



Appendix C - Statutory Compliance Table

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Statutory Requirement	Relevance and Assessment	Location
NSW Acts of Parliament		
Environmental Planning and Assessment Act 1979		
Section 1.3 – Objects of the Act		
<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The new Bankstown Hospital is a major piece of public infrastructure that directly affects the wellbeing, health outcomes, and economic vitality of the Bankstown LGA and broader South-West Sydney region. The project enhances social welfare by improving access to high-quality health services, increasing hospital capacity, and addressing population-growth-driven demand. Economically, it generates local employment during construction and operation, and supports the local health and education workforce. The design efficiently manages land, integrates sustainable materials, and improves environmental performance of the existing hospital footprint.	Appendix B Appendix F
<i>(b) to promote the supply, delivery and maintenance of housing, including affordable housing,</i>	While not a housing project, large health precincts influence housing supply, demand, and affordability in their surrounding areas.	-
<i>(c) to promote productivity through the development and management of the State and its resources,</i>	A modern hospital is critical social infrastructure that boosts regional productivity. The project improves resource efficiency through modern building systems, digital health infrastructure, and streamlined clinical workflows. Productivity benefits include reduced travel to distant hospitals, improved emergency and surgical capacity, and long-term economic uplift associated with a high-performing health precinct.	EIS
<i>(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,</i>	The site is within an urbanised environment with limited ecological value, but environmental protection obligations still apply. Construction and design measures minimise impacts on vegetation, local biodiversity, and urban ecology. Landscaping with native species, water-sensitive urban design, and habitat-friendly lighting help reduce environmental impacts. No threatened species or communities are anticipated to be directly affected.	Appendix BB Appendix G Appendix H
<i>(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,</i>	The proposal integrates climate resilience through energy-efficient systems, passive design, flood planning, heat-mitigation strategies, and improved emergency operational capability. Building materials, envelope design, and infrastructure upgrades reduce vulnerability to extreme heat, storms, and power disruption, ensuring continuity of essential services.	Appendix O

Statutory Requirement	Relevance and Assessment	Location
<i>(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,</i>	The Bankstown area contains layers of cultural and Aboriginal heritage significance. Preliminary heritage assessments confirm no direct impact on listed heritage items. The project includes archaeological due diligence and engagement with Aboriginal stakeholders consistent with NSW heritage guidelines. Landscaping and urban design incorporate opportunities for cultural expression, signage, and acknowledgement of Aboriginal connection to Country.	Appendix FF
<i>(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,</i>	Hospitals require high-quality design for safety, patient wellbeing, and operational efficiency. The project applies Health Infrastructure NSW design guidelines and achieves high standards in building performance, access, safety, orientation, and amenity. The design enhances the public domain, improves pedestrian connections, increases green space, and provides safe access for emergency and service vehicles. Indoor environmental quality contributes to patient recovery and staff wellbeing.	Appendix B Appendix F Appendix G Appendix H
<i>(h) to provide opportunities for participation in environmental planning and assessment,</i>	The project includes structured consultation with the community, local government, clinicians, health staff, government agencies, and Aboriginal groups. Public exhibition processes provide opportunities for feedback and ensure transparency. Issues raised including traffic, access, noise and visual impact are addressed in the assessment.	EIS
<i>(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The project embeds ESD principles through efficient building systems, renewable-energy integration, water-saving measures, sustainable materials, and waste minimisation. Social sustainability is achieved through service accessibility and community benefit. Economic sustainability is supported by long-term operational efficiency and adaptability for future health needs.	Appendix O
<i>(j) to promote a proportionate and risk-based approach to environmental planning and assessment,</i>	The project adopts a risk-based methodology by focusing on high-impact areas such as traffic, noise, air quality, waste, and social impacts. Assessment is proportionate to the scale and complexity of the works, ensuring resources are directed toward areas of genuine environmental and community risk.	EIS
<i>(k) to promote the orderly and economic use and development of land.</i>	The new Bankstown Hospital is located within a Priority Growth Area and a strategic centre earmarked for significant public investment, urban renewal and transit-oriented development. The new Bankstown Hospital represents the orderly and efficient redevelopment of an existing health precinct within a designated strategic centre. The project directly supports the Bankstown Transport-Oriented Development Program by co-locating essential health services within a high-accessibility, transit-focused location. As a NSW Government-committed project, the hospital aligns with	EIS

