4 to 6.9 of the Sydney LEP 2012, as well as within a number of site specific provisions in Division 5 of Part 6 of the Sydney LEP.

This clause will specify that underground floor space will be permitted in addition to the maximum FSR prescribed to a site on the Floor Space Ratio Map. A recommended amendment to Clause 4.4 of the CBLEP is provided below.

(2C) Despite subclause (2), development consent may be granted for development that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map, only if that exceedance is contained within with a basement level, and if-

(a) located on land in Zone B2 and identified as "Area 9" on the Special Provisions Map, and

(b) is floor space for commercial or community purposes including neighbourhood supermarkets, registered clubs, entertainment facilities and community facilities, and

(c) is not floor space for the purposes of car parking,

(d) does not result in the relocation of car parking at street level,

(e) is located on a site with a minimum site area of no less than 3,000m2, and

(f) the basement has a floor to ceiling height of 3.7 metres or greater.

2.6 Affordable housing

Feasibility testing has been undertaken to determine an appropriate affordable housing rate for Canterbury local centre, noting that the Housing SEPP proposes 2% for TOD precincts. Feasibility testing suggests that Canterbury local centre will be capable of delivering 3% of total residential floor space dedicated as affordable housing. As per the Bankstown Accelerated Precinct Explanation of Intended Effects, it is anticipated that the below recommended clause could come into effect prior to the finalisation of Council's Affordable Housing Development Contributions Scheme to allow for immediate commencement of contributions for affordable housing by allowing Council to levy for affordable housing contributions through development consent if the conditions of section 7.32 of the Environmental Planning and Assessment Act 1979 are met.

Council's proposed Affordable Housing Clause in the CBLEP is provided below:

Clause XX - Affordable housing

(1) In this clause, the ***Canterbury Bankstown Affordable Housing Principles*** *are as follows—*

(a) affordable housing must be provided and managed to make accommodation for a diverse residential population representative of all income groups available in Canterbury Bankstown,

(b) affordable housing must be rented to tenants at rents that do not exceed a benchmark of 30% of actual household income,

(c) dwellings provided for affordable housing must be managed to maintain their continued use for affordable housing,

(d) the Council must use the following received by or on behalf of the Council to improve or replace, or provide additional, affordable housing in Canterbury Bankstown —

(i) rent from affordable housing, excluding landlord's expenses, such as management and maintenance costs and rates and taxes payable in connection with the dwellings,

(ii) money from the disposal of affordable housing,

(e) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with the same type of dwellings forming part of the proposed development, particularly in relation to internal fittings and finishes, solar access and privacy.

(2) This clause applies to the erection of residential accommodation on land identified on the Affordable Housing Map, other than development for the purposes of boarding houses, community housing, group homes, hostels and public housing.

(3) Development consent must not be granted to development to which this clause applies unless the consent authority has considered the following—

(a) the Canterbury Bankstown Affordable Housing Principles,

(b) the impact of the development on the existing mix and likely future mix of residential accommodation in Canterbury Bankstown.

Note—
The matters set out in State Environmental Planning Policy (Housing) 2021, section 15 may also apply to the development.

(4) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing contribution equivalent to the contribution specified in subclause (5).

(5) The contribution for development on land is the amount of gross floor area equivalent to the mapped percentage of the gross floor area of the residential component of the development.

(5A) In the following areas on the Affordable Housing Map, the following rates will apply:

