

27 March 2026

Thomas Wilson
Planning Officer, Key Sites & TOD Assessments
Development Assessment and Sustainability
Department of Planning, Housing and Infrastructure

Dear Thomas

Re: Canterbury Bankstown City Council Submission to the State Significant Development Application Response to Submissions - 30-34 Sir Joseph Banks Street, Bankstown (SSD-86274959)

Thank you for the opportunity to provide a submission in response to the applicant's Response to Submissions (RtS) for the State Significant Development (SSD) Application SSD-86274959 for the proposed residential flat building at 30-34 Sir Joseph Banks Street, Bankstown. Council has reviewed the documentation made available on the Department of Planning, Housing and Infrastructure (the Department) website and enclosed with this letter is Council's response to the RtS.

Based on our review of the application, Council generally supports the proposed development. Council's feedback and request for information is summarised in Attachment A with detailed comments at Attachment B. Attachment C contains recommended conditions of development consent.

If you require any clarification or have any enquiries regarding this submission, please feel free to contact me on 02 9707 5593 or Patrick.Lebon@cbc.city.nsw.gov.au.

Yours sincerely



Patrick Lebon
**Coordinator Strategic Assessments
Canterbury Bankstown Council**

Attachments:

- A - Summary of Additional Information, Amendments and Recommended Conditions of Consent Requested by Council
- B – Detailed Comments
- C – Recommended Conditions of development consent



Attachment A - Summary of Additional Information, Amendments and Recommended Conditions of Consent Requested by Council

Category	Additional information requested	Recommended design and/or plan changes	Recommended conditions of consent and/or staging
Strategic Assessments – LEP and DCP considerations	Affordable housing contribution		
Car parking and vehicle access		<ul style="list-style-type: none"> • Access driveway • Sight triangle for Pedestrians 	
3D Model (digital)	3D digital model requested		
Urban design	Refer to detailed comments in Attachment B		
Payment of Section 7.11 or 7.12 Development Contributions			Refer to Attachment B for the standard condition wording
Payment of fee – Post Consent Compliance	To be noted by the applicant		



Attachment B - Detailed Comments

Category	Council Feedback
Strategic Assessments – LEP and DCP considerations	<p>Affordable Housing Contribution – Clause 6.38 of the Canterbury Bankstown Local Environmental Plan 2023</p> <p>Clause 6.38 of CBLEP 2023 applies to development is located within the affordable housing map and new buildings with more than 200m² of residential accommodation Gross Floor Area.</p> <ul style="list-style-type: none"> • As noted in our previous submission, Council acknowledges the long and successful track record of City West Housing in the delivery and operation of affordable housing in Sydney. • Clause 6.38 requires dedication of affordable housing in perpetuity to Council or an equivalent monetary contribution. • Council considers the 70 apartments of the total 126 proposed that are not proposed to be allocated for affordable housing should be subject to the provisions of Clause 6.38. • We remain concerned that without any safeguards, like a restriction on title, that the 70 ‘market housing’ apartments can technically be sold by City West Housing once completed, despite their assurances this will not occur. Council would request at the very least, that there is a restriction on title that requires the payment of 3% monetary contribution or dedication of 3% (up to 2 apartments) to Council perpetuity if any of the 70 apartments are sold. This approach of Council would be unique to this City West Housing proposal and would not necessarily apply to any other development in the Bankstown City Centre.
Car parking and vehicle access	<p><u>Car parking provision</u></p> <ul style="list-style-type: none"> • Council remains concerned that the development provides a shortfall of 10 permanent resident car parking spaces. • We note the NSW Land and Environment Court case Turner Architects v City of Botany Bay Council [2016] NSWLEC 1186 is relied upon to justify one car parking space equates to 10-12 private car parking spaces. • City West Housing is an experienced operator of affordable housing and has provided evidence from Goget dated May 2025 that states that ‘Upon approval of the development application, including the designated carshare spaces, GoGet confirms its intent to enter into a Services Agreement with City West Housing.’ • Council notes that while the site is located approximately 260m to the north of the ‘Core city centre’ car parking area in Section 5.2.1 On-site parking (p163) in Chapter 6.2 Bankstown City Centre, the evidence provided from Goget can be considered by the Department as satisfactory to allow for the variation to the car parking provision on this site. • Council notes that such a variation to the car parking rate would not be applicable to other development and would be determined on a case by case basis. • In the event the Department supports the applicant’s response on this matter, Council requests that the Department should include a condition requiring the Service Agreement between Goget and City West Housing is entered into before an Occupation Certificate is issued for the development. <p><u>Access driveway</u></p>