Statutory Requirement	Relevance and Assessment	Location
	whole-of-government infrastructure priorities, maximises the use of appropriately zoned land, and reinforces Bankstown's role as a key health and employment hub.	
<i>Section 4.15 – Evaluation</i>		
Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application— <i>the provisions of— any environmental planning instrument, and</i>	This table outlines the relevant provisions of environmental planning instruments, provides a summary of compliance, and identifies where those provisions are addressed in the EIS and supporting documentation.	EIS
<i>any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	N/A	-
<i>any development control plan, and</i>	Under Section 2.10 of the Planning Systems SEPP, development control plans do not apply to State Significant Development. Nevertheless, the proposal has been designed with consideration of the Canterbury Bankstown Development Control Plan 2023, where relevant.	-
<i>(iiia.) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	N/A	-
<i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,</i>	N/A	-
<i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i>	The proposed development will not result in any unacceptable adverse impact on the surrounding environment, subject to the proposed mitigation measures to minimise potential impacts. The proposal will facilitate the delivery of key public infrastructure to the Canterbury-Bankstown community.	EIS
<i>the suitability of the site for the development,</i>	- The proposal will transform the use of the site to a new hospital which caters to the growing demand for health services in the Canterbury Bankstown LGA. - The proposed development and site is consistent with the outcomes proposed by the Bankstown TOD and Precinct Plan and aligns with the future character of the site.	Section 7.5

Statutory Requirement	Relevance and Assessment	Location
	• The scale, height and form of the proposed building envelope is appropriate for the hospital development and the built form has been design to minimise any impact to surrounding areas and the public domain. • The site will have access to all utility services to accommodate the demand generated by the proposed development. • The proposed development will not result in any unacceptable or material environmental impacts in relation to adjoining and surrounding properties, particularly in terms of overshadowing, visual impact, privacy and solar access.	
<i>any submissions made in accordance with this Act or the regulations</i>	N/A	
<i>the public interest</i>	• The project will increase the capacity of the South Western Sydney Local Health District to deliver clinical services in order to meet the needs of the local population. • The project will encourage active and public transport connections to the site. • The project will deliver a key piece of infrastructure that is consistent with the Bankstown TOD. • The proposed development will provide updated facilities and services in line with the contemporary standards of care. • The project will reduce the overall pressure on existing facilities within the South Western Sydney Local Health District. Overall, the proposal will provide an efficient work environment for staff and a high level of care and amenity for patients.	Section 7.6
Biodiversity and Conservation Act 2016		
<i>Section 7.9 – Biodiversity Assessment for State Significant Development</i>		
<i>This section applies to—</i> <i>an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development,</i> <i>Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.</i>	The site is located within the Georges River Catchment which is identified as a regulated catchment under the Biodiversity and Conservation SEPP. As the site is located within a regulated catchment, Chapter 6 applies. Despite the site not being located on land identified as having any biodiversity, ecological or environmental high value land, the proposed development has been designed to have minimal adverse impacts on the environment.	Appendix BB