(a) Area X – 1% for 12 months following gazettal of this clause

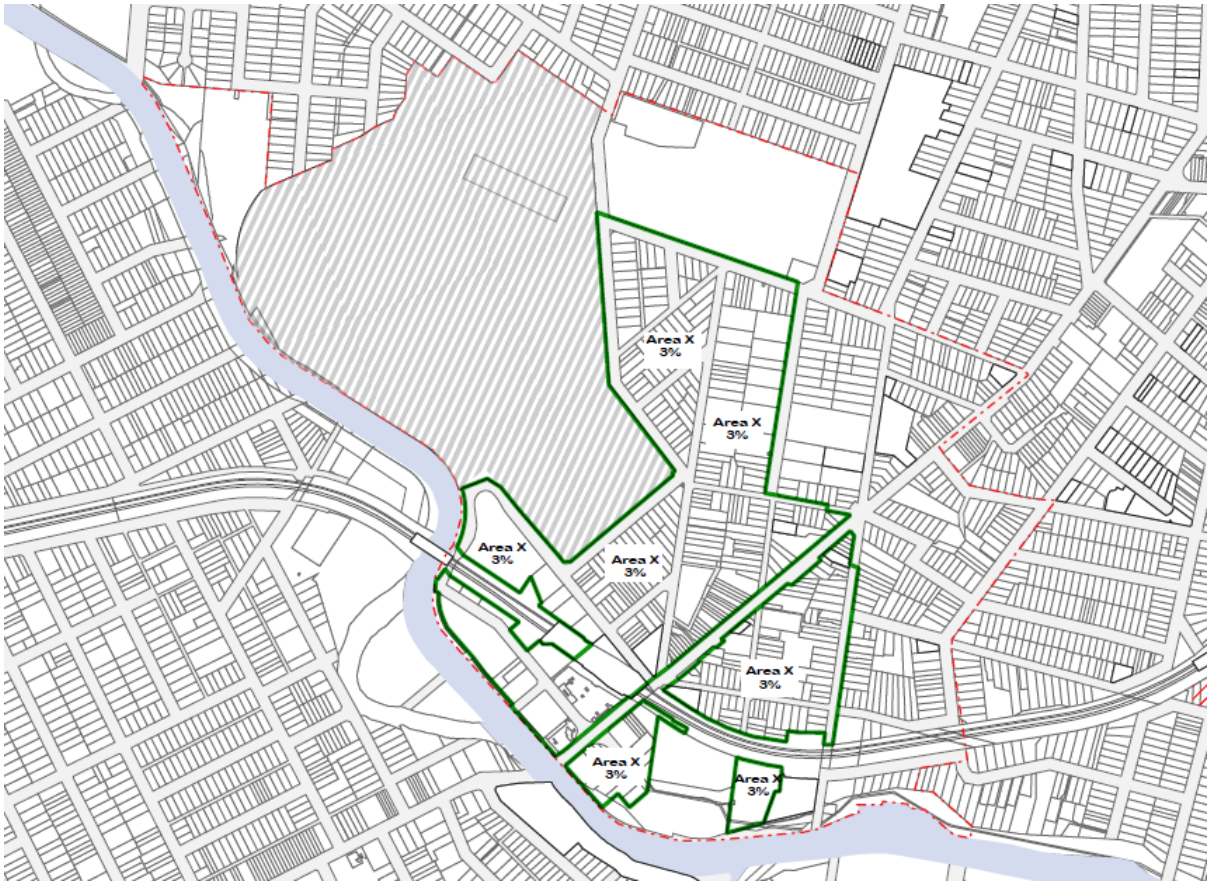
(b) Area X – 2% after 12 months but up 24 months following gazettal of this clause

(c) Area X – The mapped rate after 24 months following gazettal of this clause

(6) A condition imposed under this clause must permit a person to satisfy the contribution by one or both of the following—
(a) a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 50m2,
(b) a dedication, in favour of the Council, of land for the purpose of providing affordable housing, or
(c) a monetary contribution paid to the Council.

(7) A monetary contribution must be calculated by reference to the market value of dwellings of a similar size to the dwellings in the proposed development.

(8) In this clause—
***community housing** has the same meaning as in the Community Housing Providers National Law (NSW).*
***mapped percentage**, in relation to development on land, means the percentage shown on the Affordable Housing Map for the land.*
***public housing** has the same meaning as in the Housing Act 2001.*



How this differs to the State Government TOD approach
The State Government's TOD Program would impose a minimum 2% for all applicable sites. It is noted that the State Government has flagged this rate is likely to be increased over time but has not published proposed future rates. Council's alternative approach provides for 3%, but also provides transparency to all stakeholders as to how the minimum requirement will increase over time. This provides greater financial certainty to developers and potentially encourages a quicker delivery of additional housing in the present crisis.

2.7 Additional permitted uses

It is proposed to add additional permitted uses to support the ongoing heritage use and restoration of 15 Church Street, Canterbury, also known as Beulah Vista.

Beulah Vista is a two-storey Victorian Italianate style brick building with sandstone embellishments. It dates from the 1880s with further extensions up to the 1910s. The allotment on which Beulah Vista is located was subdivided in 1881. The property description is Lot 17, Section 2, DP 764. The allotment is irregularly shaped and has an area of 404.7sqm.

The location of the site and a recent photo are provided in the figures below.

The existing building is currently not in used, being vacated in 2021. It is well preserved and in good condition.

The site is subject to a conservation management plan. The key aspects of this plan are:

- Beulah Vista should be retained and conserved as a significant component of the built heritage of Canterbury.
- Modification to the single-storey addition at the rear of the house could be considered. It has been altered and modified since its construction circa 1912. However, any modifications should be designed to relate to the historic background, form, character and scale of Beulah Vista. The extension should remain, primarily, a hipped roof, single-storey structure.
- No other external additions, alterations and/or modifications to the main structure of Beulah Vista should be permitted. The building's exterior on all four elevations are to retain significant original fabric and design elements.
- Future uses for the house should retain and maintain the floor plan of both the ground and first storeys. Future uses must provide an interpretation strategy that conveys the history of the place and the events and people associated with it.
- Any work being considered should respect extant fabric, the setting of the place, impact on the character and the scale of the building; the continuing occupation by the Historic Society would be ideal. No alterations to the original internal fabric should be undertaken.
- Any proposed spatial subdivision of rooms or addition of new openings are not to be permitted.
- The floor plan of the rear addition may be reconfigured, but the extant ceiling beams should be retained as should the location of the toilet.
- Future uses of Beulah Vista should remain compatible with the setting, community ownership, character and significance of the building that would enable it to be retained as a vital component of the historic streetscape.

