

Department of Planning, Housing and Infrastructure

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# Redevelopment of St Paul's Anglican Church, Bankstown

State Significant Development Assessment Report (SSD-79709963)

April 2026





# Acknowledgement of Country

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

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# Executive Summary

This report details the Department of Planning, Housing and Infrastructure's (the Department's) assessment of the State significant development (SSD) application for the redevelopment of St Paul's Anglican Church at 459-461 Chapel Road, Bankstown in the Canterbury-Bankstown local government area (SSD-79709963).

The Anglican Church Property Trust Diocese of Sydney (the Applicant) seeks consent for a 20-storey mixed-use development comprising 185 affordable housing apartments, a dual-use place of public worship and multi-purpose community facility, and a centre-based child care facility. The affordable housing apartments will be managed by a registered community housing provider.

The project has an estimated development cost (EDC) of \$85,601,103 and is expected to generate 100 construction jobs and 50 operational jobs.

The project is SSD as the residential component of the development has an EDC over \$60 million and is located in an Accelerated TOD Precinct as specified in section 19 of Schedule 2 of State Environmental Planning Policy (Planning Systems) 2021.

The Department exhibited the environmental impact statement (EIS) from 9 July 2025 to 7 August 2025. The Department received 40 submissions during the exhibition period, including:

- a submission from Canterbury-Bankstown Council providing comments
- 39 submissions from the public, including 19 in objection, 19 in support and one providing comments
- advice from 10 Government agencies.

Key issues raised in the submissions and Government agency advice related to the demolition of the church, heritage impacts, the scale of the development, amenity impacts and lack of car parking.

On 27 February 2026, the Applicant provided a submissions report addressing the issues raised in submissions and Government agencies advice. The submissions report detailed refinements made to the proposal, including a reduced building height from 23 to 20 storeys and increased floor space for the place of public worship and community facility.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, the issues raised in the submissions and Government agency advice and the Applicant's responses. The Department's assessment concludes that the proposal is acceptable for the following reasons:

- it supports the NSW Government's priorities to deliver well-located housing in a highly accessible location including 100% affordable housing

- it is consistent with the relevant strategic planning framework in providing greater housing supply in a highly accessible location close to the Bankstown Train and Metro Stations
- it provides much needed community facilities and child care placements
- it complies with the built form controls that apply to the site and provides a bulk and scale that is compatible with the desired future character of the Bankstown City Centre
- it achieves a high level of residential amenity for future residents consistent with the Apartment Design Guide
- it achieves design excellence in its architectural expression, use of high-quality materials, good residential amenity and positive contribution to the public domain
- it does not result in any unreasonable overshadowing, visual or privacy impacts.

The Department has also recommended a range of conditions to address any residual impacts. Subject to the recommended conditions, the Department's assessment concludes that the project is in the public interest and recommends that the application be approved.