Statutory Requirement	Relevance and Assessment	Location
<i>The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.</i>	The development will not have any impact on access to the waterfront or foreshore areas.	
Section 7.14 – State Significant Development or Infrastructure		
<i>This section applies to an application for development consent for State significant development under Part 4 of the Environmental Planning and Assessment Act 1979, or an application for approval for State significant infrastructure under Part 5.1 of the Environmental Planning and Assessment Act 1979, that is required under Division 2 to be accompanied by a biodiversity development assessment report.</i> <i>The Minister for Planning, when determining in accordance with the Environmental Planning and Assessment Act 1979 any such application, is to take into consideration under that Act the likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report. The Minister for Planning may (but is not required to) further consider under that Act the likely impact of the proposed development on biodiversity values.</i>	A Biodiversity Development Assessment Report (BDAR) has been prepared by Abel Ecology and is provided at Appendix BB .	Appendix BB
Statutory Instruments		
Environmental Planning and Assessment Regulation 2021		
Part 8 – Infrastructure and Environment Impact Assessment		
Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> include relevant statutory requirements under: <i>Division 2 Environmental assessment requirements for State significant development, designated development and activities.</i> <i>Division 5 Environmental impact statements.</i>	The EIS and SSDA has been prepared to address the relevant provisions under Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> .	EIS
NSW Environmental Planning Instruments		
State Environmental Planning Policy (Planning Systems) 2021		
Section 2.6 – Declaration of State Significant Development		
<i>Development is declared to be State significant development for the purposes of the Act if—</i> <i>the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</i> <i>the development is specified in Schedule 1 or 2.</i> 14 Hospitals, medical centres and health research facilities	The State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) identifies the site to be State Significant Development under Schedule 1, Section 14 for hospitals, medical centres and health research facilities. The development has an estimated development cost of more than \$30 million for the purposes of a hospital.	Section 4.3

Statutory Requirement	Relevance and Assessment	Location
<i>Development that has an estimated development cost of more than \$30 million for any of the following purposes—</i> <i>(a) hospitals,</i> <i>(b) medical centres,</i> <i>(c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).</i>		
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>		
<i>Section 2.122 – Traffic-generating development</i>		
<i>This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</i> <i>new premises of the relevant size or capacity, or an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</i>	The development is considered a traffic generating activity as it provides more than 100 beds and has access to a classified road. Before determining the SSDA, the consent authority must take into consideration the accessibility of the site. The traffic-generating characteristics of the development that affect accessibility are assessed in the Transport and Accessibility Impact Assessment (Appendix X) which also includes a preliminary Green Travel Plan that sets out targets and methods to reduce the mode share of vehicle trips. It also assesses the potential traffic safety and road congestion impacts, concluding that proposed mitigation measures including construction traffic management and road upgrades (whether provided by the Applicant or by Transport for NSW) will result in acceptable traffic impacts. It also concludes that parking provision is sufficient to meet the expected parking demand of the hospital. Refer to Section 6.4 for further detail.	Appendix X
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>		
<i>Section 3.6 – Granting Consent to Signage</i>		
<i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—</i> <i>that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i> <i>that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i>	The proposed signage is building/business identification signage and wayfinding signage for the purposes of assessment under the Industry and Employment SEPP, in that it will contain signage which indicates the name and business being carried out by the hospital. The provisions within Part 3.3 of the Industry and Employment SEPP therefore do not apply. Only the objectives of the Industry and Employment SEPP and the criteria in Schedule 5 – Assessment Criteria of the Industry and Employment SEPP requires consideration.	Appendix B Appendix F