The subject site is currently zoned R3 Medium Density Residential, however it is recommended that a broader range of compatible uses be permitted beyond residential development to allow for the building's ongoing use and conservation, including medical facilities, school administration, office space and community use.

After considering what is already permitted in the CBLEP and state wide planning controls, it is recommended the following additional uses be permitted:

- Office premises;
- Information and education facility;
- Public administration building.

These uses will potentially require minimal intrusion to the existing fabric, and maintain the existing internal floor layout. Future uses should be done sympathetically and showcase the building's heritage character. Future development must be compatible and consistent with the conservation management plan.

Recommended changes to Schedule 1 – Additional Permitted Uses

Add 'Item 34' to read:

34 Use of certain land at 15 Church Street, Canterbury

(1) This clause applies to Lot 14, Section 2, DP 764,15 Church Street, Canterbury identified as "APU 34" on the Additional Permitted Uses Map

(2) Development for the purposes of office premises, information and education facility, and public administration building are permitted with development consent.

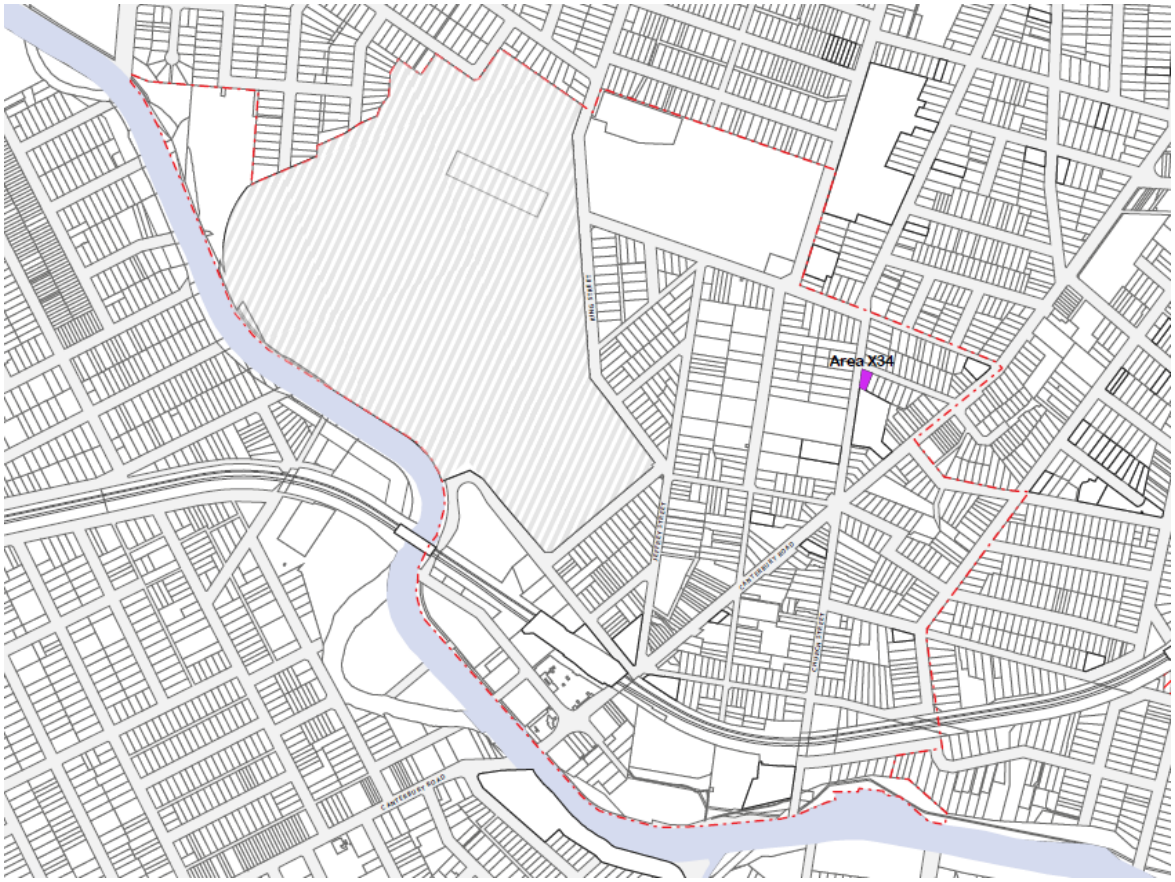


Figure 12. Additional permitted uses - 15 Church Street, Canterbury



Figure 13. Recent photo of Beulah Vista

2.8 Infrastructure provision

Council will continue to advocate for the State Government to support their mandated uplift with appropriate regional infrastructure including arterial road upgrades including Canterbury Road, schools, hospital and regional planning fields. It is expected that the State Government make appropriate commitments prior to the gazettal of any planning controls that would facilitate this growth and Council will lobby Government for this commitment.

For Council's part, the proposal will also be supported by new and upgraded local infrastructure including additional open space, pathways and cycleways. These include:

- A new civic plaza of at least 1,500 sqm to provide a civic heart and open space in the centre (as shown in the figures below);
- A new through site link between Robert Street and John Street to enhance mid-block connectivity;
- Increased setbacks where appropriate to enhance the public domain and improve tree canopy;
- Creation of a new 'civic street' along Robert Street, with slow vehicle movement and maximised pedestrian space (as shown in the figures below);
- Investigate opportunities for on and off-street cycle pathways.
- Protect and enhance continuous public access along the Cooks River frontage.