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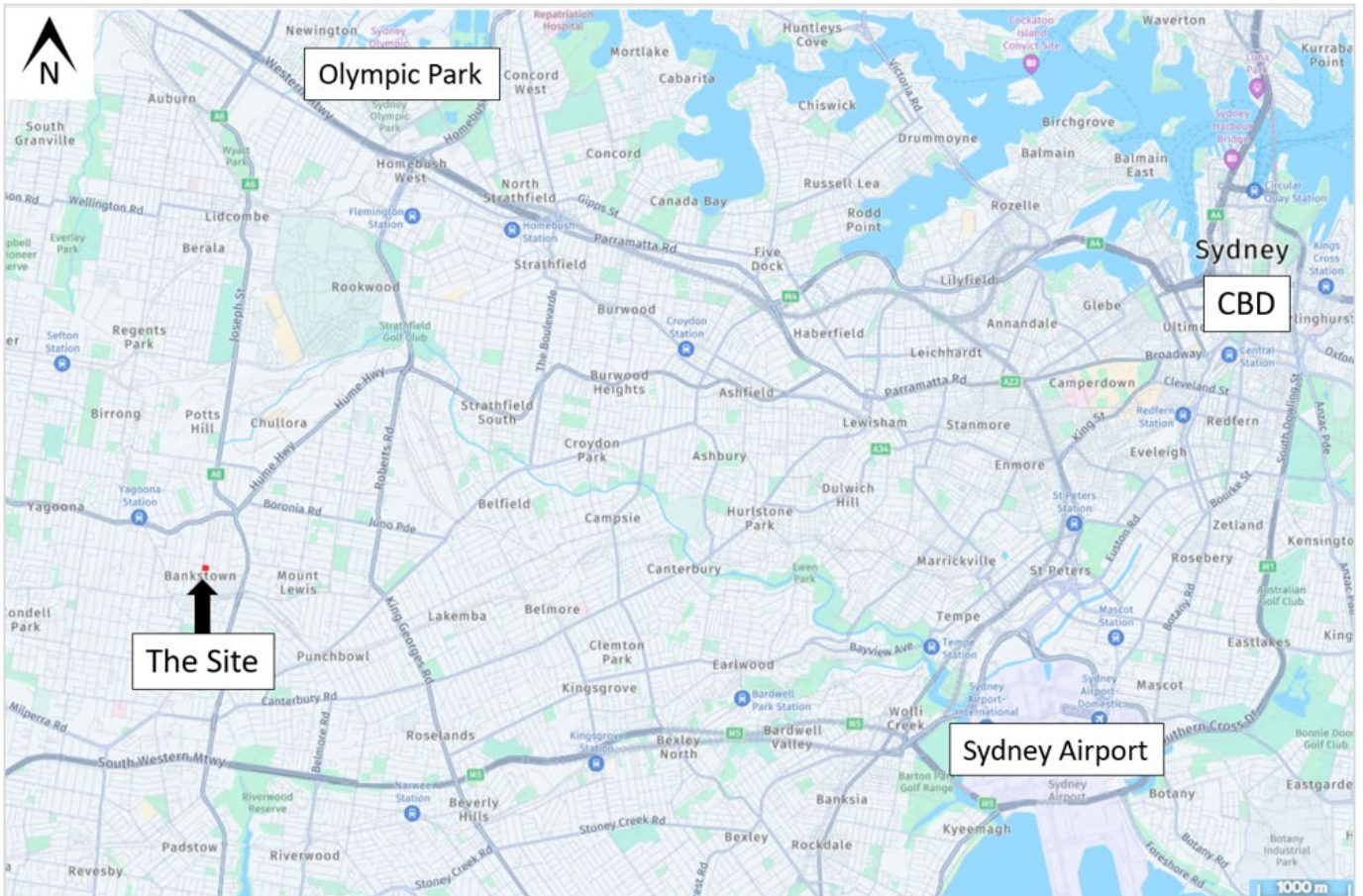
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# 1 Introduction

## 1.1 The proposal

The site is located at 459-461 Chapel Road, Bankstown, in the Canterbury-Bankstown local government area and within the Bankstown City Centre. The site location is shown in **Figure 1**.

Further details of the site and the surrounding area are described in **Table 1**.



**Figure 1** | Site location (Source: Nearmap, 2025)



**Figure 2** | Local context (Source: Applicant's Submission Report, 2026)



**Figure 3** | View of the St Paul's Anglican Church site from Chapel Road (Source: Department, 2025)

**Table 1 | Key aspects of the project site**

<b>Aspect</b>	<b>Description</b>
<b>Address and legal description</b>	459-461 Chapel Road, Bankstown – Lots 26A, 27A and 28A in DP 7058
<b>Local government area</b>	Canterbury-Bankstown
<b>Site area</b>	2,189 square metres (m <sup>2</sup> )
<b>Existing development</b>	St Paul's Anglican Church comprising the main church building, a community hall, rectory dwelling and three other smaller ancillary church buildings.
<b>Surrounding development</b>	<p>The site is located in the north of the Bankstown City Centre, in an area of predominantly commercial, medical-use and mixed-used properties along Chapel Road and French Avenue.</p> <p>To the north-west is the former TAFE Bankstown site, which is the site identified for the future Bankstown Hospital. To the south-east is the Bankstown Central shopping mall and further to the south are Bankstown civic buildings and library.</p>
<b>Surrounding roads</b>	The site has frontages to Chapel Road and French Avenue.
<b>Topography</b>	The site has a nominal fall of 1.8 m from north to south.
<b>Existing access</b>	Two existing vehicle access points from Chapel Road and French Avenue.
<b>Public transport</b>	Bankstown Station and future Metro station is located 500 m to the south of the site, as well as the Bankstown bus interchange. There are a number of bus stops are located in close proximity to the site including along Chapel Road.
<b>Easements or covenants</b>	There are no easement or covenants on the site.
<b>Heritage</b>	The site does not contain any listed heritage items and is not within a heritage conservation area.
<b>Flooding</b>	The site is not flood prone land and is not located in a flood planning area.