Statutory Requirement	Relevance and Assessment	Location
	Under Section 3.6 of the Industry and Employment SEPP, a consent authority must not grant consent for any signage application unless the consent authority is satisfied that the project is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 5. The project will remain compliant with the aims and objectives of this SEPP, as it is compatible with the proposed and existing development at the site, provides effective communication, is suitably located and is of a high-quality design and finish. The proposed signage is compliant with the Industry and Employment SEPP as outlined against the Schedule 5 criteria below.	
Schedule 5		
<u>Character of the area</u>		
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The signage is of a scale and design which is compatible with the existing and future character of the development and the area.	-
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The proposed signage is consistent with the locality. No third-party advertising is proposed.	-
<u>Special Areas</u>		
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The proposed signage does not detract from the visual quality of any surrounding heritage buildings or open space and has been carefully designed to include the highest quality materials that will contribute to the aesthetic of the area. The signage achieves an appropriate functional balance for the future use of the site as a hospital and will not adversely impact on surrounding development.	-
<u>Views and vistas</u>		
<i>Does the proposal obscure or compromise important views?</i>	The proposed signs do not obscure or compromise any important views.	-
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	The proposed signs are modest in design and scale, they will not dominate the skyline or reduce the quality of vistas.	-
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The signs do not obstruct the views of any existing signage on or in the vicinity of the site.	-
<u>Streetscape, setting or landscape</u>		

Statutory Requirement	Relevance and Assessment	Location
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The scale, proportion and form of the signage is appropriate for the type of development	-
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The proposed signs are of a modest design and will effectively identify the hospital site from the surrounding streetscape and promote wayfinding through identification of key features within the site (such as car parking, open space areas, and key clinical services).	-
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	N/A	-
<i>Does the proposal screen unsightliness?</i>	The proposed signs do not screen unsightliness, rather it fits with the design of the building.	-
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposed signs do not protrude above the proposed roof/canopy height.	-
<i>Does the proposal require ongoing vegetation management?</i>	The proposed signs do not require ongoing vegetation.	-
<u>Site and the building</u>		-
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	The proposed signage is compatible with the scale and proportion of the proposed development.	-
<i>Does the proposal respect important features of the site or building, or both?</i>	The proposed signs are respectful in their design and are appropriately integrated with the features of the buildings. The proposed signage is located at key areas of the site, including at the main site and building entrances.	-
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The proposed signs appropriately relate to their location and are attractive and tasteful in design.	-
<i>Associated devices and logos with advertisements and advertising structures</i>		-
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	N/A	-
<u>Illumination</u>		-
<i>Would illumination result in unacceptable glare?</i>	The proposed signs will be internally illuminated and will not result in any unacceptable glare.	-
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	The illumination will not affect the safety of pedestrians or vehicles, given that the signs are internally illuminated	-

Statutory Requirement	Relevance and Assessment	Location
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	The illumination will not detract from amenity of any residence or other form of accommodation.	-
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	The proposed lighting is to comprise fluorescent internally lit signs, the intensity will comply with all luminosity conditions and will not be required to be adjusted.	-
<i>Is the illumination subject to a curfew?</i>	The illumination is not intended to be subject to a curfew. Notwithstanding, the illumination will be minimal and will not result in any excessive glare or cause excessive reflection.	-
<i>Safety</i>		-
<i>Would the proposal reduce the safety for any public road?</i>	The proposed signage does not contain images, flashing lights, moveable parts and the like which would impact upon road safety.	-
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The location and scale of the proposed signage does not pose any adverse impacts on pedestrian or cyclist safety.	-
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The proposed signage will not obscure sightlines from public areas.	-

State Environmental Planning Policy (Resilience and Hazards) 2021

Section 4.6 – Contamination and Remediation to be considered in determining development application

*A consent authority must not consent to the carrying out of any development on land unless—
it has considered whether the land is contaminated, and
if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless:

- It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.
- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose.