Recommended local provision

To deliver the above, it is proposed that an additional local provision be introduced to state:

This clause applies to the following sites within the Canterbury Local Centre, identified as "Area 9" on the Special Provisions Map.

Development on the following sites listed in column 1 are required to deliver the community infrastructure set out in column 2:

Column 1	***Column 2***
34, 36, 38 Jeffrey Street and 1 Robert Street, Canterbury (Lots 5-7 DP 3279 and Lot 4 DP 3279)	*Publicly accessible through site link, minimum 4 metres in width*
65, 67, 69, 71, 71A Jeffrey Street, Canterbury (Lot 2 DP 114536, Lot A-C DP 343406, Lot 2 DP 317087)	*Publicly accessible through link, minimum 4 metres in width*

73-87 Jeffrey St, Canterbury (Lot 1 DP 1080044)	*Publicly accessible open space, with a minimum area of 1,400sqm, with minimum dimensions of 20 metres*
4, 6, 8, 10 John Street, Canterbury (Lots 11-14 DP 327911)	*Publicly accessible through site link, minimum 4 metres in width*
72, 74, 76 Minter Street, Canterbury (Lot 3 DP 210003, Lot 1 DP 964331, Lot 8 DP 662406)	*Publicly accessible through site link, minimum 4 metres in width*



Figure 14. Potential Civic Plaza as recommended by Council's alternate scheme.



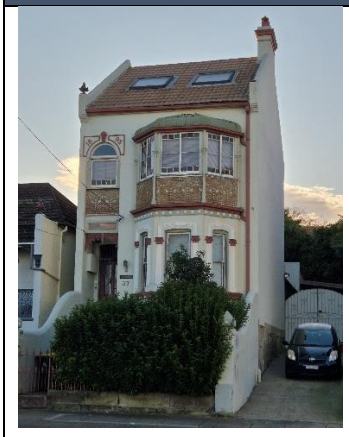
Figure 15. Proposed Civic Street at Robert Street, as recommended by Council's alternate scheme

2.9 Heritage

Council is in the process of undertaking a city-wide heritage review. As part of this review, Council investigated potential heritage items within the Canterbury Local Centre Study Area. The items recommended for heritage listing within the study area are shown in the table and proposed heritage mapping below.

In addition to the city-wide heritage review, it is proposed to extend the boundary of the existing Melford Street Heritage Conservation Area (HCA) to include the properties 13 to 23 Canberra Street, Hurlstone Park. The recommended extension of the HCA within the study area is shown in the table and proposed heritage mapping below.

Address	Building type	Description	Significance
31 and 33 Canterbury Road, Canterbury 	Federation and semi-detached houses	Constructed circa 1912, these houses are an example of Federation period semi-detached houses designed to appear as a single house. The houses provide evidence of the development pattern of Canterbury in the Federation period. Their architectural detailing contributes to the streetscape character of this part of Canterbury Road.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
35 Canterbury Road, Canterbury 	Inter-War apartment building	Constructed in 1936 by prominent local builder William Pendlebury, this is an excellent and highly intact example of an Inter-War flat building with Art Deco overlays. These include a distinctive central stepped parapet, grand entrance utilising decorative brickwork, arched openings, and the use of expressed brick. It makes a strong contribution to the streetscape character along Canterbury Road.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative, Associative
37 Canterbury Road, Canterbury	Victorian terrace house ‘Rosemont’	Constructed in 1895, this late Victorian terrace is illustrative of the development of the suburb following the arrival of the railway line in the 1890s. It is representative of the Italianate style which is rare in the LGA. There are few terrace houses remaining within the LGA. The house makes a strong	Significance: Local Significance Criteria: Historic, Aesthetic, Rarity, Representative

Address	Building type	Description	Significance
		contribution to the streetscape character along Canterbury Road.	
39 and 41 Canterbury Road, Canterbury 	Victorian semi-detached houses	Constructed circa 1897 these semi-detached houses provide evidence of the development and growth of Canterbury during late Victorian period. They are of aesthetic significance for their architectural detailing that contributes to the streetscape quality of this part of Canterbury Road.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
174-176 Canterbury Road, Canterbury 	Post-War factory building 'R.C.S. Radio' (former)	This building was formerly a radio factory built circa 1947 and exhibits Art Deco influences. The detailing is minimal, with simple moulded cornice detail, and concrete hoods over the windows. The original face brickwork has been rendered. The former factory building extends behind the Art deco style façade and has a saw-toothed roof with corrugated iron sheeting.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
175-189 Canterbury Road, Canterbury 	Inter-War shop group with dwellings above 'Foord's Buildings'	Constructed in 1923, the shops are a representative example of a group of Inter-War commercial buildings with residences above. They are a prominent landmark group in the Canterbury commercial precinct. The prominent display of the name of the buildings provides a distinctive and recognisable character. The group retains much of their original character despite some unsympathetic changes.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative

Address	Building type	Description	Significance
180 and 182 Canterbury Road, Canterbury 	Inter-War commercial building	These two buildings are representative examples of Inter-War period commercial buildings, and despite changes retain much of their form and detailing. The corner building was originally a bank building, well designed for its location in a classical style. It was constructed circa 1925 and formerly occupied by Australian Bank of Commerce Ltd. which was later taken over by the Bank of NSW in 1931.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
195 Canterbury Road, Canterbury 	Public Toilets	Designed in the 1940s and likely constructed in 1950, these public toilets demonstrate the efforts of local authorities to provide attractive public amenities designed in a style contemporary to their time. The toilet block is a good representative example of a group of similar buildings located in the LGA. Originally built of red textured brick which has now been painted, the toilet block features stylised detailing in the form of rendered piers with moulded fluting.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
44A Church Street, Canterbury 	Canterbury Girls High School	Canterbury Girls High School already has buildings listed in the Section 170 register. It is proposed to locally list these buildings including the 1932 school building on Church Street, which is a representative example of an Inter-War Period school building. It is largely intact, particularly along the Church Street frontage and retains its face brick work, tiled roof, timber sash windows, and rendered entry portico. The building contributes aesthetically to the streetscape of Church Street.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative

Address	Building type	Description	Significance
44A Church Street, Canterbury 	Canterbury Public School	The original 1879 stone Victorian Public School building is already heritage listed in Council's LEP. It is proposed to expand the listing by incorporating buildings in the Section 170 register including the 1899 and 1925 school buildings. Both are intact representative examples of their type and contribute aesthetically to the streetscape of Church Street. The group help illustrate the increase in educational facilities required to service the growth of Canterbury from the Victorian period.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
94 Church Street, Canterbury 	Inter-War electricity substation 'MC of S Electricity Dept. Substation No.275'	Constructed in 1928, the substation is a purpose designed and built structure in the Inter-War Stripped Classical style. It is typical of the small-scale distribution substations constructed by the Municipal Council of Sydney during the roll-out of electricity to suburban areas in the 1920s and 1930s.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
15 to 21 Jeffrey Street, Canterbury 	Federation semi-detached houses	Constructed circa 1916 this pair of semi-detached houses were built at the transition from the Federation to Inter-War periods. The houses demonstrate the influence of local architectural trends of the time. They are a good representative example of their architectural style and contribute aesthetically to the streetscape.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative
66 to 70 Minter Street, Canterbury	Victorian Terrace House Group	These Victorian period terraces were built in a group on part of the Sugar Company's Estate in 1886–7. Terrace style houses are especially rare in the LGA, and this is the only known group. Despite some changes, the terraces maintain their form and character, including the high parapet wall, fire walls with	Significance: Local Significance Criteria: Historic, Aesthetic, Rarity, Representative

Address	Building type	Description	Significance
		decorative ends, first floor French doors, arched entrance doors, and with Nos 66 and 68 retaining moulded ground floor facades. Collectively the terraces are a distinctive streetscape element in Minter Street.	
4-6 Robert Street, Canterbury 	Federation semi-detached houses	These houses are substantially intact representative examples of semi-detached Federation Queen Anne style houses built circa 1916. They have typical period detailing including face brickwork, decorative gable ends with rising sun motifs, ornamental timber fretwork and rendered base course. They retain their form despite some minor modifications. This site has not been recommended for listing due to its location on the proposed civic street, and proximity to the Metro. The public benefit of not listing these items will allow for regeneration in the core of Canterbury, an active street edge and improved amenity around the proposed Civic Plaza.	Not recommended for listing
13 to 23 Canberra Street, Hurlstone Park 	Extension to Melford Street HCA	These houses are a mostly intact group of Californian Bungalow style houses built in the Inter-War period. While all have modifications, the original houses retain their overall form including roofing. They are also consistent with the character of other houses in this part of the street. 17 to 23 Canberra Street are on the site of the former 1880 Canterbury Presbyterian Church.	Significance: Local Significance Criteria: Historic, Aesthetic, Representative