## 1.2 Related projects

On 13 October 2025, a development application (DA) for the demolition of all existing structures on the subject site including the church and associated buildings (DA-438/2025) was approved by the Canterbury-Bankstown Local Planning Panel.

# 2 Project

## 2.1 Project overview

The proposal seeks approval for the construction of a 20-storey mixed-use development, comprising affordable housing, a place of public worship and community facility and a centre-based child care facility. Key aspects of the project are provided in detail in Revised Project Description chapter at Section 3.1.1 of the Response to Submissions report (see **Appendix A**).

Key aspects of the project are further outlined in **Table 2** below and shown in **Figure 4**.

**Table 2** | Key aspects of the project

Aspect	Description
<b>Built form</b>	Construction of a 20-storey mixed-use development, incorporating: <ul style="list-style-type: none"> <li>• ground and first floors as a dual-use place of public worship and multi-purpose community facility</li> <li>• a centre-based child care facility</li> <li>• 185 residential apartments used for the purposes of affordable housing</li> <li>• one dwelling ancillary to the place of public worship (rectory)</li> <li>• 37 car parking spaces</li> <li>• communal open space areas</li> <li>• landscaping and public domain works</li> <li>• services and infrastructure improvements</li> </ul>
<b>Gross floor area (GFA)</b>	Total GFA of 11,944 m <sup>2</sup> including: <ul style="list-style-type: none"> <li>• 10,272 m<sup>2</sup> of residential GFA</li> <li>• 1,672 m<sup>2</sup> of non-residential GFA, including:               <ul style="list-style-type: none"> <li>○ 1,209 m<sup>2</sup> as a dual-use place of public worship and community facility</li> <li>○ 330 m<sup>2</sup> for the child care facility</li> <li>○ 133 m<sup>2</sup> of communal amenities</li> </ul> </li> </ul>
<b>Building height</b>	68 m
<b>Floor space ratio (FSR)</b>	5.46:1

Aspect	Description
<b>Dual-use place of public worship and community facility</b>	<ul style="list-style-type: none"> <li>• Hours of operation between 8:00 am and 10:00 pm daily</li> <li>• Maximum of 485 patrons during special events (e.g. Easter and Christmas church services)</li> <li>• Place of public worship uses include regular Sunday church services, youth groups, weddings and funerals etc.</li> <li>• Community facility uses include indoor sporting activities, community events and meeting groups, performing arts etc.</li> </ul>
<b>Centre-based child care facility</b>	<ul style="list-style-type: none"> <li>• Hours of operation between 7:00 am and 6:00 pm Monday to Friday</li> <li>• Maximum of 60 child care placements</li> <li>• Outdoor play space to be shared with the place of public worship and community facility after-hours and on weekends</li> </ul>
<b>Ancillary uses</b>	One four-bedroom dwelling located on Level 2 is an ancillary use to the place of public worship (rectory dwelling) used exclusively by the clergy
<b>Car parking</b>	<p>37 car parking spaces provided at ground floor and mezzanine levels, including:</p> <ul style="list-style-type: none"> <li>• 19 residential car parking spaces</li> <li>• 18 car parking spaces shared between the place of public worship and child care facility</li> </ul>
<b>Access</b>	Vehicle access from French Avenue and pedestrian access from Chapel Road
<b>Communal areas</b>	Rooftop communal open space of 552 m <sup>2</sup> including landscaped areas, planter boxes, tree planting, BBQ and seating areas, and covered areas
<b>Landscaping</b>	<p>Landscaping across the site of 1,206 m<sup>2</sup> including:</p> <ul style="list-style-type: none"> <li>• eight new street trees to Chapel Road and French Avenue</li> <li>• a mix of planting around the perimeter of the site at ground floor level</li> <li>• landscaping of the outdoor play space of the childcare centre</li> <li>• planting around the roof terraces on levels 1 and 2</li> <li>• a mix of new trees, plants and shrubs on the rooftop communal open space</li> </ul>
<b>Site preparation</b>	Site preparation works including the removal of nine trees and bulk earthworks

Aspect	Description
<b>Apartment mix (affordable housing)</b>	185 apartments for the purposes of affordable housing in perpetuity, comprising: <ul style="list-style-type: none"> <li>• 93 studio apartments</li> <li>• 92 one-bedroom apartments</li> </ul>
<b>Estimated development cost (EDC)</b>	\$85,601,103



**Figure 4** | Photomontage of the proposal viewed from the intersection of Chapel Road and French Avenue (Source: Submission Report, 2026)

# 3 Strategic context

## 3.1 Housing supply

The NSW Government has a target of 377,000 well-located homes over the next five years. This policy supports the National Housing Accord, which aims to deliver a national target of 1.2 million new, well-located homes over five years to June 2029.