**Appendix DD,
Section 6.9
Section 4.5**

Statutory Requirement	Relevance and Assessment	Location
<i>planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i>	The Contamination and Remediation Letter prepared by SMEC confirms that subject to the implementation of the Remedial Action Plan under the separate remediation Crown DA submitted to Canterbury-Bankstown Council, DA-1417/2025, the site will be suitable for the proposed development and use as a hospital (refer to Appendix DD ,	
State Environmental Planning Policy (Sustainable Buildings) 2021		
<i>Clause 3.2 – Development consent for non-residential development</i>		
(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following— (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials, (b) a reduction in peak demand for electricity, including through the use of energy efficient technology, (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design, (d) the generation and storage of renewable energy, (e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water. (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	A NABERS Embodied Emissions Materials Form is provided at (Appendix S).	Appendix S
<i>Clause 3.4 – Other considerations for certain State significant development</i>		
(1) This section applies to non-residential development that is declared to be State significant development by State Environmental Planning Policy (Planning Systems) 2021, section 2.6(1) and specified in that policy, Schedule 1, sections 13–15. (2) In deciding whether to grant development consent to development to which this section applies, the consent authority must consider whether the development will minimise the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.	The ESD Report (Appendix O) includes a Net Zero Statement.	Appendix O
Canterbury Bankstown Local Environmental Plan 2023		
<i>Clause 2.3 – Zone objectives and Land Use Table</i>		
<i>Objectives of zone</i> <i>SP2</i> <i>To provide for infrastructure and related uses.</i>	The site is zoned part SP2 – Infrastructure and part MU1 – Mixed Use zones. Under Section 2.60 of the Transport and Infrastructure SEPP, development for the purpose of health services facility can be carried out by any person with	Section 4.1 Section 4.2

Statutory Requirement	Relevance and Assessment	Location
<i>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</i> MU1 <i>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</i> <i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i> <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i> <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> <i>To integrate suitable business, office, residential, retail and other development in accessible locations to maximise public transport patronage and encourage walking and cycling.</i> <i>To promote a high standard of urban design and local amenity.</i>	consent on land in a prescribed zone. A prescribed zone includes SP2 Infrastructure and MU1 Mixed Use and therefore, development for the purposes of a 'health services facility' is permitted with consent at the site.	
Clause 4.3 – Height of Buildings		
<i>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.</i>	The site has a maximum permissible height of 29m north of Raw Avenue and 35m south of Raw Avenue. The proposal proposes a maximum height of 64.15m which exceeds the maximum permissible height. However, as discussed below, Clause 5.12 of the Canterbury-Bankstown LEP functions to not restrict the carrying out of a development carried out by a public authority, such as the Health Administrative Corporation, that is permitted with consent under Chapter 2 of the Transport and Infrastructure SEPP. Therefore, the proposed development cannot be restricted by the Canterbury-Bankstown LEP to a height limit of 29m to the north of Raw Avenue and 35m south of Raw Avenue.	Section 4.6 Section 6.1
Clause 4.4 – Floor Space Ratio		
<i>The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</i>	The site has a maximum FSR of 2:1 to the north of Raw Avenue and 3:1 to the south of Raw Avenue.	Section 4.6
Clause 5.10 – Heritage Conservation		
<i>(1) Objectives The objectives of this clause are as follows—</i> <i>(a) to conserve the environmental heritage of Canterbury-Bankstown,</i> <i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i> <i>(c) to conserve archaeological sites,</i>	The site is not listed as a heritage item, nor is it located within a heritage conservation area.	Section 4.6 Section 6.7

Statutory Requirement	Relevance and Assessment	Location
<i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i>		
Clause 5.12 – Infrastructure development and the use of existing buildings of the Crown		
<i>(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2.</i> <i>(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.</i>	Clause 2.12 provides that the Canterbury-Bankstown LEP does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent or exempt development under Chapter 2 of the Transport and Infrastructure SEPP. The proposed development is a hospital, which is a type of health services facility that is permitted with consent within the SP2 Infrastructure and MU1 Mixed Use zones under Chapter 2, Division 10 of the Transport and Infrastructure SEPP in which development for the purpose of a health services facility is permitted with consent. Therefore, the proposed development cannot be restricted by the Canterbury-Bankstown LEP to a height limit of 29m and 35m or an FSR of 2:1 and 3:1.	Section 4.6
Clause 5.21 – Flood Planning		
<i>(1) The objectives of this clause are as follows—</i> <i>(a) to minimise the flood risk to life and property associated with the use of land,</i> <i>(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,</i> <i>(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,</i> <i>(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.</i>	The site is subject to flooding, mainly at its southwestern corner. A Flood Assessment Report is provided at Appendix JJ and is assessed in Section 6.5..	Appendix JJ Section 6.5
Clause 6.1 – Acid Sulfate Soils		
<i>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</i>	Refer to the Geotechnical Report at Appendix CC and the Contamination and Remediation Statement at Appendix DD. The development will not affect any acid sulfate soils.	Appendix C Appendix DD
Clause 6.3 Stormwater management and design		
<i>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</i> <i>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</i>	The Integrated Water Management Plan at Appendix R contains the relevant assessment that demonstrates that the pre-conditions to exercising the power to grant consent under this clause are able to be satisfied.	Appendix R