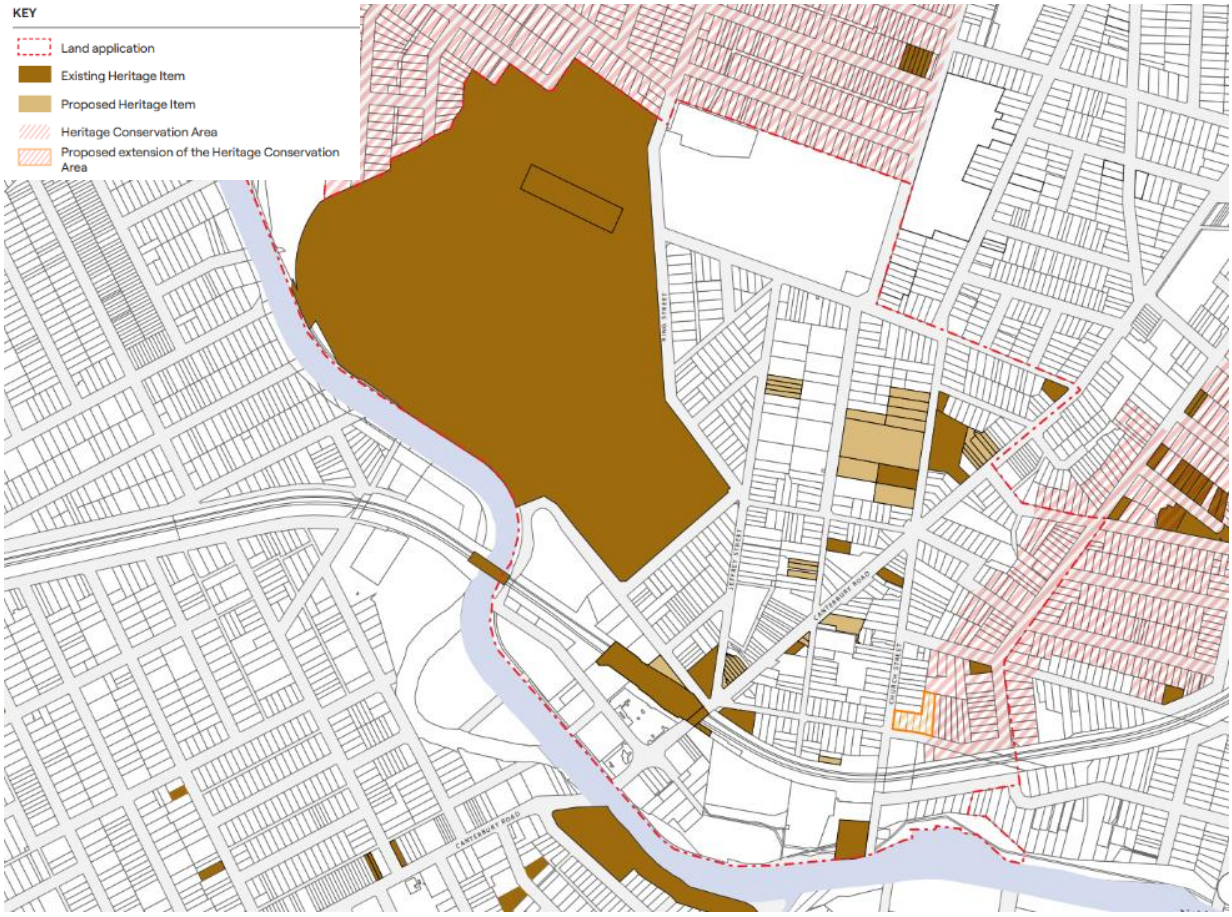


Figure 16. Existing and Proposed heritage map

Recommendation

That the proposed heritage listings and expansion of the Melford Street Heritage Conservation Area be included for listing in the CBLEP.

2.10 Design and sustainability excellence

Design and sustainability excellence will be critical to the success of place-making and quality development for Canterbury local centre. It is recommended that Council's existing design excellence clause be updated to ensure it captures the items culture and country and sustainability excellence. It is also recommended that design excellence be demonstrated following a design review panel process to ensure adequate design expertise in the assessment process.

Recommended design excellence clause:

Below are recommended amendments to the existing Design Excellence Clause under Section 6.15 of the CBLEP (amendments in red):

6.15 Design excellence

(1) The objective of this clause is to ensure that development exhibits high quality architectural, urban and landscape design.

(2) This clause applies to the erection of a new building for the following purposes—

(a) boarding houses, if the new building has at least 4 storeys,
(b) multi dwelling housing of 10 or more dwellings,
(c) residential flat buildings, if the new building has at least 4 storeys,
(d) schools, if the new building has a gross floor area of 2,000m2 or more used for a school,
(e) centre-based child care facilities, if the new building will be used for a centre-based child care facility for at least 100 children at one time,
(f) seniors housing, if the new building has at least 4 storeys,
(g) co-living housing, if the new building has at least 4 storeys,
(h) commercial premises, if the new building has a gross floor area of 1,000m2 or more used for commercial premises,
(i) shop top housing, if the new building has at least 4 storeys,
(j) warehouse or distribution centres, if the new building has a gross floor area of 5,000m2 or more used for a warehouse or distribution centre,
(k) places of public worship, if the new building has a gross floor area of 1,000m2 or more used for a place of public worship,
(l) registered clubs, if the new building has a gross floor area of 1,000m2 or more used for a registered club,
(m) health services facilities and educational establishments if the floor space of the proposal exceeds 2,000 sqm.

(3) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied the development exhibits design excellence and has been considered by a design review panel.