Category	Council Feedback
	<p>The report states “Locating the driveway in the same position as the current access point (refer to Section 2.3) is considered appropriate, noting that there has been no recorded history of crashes at this location as previously noted in Section 2.5.”</p> <p>This position is not supported. As this proposal relates to a new development, it is required to comply with current design standards and guidelines, irrespective of the historical crash record. While it is acknowledged that the anticipated traffic generation for the site may be relatively low, this does not justify retaining a driveway location that falls within a non-compliant or prohibited position.</p> <p>Council’s expectation is that all new developments achieve compliance with the relevant standards. Where necessary, this may require design amendments, including a potential reduction in the number of units, to ensure that appropriate access arrangements can be achieved.</p> <p>Furthermore, the submitted drawings do not indicate the clearance between the southern property boundary and the proposed driveway. Based on the information provided, it is assumed that this clearance is approximately 1 metre This is not acceptable.</p> <p>The design must be amended to provide a minimum 2m clearance, in accordance with Council’s Standard Drawing S304.</p> <p><u>Sight triangle for Pedestrians</u></p> <p>The sight triangle for pedestrians are not shown on the architectural drawing or landscape drawings.</p> <p>A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 – Minimum sight lines for pedestrian safety of AS2890.1:2004 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site and should be kept clear of any permanent obstacles including plants and shrubs contained fully within the property boundary.</p>
3D Model (digital)	<p>The applicant is to provide a 3D model for inclusion into the Council’s LGA-wide 3D digital city model, in line with Council’s 3D Model Submission Manual. https://cb.city/3D-Model-Submission-Manual</p>
Urban Design	<p><u>Overall comment</u></p> <p>Council acknowledges the significant public benefit of the high proportion of affordable housing proposed and its contribution to the Bankstown City Centre. Council commends the several positive elements that were proposed, including durable façade materials, courtyard typology, deep soil zones exceeding ADG requirements, on-site solar PV, and the several improvements to pedestrian safety and building servicing from the last round of submission.</p>



Category	Council Feedback
	<p>However, there are remaining concerns regarding daylight and ventilation to common circulation areas, as well as improvements to the amenities for residents that can further elevate the submission towards design excellence.</p> <p>Development of this kind is typically subject to CBLEP 2023 Design excellence clause 6.15, subclause 2(g), and therefore must demonstrate outcomes that go beyond minimum numeric compliance to deliver superior amenity, resilience, and public domain quality.</p> <p><u>Architectural expression and materiality - Common corridor design</u></p> <p>The proposal includes long common corridors that lack cross-ventilation and access to natural sunlight. This is not supported and does not align with the principles of design excellence outlined in the ADG (parts 4A, 4B, 4F), which emphasize amenity, natural ventilation, and daylight access for common circulation spaces. To meet these standards and improve residential amenity, the proponent should:</p> <ul style="list-style-type: none"> • Provide natural ventilation through open-ended corridors, operable windows, or ventilation shafts ideally facing the communal courtyard between unit 1.208 and 1.209, as well as below the northern stair well by switching the location of 2.304 and 2.305. • Introduce daylight access using glazed openings, light wells, or atriums. • Break up corridor length with recesses or landscaped pockets to improve spatial quality. <p><u>Rooftop garden</u></p> <p>The proposal includes extensive flat roof areas facing the Campbell Reserve on level 3, south of units 2.405 and 2.406. Council recommends creating an accessible communal courtyard in this location to reduce urban heat island effect and improve resident amenity by creating a passive recreation space that utilises the scenic views from Campbell Reserve.</p> <p><u>Siting and circulation - Communal Open Space (COS) amenities</u></p> <p>The proposal locates the central courtyard COS above the basement level, intersected by the main pedestrian access path to Building B.</p> <p>While it is noted that there is an pedestrian route possible via the basement car park, Council recommends providing weather protection along the main walkway leading to Building B to ensure year-round usability and protection from severe weather events.</p>
<p>Payment of Section 7.11 or 7.12 Development Contributions</p>	<p>Based on the response provided by the applicant, Council acknowledges that the proposal would be exempt from the payment of development contributions as outlined in Section 1.3 (p14) of the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 because the housing would be Affordable housing carried out by or on behalf of a registered social housing provider.</p> <p>In order to be eligible for the exemption under the Plan, we request that the Department imposes a condition on any development consent issued that requires a covenant is registered in the title of the site prior to the issuance of the Occupation Certificate, with wording shown below (from p15 of the Plan):</p>