In late 2024, the Department identified eight Accelerated Transport Oriented Development (TOD Precincts with the capacity to increase residential density near metro and train stations, including Bankstown. The accelerated TOD precincts were rezoned following a period of strategic review to support the delivery of well-located affordable and market housing.

In November 2024, the Department introduced a new SSD pathway for development in Accelerated TOD Precincts if part of the development is for the purposes of residential accommodation with an EDC of more than \$60 million. The proposal is in line with these policies as it support the provision of affordable housing near a rail and metro station.

## 3.2 Permissibility and assessment pathway

Details of the permissibility of the project and the assessment pathway are provided in **Table 3**.

**Table 3** | Permissibility and assessment pathway

Consideration	Description
<b>Assessment pathway</b>	The project is declared State significant development (SSD) under section 4.36 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) as it satisfies the criteria under clause 2.6(1) of the State Environmental Planning Policy (Planning Systems) 2021.
<b>Consent authority</b>	The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5(a) of the EP&A Act.
<b>Decision maker</b>	Under the Minister’s Instrument of Delegation dated 21 November 2025, the Executive Director, Housing and Key Sites Assessments, may determine the application as: <ul style="list-style-type: none"><li>• a reportable political donation or gift has not been disclosed</li><li>• there are less than 100 public submissions by way of objection</li><li>• the submissions received from Canterbury-Bankstown Council (Council) and the public have been considered in the assessment of the application.</li></ul>

Consideration	Description
Permissibility	<p>The site is zoned MU1 Mixed Use under the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP).</p> <p>Residential flat buildings, places of public worship, community facilities and centre-based child care facilities are all permitted with consent in the MU1 zone.</p>

### 3.3 Other approvals and authorisations

Under section 4.41 of the EP&A Act, a number of other authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD. These authorisations must be substantially consistent with any SSD development consent for the project.

The Department has consulted with and considered the advice of the relevant Government agencies responsible for these other authorisations in its assessment of the project (see **Sections 4** and **5**). Conditions have been included in the recommended instrument of consent (see **Appendix D**).

### 3.4 Planning Secretary’s environmental assessment requirements

The Department’s review determined that the EIS addresses each matter set out in the Planning Secretary’s environmental assessment requirements issued on 5 February 2025 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

### 3.5 Mandatory matters for consideration

Mandatory matters for consideration include:

- matters of consideration required by the EP&A Act
- objects of the EP&A Act and ecologically sustainable development (ESD)
- matters of consideration required by the Environmental Planning and Assessment Regulation 2021
- matters of consideration required by environmental planning instruments.

The Department’s consideration of these matters is summarised in **Appendix C**. As a result of this consideration, the Department is satisfied that the development meets statutory requirements.

# 4 Engagement

## 4.1 Exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the project from 9 July 2025 to 7 August 2025 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant Government agencies and Council.

### 4.1.1 Summary of advice received from government agencies

The Department received advice from 10 government agencies. A summary of the advice provided by Government agencies is provided in **Table 4. Appendix A** provides full copies of the advice.

**Table 4** | Summary of final Government agency advice

Agency	Advice summary
<b>Civil Aviation Safety Authority (CASA)</b>	No objections, as CASA has assessed the building and crane(s) under the Airports (Protection of Airspace) Regulations, and the federal Department of Infrastructure has approved the building.
<b>Airservices Australia</b>	Advised the Applicant to liaise directly with the airport operator.
<b>Bankstown Airport (Aeria Management Group)</b>	Aeria Management Group (the operator of Bankstown Airport) advised that the proposal will intrude into the prescribed airspace for the airport and will require an aeronautical assessment and crane management plan to be considered by CASA and Airservices Australia.
<b>Health Infrastructure NSW (HINSW)</b>	HINSW advised that consultation had been carried out with the Applicant regarding the concept design of the new Bankstown Hospital. Concerns were raised regarding the potential overshadowing impact of the new hospital on the subject proposal, as well as reflectivity impacts.
<b>Water Group</b>	The Water Group within the NSW Department of Climate Change, Energy, the Environment and Water (DCCEE) recommended conditions relating to water supply, take and licensing.
<b>Ausgrid</b>	Ausgrid provided advice to ensure the compatibility of the development with existing Ausgrid infrastructure.