(4) In deciding whether the development exhibits design excellence, the consent authority must consider the following—

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
(c) whether the development detrimentally impacts on view corridors,
(d) how the development addresses the following matters—
(i) heritage issues,
(ii) the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
(iii) bulk, massing and modulation of buildings,
(iv) street frontage heights,
(v) environmental impacts, including sustainable design, overshadowing, wind and reflectivity,
(vi) the achievement of the principles of ecologically sustainable development,
(vii) pedestrian, cycle, vehicular and service access, circulation and requirements,
(viii) the impact on, and any proposed improvements to, the public domain,
(ix) the integration of utilities, building services and waste management infrastructure in the site layout and building design,
(x) designing for culture and Connecting with Country
(e) whether the development integrates high quality landscape design in the site layout and building design
(f) the advice of the local or State design review panel.

Further controls seeking to achieve sustainability excellence, such as dual reticulation of water, all-electric buildings and renewable energy generation will be implemented through the Development Control Plan.

2.11 Active frontages

This submission recommends the amendment of the active frontages map to activate certain streets within Canterbury local centre. This will ensure a focus on activation along Robert Street and the proposed civic plaza. The proposed active frontages are provided in red on the below map.

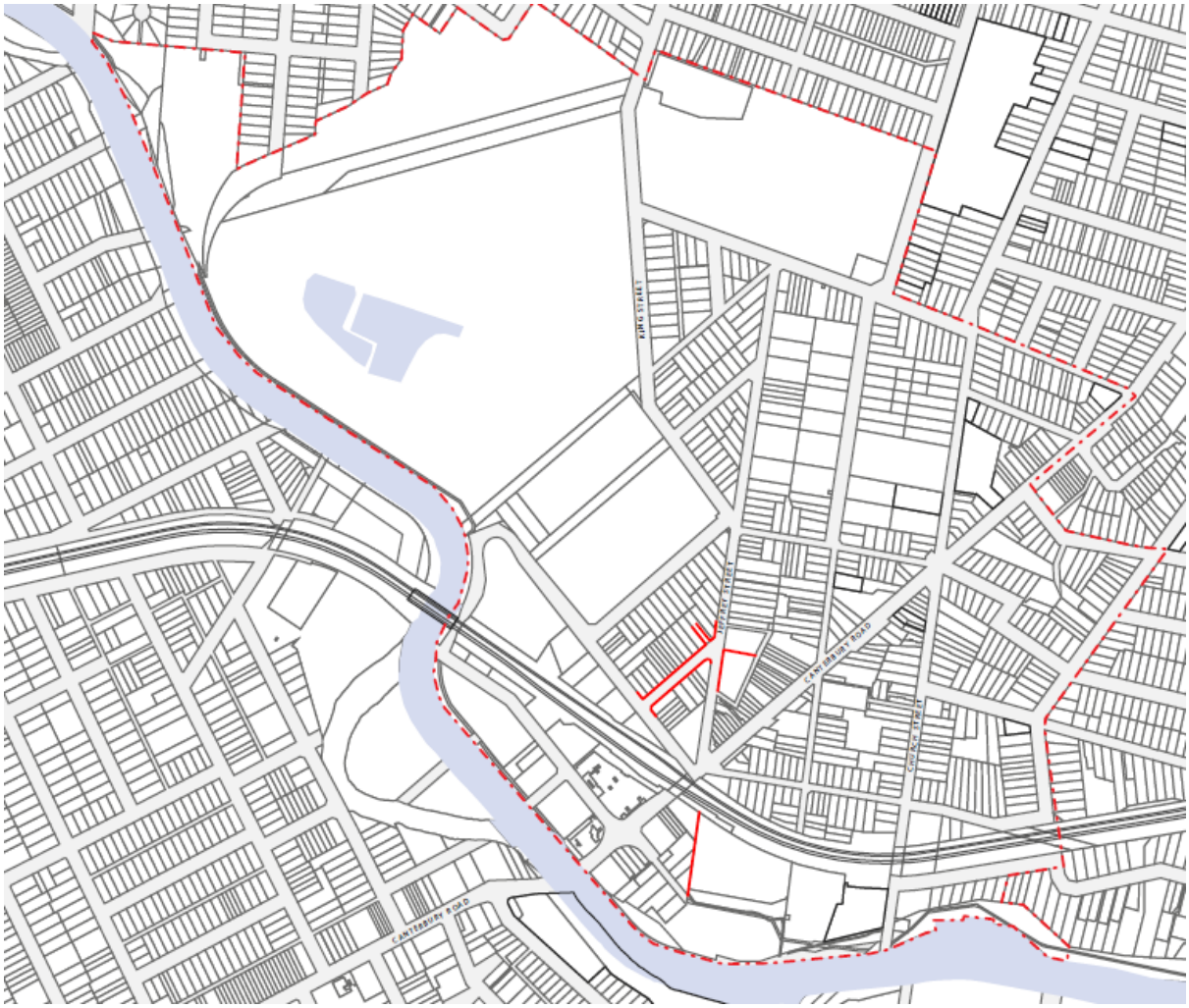


Figure 17. Active frontages

2.12 Map changes

This submission recommends the following mapping changes to the CBLEP 2023:

1. Amend the Land Use Zoning Map, as per the Urban Design Report.
2. Amend the Floor Space Ratio Map, as per the Urban Design Report.
3. Amend the Height of Buildings Map, as per the Urban Design Report.
4. Amend the Additional Permitted Uses to include 15 Church Street, Canterbury for additional permitted uses.
5. Amend the Heritage Map to add additional heritage items and extend the existing Heritage Conservation Area, as per the Urban Design Report.
6. Amend the Lot Size Map to remove the ‘460sqm’ minimum lot size in the proposed B2 Local Centre Zone area.
7. Amend the Active Street Frontage Map to require active frontages around the proposed civic plaza and Robert Street.
8. Amend the Special Provisions Map to identify the Canterbury Local Centre and apply centre-specific controls such as minimum lot size and frontage for residential flat buildings, shop top housing and serviced apartments.
9. Introduce an Affordable Housing Map to apply an Affordable Housing Contributions levy to residential development within the Canterbury Local Centre.