Statutory Requirement	Relevance and Assessment	Location
(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and (d) includes riparian, stormwater and flooding measures, and (e) is designed to incorporate the following water sensitive urban design principles— (i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments, (ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes, (iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.		
Clause 6.8 – Airspace operations		
(1) The objective of this clause is to protect airspace around airports. (2) Development consent must not be granted to development that is a controlled activity within the meaning of the Airports Act 1996 of the Commonwealth, Part 12, Division 4, unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that division.	The proposed development will require controlled activity approvals for both the final built form penetrating the Obstacle Limitations Surface and for temporary infringement of the PANS-OPS during construction. Refer to the Airport Safeguarding Assessment (Appendix K) for further assessment.	Appendix K
Clause 6.9 – Essential services		
Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access.	The Hydraulic and Fire Infrastructure Report (Appendix P), Electrical and ICT Infrastructure Report (Appendix Q) and Integrated Water Management Plan (Appendix R) demonstrate that the proposed development will have access to sufficient essential services.	Appendix P Appendix Q Appendix R

Statutory Requirement	Relevance and Assessment	Location
<i>Clause 6.15 – Design excellence</i> (1) <i>The objective of this clause is to ensure that development exhibits high quality architectural, urban and landscape design.</i> (2) <i>This clause applies to the erection of a new building for the following purposes—</i> (m) <i>health services facilities, if the new building has a gross floor area of 2000m² or more used for a health services facility.</i> (3) <i>Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied the development exhibits design excellence.</i> (4) <i>In deciding whether the development exhibits design excellence, the consent authority must consider the following—</i> (a) <i>whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i> (b) <i>whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i> (c) <i>whether the development detrimentally impacts on view corridors,</i> (d) <i>how the development addresses the following matters—</i> (i) <i>heritage issues,</i> (ii) <i>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,</i> (iii) <i>bulk, massing and modulation of buildings,</i> (iv) <i>street frontage heights,</i> (v) <i>environmental impacts, including sustainable design, overshadowing, wind and reflectivity,</i> (vi) <i>the achievement of the principles of ecologically sustainable development,</i> (vii) <i>pedestrian, cycle, vehicular and service access, circulation and requirements,</i> (viii) <i>the impact on, and any proposed improvements to, the public domain,</i> (ix) <i>the integration of utilities, building services and waste management infrastructure in the site layout and building design,</i> (x) <i>Aboriginal cultural heritage,</i> (xi) <i>the protection and promotion of green infrastructure,</i> (e) <i>whether the development integrates high quality landscape design in the site layout and building design,</i> (f) <i>how the development responds to the physical and cultural connection of the local Aboriginal community to the land.</i>	Clause 6.15 applies as the proposed development is a health services facility with a gross floor area of 2000m² or more used for a health services facility. The proposed design has progressed through a thorough design review process with the State Design Review Panel (SDRP). Refer to the Architectural Design Report (Appendix F) which demonstrates how the development addresses the matters in subclause (4)(d) and which also includes a Design Review Report that addresses the feedback of the SDRP. Refer to Section 6.1 that assesses the key built form considerations.	



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