Category	Council Feedback
	<p><u>Affordable Housing Covenant</u></p> <p>In accordance with section 88E of the Conveyancing 1919, the covenant will:</p> <ul style="list-style-type: none"> • Require the affordable housing to be retained as affordable housing in perpetuity unless otherwise allowed to be terminated by a term of this covenant; • Require the affordable housing to be managed in accordance with the affordable housing principles; • Allow at the sole discretion of the Canterbury-Bankstown Council for the removal of the covenant to facilitate the sale of affordable housing where the Council is satisfied equivalent or better replacement stock is to be provided within the Canterbury-Bankstown Local Government Area; • Allow for the lifting of the covenant at the sole discretion of the Canterbury-Bankstown Council in the circumstance that the eligible community housing provider becomes insolvent and another eligible community housing provider, or the Canterbury-Bankstown Council, is unable or unwilling to take over the interest in the asset; and • Allow for the lifting of the covenant at the sole discretion of the Canterbury-Bankstown Council if development contributions are paid in accordance with the applicable contributions plan.
<p>Payment of fee – Post Consent Compliance</p>	<p>If this SSD is approved, there may be conditions of the consent that may require Council's review and/or approval of documents before the construction and/or occupation of the development can occur.</p> <p>In accordance with Council's adopted Fees and Charges, a fee of \$1,375.00 (excl. GST) is required to be paid by the applicant to Canterbury Bankstown Council prior to submitting any information to Council as required by the SSD development consent conditions.</p>



Attachment C – Recommended conditions of development consent

Development Engineering Services

1. Details of the basement pump out system, which shall consist of using dual submersible pump system, shall be included in the final stormwater design. The pump out system shall be designed in accordance with Section 6.9 of Council's Development Engineering Standards Guide 2023.
2. All conditions imposed by Sydney Water in relation to connection of discharge point into the existing Sydney Water Channel at the rear shall be strictly adhered to.
3. Kerb and gutter, footpath and minor road pavement reconstruction is required along the entire site frontage as part of public improvement works associated with new developments of this type.

Resource Recovery

Conditions to be Satisfied Before the Issue of a Construction Certificate.

4. Bin Carting Route

The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate which identify that the bin carting route from the communal bin storage room to the waste collection point identified on stamped plans complies with the following requirements

- a. Is direct and less than 10.0 metres in length,
- b. Has a minimum width of 2.0 metres of hard surface;
- c. Is of non-slip material and free from obstacles and steps;
- d. Is not located within a driveway or carpark;
- e. Has a maximum grade of 1:30 (3%);
- f. Has a kerbside ramp installed at the collection point; and
- g. Has compliance with Work, Health and Safety legislation and standards

Condition reason: To ensure the orderly collection of waste from the site.

5. 2 x Communal Bin Storage Room

The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":

- a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;
- b. Floors must be finished so as to be non-slip with a smooth and even surface;
- c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.



- d. Must be compatible with the overall design of the development;
- e. Walls must be constructed of solid impervious material;
- f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;
- g. Walls, ceiling and floors must be finished in a light colour;
- h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;
- i. A self-closing door openable from within the room;
- j. Must be constructed to prevent the entry of birds and vermin;
- k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;
- l. Any doorways must be 2 metres wide and open outwards; and
- m. Designed to fit the following bin allocations:

Number	Bin Size	Bin Type
4	1,100L	Garbage (Red)
4	1,100L	Recycling (Yellow)
6	240L	Garden (Green)

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

6. Temporary Bin Collection Area

The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the temporary bin collection area that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":