3. Ministerial Directions

The table below outlines the current list of Section 9.1 Ministerial Directions and the consistency of the proposed planning controls against these directions.

Direction	Relevant	Consistency
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	Yes
1.2 Development of Aboriginal Land Council land	No	-
1.3 Approval and Referral Requirements	Yes	Yes
1.4 Site Specific Provisions	Yes	Yes
1.4A Exclusion of Development Standards from Variation	No	-
Focus Area 1: Planning Systems – Place Based		
1.5 Paramatta Road Corridor Urban Transformation Strategy	No	-
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	-
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	-
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	-
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	-
1.10 Implementation of the Western Sydney Aerotropolis Plan	No	-
1.11 Implementation of Bayside West Precincts 2036 Plan	No	-
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	No	-
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	No	-
1.14 Implementation of Greater Macarthur 2040	No	-
1.15 Implementation of the Pyrmont Peninsula Place Strategy	No	-
1.16 North West Rail Link Corridor Strategy	No	-
1.17 Implementation of the Bays West Place Strategy	No	-
1.18 Implementation of the Macquarie Park Innovation Precinct	No	-
1.19 Implementation of the Westmead Place Strategy	No	-
1.20 Implementation of the Camellia-Rosehill Place Strategy	No	-

Direction	Relevant	Consistency
1.21 Implementation of South West Growth Area Structure Plan	No	-
1.22 Implementation of the Cherrybrook Station Place Strategy	No	-
Focus Area 2: Design and Place		
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	No	-
3.2 Heritage Conservation	Yes	Yes
3.3 Sydney Drinking Water Catchments	No	-
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	-
3.5 Recreation Vehicle Areas	No	-
3.6 Strategic Conservation Planning	No	-
3.7 Public Bushland	No	-
3.8 Willandra Lakes Region	No	-
3.9 Sydney Harbour Foreshores and Waterways Area	No	-
3.10 Water Catchment Protection	No	-
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Yes	Managed through DCP controls.
4.2 Coastal Management	No	-
4.3 Planning for Bushfire Protection	No	-
4.4 Remediation of Contaminated Land	Yes	Yes – existing controls to be retained
4.5 Acid Sulfate Soils	Yes	Yes – existing controls to be retained
4.6 Mine Subsidence and Unstable Land	No	-
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	Yes
5.2 Reserving Land for Public Purposes	No	-
5.3 Development Near Regulated Airports and Defence Airfields	No	-
5.4 Shooting Ranges	No	-
Focus Area 6: Housing		
6.1 Residential Zones	Yes	Yes

Direction	Relevant	Consistency
6.2 Caravan Parks and Manufactured Home Estates	No	-
Focus Area 7: Industry and Employment		
7.1 Employment Zones	Yes	Yes
7.2 Reduction in non-hosted short-term rental accommodation period	No	-
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	No	-
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	No	-
Focus Area 9: Primary Production		
9.1 Rural Zones	No	-
9.2 Rural Lands	No	-
9.3 Oyster Aquaculture	No	-
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	No	-

4. Next steps

Following the close of exhibition, Council will review submissions and finalise its submission to report to Council. The Department of Planning, Housing and Infrastructure is the decision maker on the controls that are implemented due to the structure of the TOD program. It is noted that Council, in its submission, objected to the application of the standard TOD Tier 2 and Low to Mid Rise Housing controls for Canterbury, instead suggesting that Canterbury (together with Campsie) be an Accelerated Precinct with more time to finalise planning and engage with the community. Despite Council's advocacy, in May 2024, the NSW Government confirmed Canterbury as a TOD Tier 2 Precinct.

The following associated planning documents will be progressed concurrent to the LEP controls and will be placed on public exhibition as a later date.

- **Development Control Plan Amendment** – to set detailed planning controls to guide development outcomes specific to Canterbury, including but not limited to car parking rates, minimum setbacks and street wall heights.
- **Amendment to Canterbury Bankstown Local Contributions Plan 2022** – to be reviewed to ensure local infrastructure needs can be delivered through the local contributions framework.
- **Canterbury Public Domain Plan** – to set a consistent standard of public domain within new pedestrian links and streets across Canterbury.

The Department of Planning, Housing and Infrastructure is aiming to implement the TOD planning reforms in Canterbury in October 2024. This submission provides an alternative approach for the Government's review and consideration.