Agency	Advice summary
<b>Sydney Water</b>	Sydney Water advised that water and wastewater servicing should be available for the development, and a section 73 Compliance Certificate and Building Plan Approval will be required.
<b>Conservation Programs, Heritage and Regulation Group of DCCEEW</b>	No concerns raised or recommendations provided.
<b>Transport for NSW (TfNSW)</b>	No concerns raised or recommendations provided.
<b>Fire and Rescue NSW</b>	No concerns raised or recommendations provided.

#### 4.1.2 Summary of Council submission

Council advised that it supports the design intent and civic purpose of the proposal. However, the following matters required further consideration:

- providing a more diverse dwelling mix
- a management plan should ensure the functions of community facility
- the residential entrance should be made more prominent
- an additional entry point should be provided to the waste room
- a communal room should be provided at a lower level of the building
- sightlines, manoeuvring space, access points and loading areas
- lack of car parking spaces for the community facility and place of public worship.

A copy of Council's submission in full is provided in **Appendix A**.

#### 4.1.3 Summary of public submissions

The Department received 39 submissions from the public and community groups during exhibition period, including 19 in objection, 19 in support and one providing comments.

A summary of the issues raised by the public is provided below:

- demolition of the church and loss of heritage significance
- loss of the church for the community
- the church has not been heritage listed
- insufficient car parking spaces

- building height and scale is out of character with the surrounding area
- amenity impacts, including overshadowing
- no mixture of tenure

The key issues raised in the public submissions are addressed in **Section 5**, and a link to all submissions in full is provided in **Appendix A**. The Department's consideration of community views is provided in **Appendix B**.

Feedback was also received from the community, outside of the notification period, this related to the demolition of the church and the potential isolation of the adjoining site at 457 Chapel Road.

## 4.2 Response to submissions

Following the public exhibition period, the Department requested the Applicant to respond to the issues raised in submissions and the advice received from Government agencies.

The Applicant provided a submissions report to the Department on 27 February 2026 (see **Appendix A**), responding to the issues raised during the exhibition period. Refinements were made to the proposal following public exhibition of the EIS that reduced the overall size and scale of the proposal.

Key amendments made to the proposal included:

- a reduced building height from 23 to 20 storeys equivalent to a 10 m height reduction
- removal of the commercial and retail premises
- reduced overall GFA from 13,310 m<sup>2</sup> to 11,944 m<sup>2</sup>
- reduced size of centre-based child care facility from 359 m<sup>2</sup> to 330 m<sup>2</sup>
- increased size of the place of public worship and community facility from 1,161 m<sup>2</sup> to 1,209 m<sup>2</sup>
- removal of the basement carpark and inclusion of a mezzanine carpark level
- reduced car parking from 50 to 37 spaces and reduced bicycle parking from 94 to 91 spaces
- refinements to the building envelope, floorplates, setbacks and landscaping
- changes to the apartment mix.

The submissions report also confirmed that the demolition of existing site structures no longer forms part of the SSD application as these works were approved under a separate DA, as discussed in **Section 1.2** above.

The Department made the submissions report publicly available on the NSW Planning Portal and notified Council and the relevant Government agencies.

# 5 Assessment

The Department has assessed the proposal, considering all documentation submitted by the Applicant, all issues raised in submissions and the advice provided by Government agencies.

The Department considers the key issues to be built form and car parking which are discussed in **Sections 5.1** and **5.2**. The Department's consideration of other issues is outlined in **Section 5.2** and in the appendices of this report.