(For Collect and Return)

- a. Located on the ground floor;
 - b. Within 10 metres from the nominated kerbside collection point;
 - c. Any doorways a minimum width of 2.0 metres;
 - d. Be located fully within the property;
 - e. Be of sufficient size to accommodate all bins with additional room for manoeuvring (minimum aisle space of 1.5 metres and 15cm between bins); and
 - f. Be clearly separated from car parking bays, footpaths and landscaped areas.
- n. Any doorways must be 2 metres wide and open outwards; and
 - o. Designed to fit the following bin allocations:

Number	Bin Size	Bin Type
8	1,100L	Garbage (Red)
7	1,100L	Recycling (Yellow)
6	240L	Garden (Green)

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.



7. Bulky Waste Storage Room

The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the bulky waste storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":

- a. A designated room within the temporary waste room
- b. Any doorways must be 2 metres wide and open outwards; and
- c. Designed to a minimum size of 16m².

Condition reason: To ensure the orderly collection of waste from the site.

8. Return Bins to Council

Before the commencement of any works, all domestic waste bins servicing the site are to be returned to Council.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

9. Construction Site Management Plan

Before the issue of a construction certificate, a Construction Site Management Plan (CSMP) must be prepared and approved by the certifier. The plan must include the following matters:

- a. The location and materials for protective fencing and hoardings on the perimeter of the site;
- b. Provisions for public safety;
- c. Pedestrian and vehicular site access points and construction activity zones;
- d. Details of construction traffic management including:
 - i) Proposed truck movements to and from the site;
 - ii) Estimated frequency of truck movements; and
 - iii) Measures to ensure pedestrian safety near the site;
- e. Details of bulk earthworks to be carried out;
- f. The location of site storage areas and sheds;
- g. The equipment used to carry out works;
- h. The location of a garbage container with a tight-fitting lid;
- i. Dust, noise and vibration control measures;
- j. The location of temporary toilets;
- k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 - i) AS 4970 – Protection of trees on development sites;
 - ii) An applicable Development Control Plan;
 - iii) An arborist's report approved as part of this consent A copy of the construction site management plan must be kept on-site at all times while work is being carried out.



A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

10. Plans to Include Bin Storage Area

The construction certificate plans shall include details of the waste bin storage area. The bin storage area shall not be visible from the street. The bin storage area shall be located within the building or screened from the street by dense landscaping.

Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

Conditions to be Satisfied During Construction.

11. Waste management

While site work is being carried out:

- a. all waste management must be undertaken in accordance with the waste management plan, and
- b. upon disposal of waste, records of the disposal must be compiled and provided to , detailing the following:
 - i. The contact details of the person(s) who removed the waste
 - ii. The waste carrier vehicle registration
 - iii. The date and time of waste collection
 - iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill
 - v. The address of the disposal location(s) where the waste was taken
 - vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

12. Waste management plan

The requirements of the submitted Waste Management Plan shall be complied with at all times that work is being carried out. Without limiting the foregoing, compliance shall include the following:

- a. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*; and



- b. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*; and
- c. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW; and
- d. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it; and
- e. Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste; and
- f. All materials and resources that are to be stored on site during construction works are contained on the site; and
- g. The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses; and
- h. The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

Conditions to be Satisfied Prior to Occupation

13. No Parking on waste collection days

The consent holder is to obtain approval from the appropriate authority for the installation of a "No parking on waste collection days" (or similar) sign at the kerbside collection point at the designed waste collection point for the development.

Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

14. Agreement with Council

Before the issue of any occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of waste.

Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

15. Removal of waste upon completion

Before the issue of an occupation certificate:

- a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the waste management plan, and



- b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

Conditions of Use

16. Waste Management Plan

The requirements of the submitted Waste Management Plan shall be complied with at all times that the approved development is being carried out.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

17. Waste generated on site

All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*. All waste generated shall be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

18. Waste containers

No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes.

Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

19. Bin room signage

Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin.

Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.

20. Waste and recycling policy

The development must be carried out in compliance with Council's "Domestic Waste and Recycling Service Policy and Guideline".

Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

21. Collect and Return Service



The nominated collect and return collection point are to be utilised to facilitate the collection of waste and recycling bins for the development.

Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.