## 5.1 Built form

### 5.1.1 Bulk and scale

The proposal seeks approval for the construction of a 20-storey mixed use development. The site has a base maximum building height of 35 m and maximum FSR of 3:1. However, the incentives under section 6.41 of the CBLEP allow for a maximum permissible building height of 78 m and a maximum permissible FSR of 6.7:1, provided that:

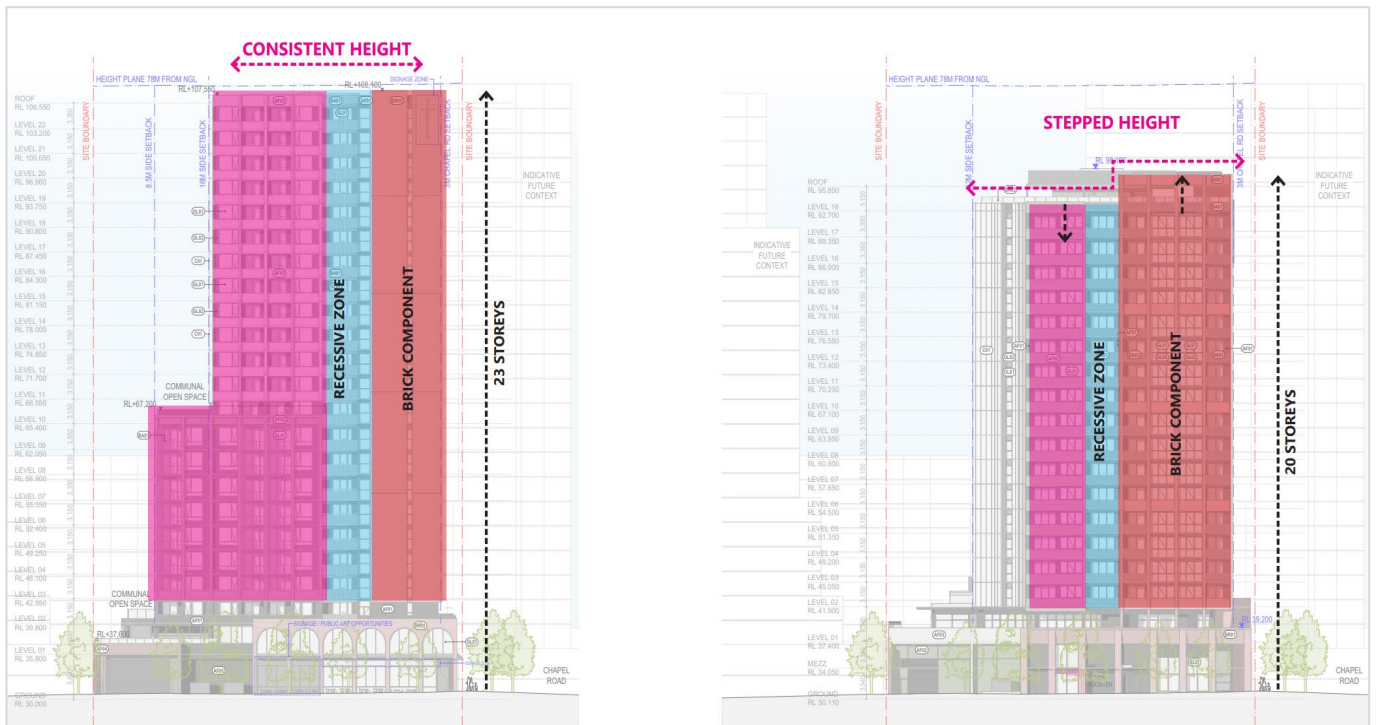
- at least 1,000 m<sup>2</sup> of GFA is used for the purposes of community facilities and places of public worship, and
- development for the purpose of residential accommodation is for seniors housing or affordable housing.

The proposal meets these requirements as it includes 1,209 m<sup>2</sup> of GFA toward a dual-use place of public worship and community facility, and the 185 residential apartments are for the purposes of affordable housing. The proposal has a maximum building height of 68 m and an FSR of 5.46:1 and therefore complies with the maximum permissible building height and FSR controls for the site.

Concerns were raised in the public submissions regarding the scale of the proposed development and its inconsistency with the existing built form character of the surrounding area.

In response, the Applicant made refinements to the proposed built form, including reducing the number of storeys from 23 to 20, thereby reducing the maximum building height by 10 m from 78 m to 68 m. Refinements to the design of the structure were also made to reduce the perceived bulk and scale, and to provide a more contextually responsive building. Design quality is discussed in further detail in **Section 5.1.2** below.

The Applicant's submission report states that the proposed built form has been carefully considered to respond to the desired future character of the Bankstown City Centre location and existing site conditions. A comparison of the original EIS scheme to the revised proposal is shown in **Figure 5** below.



**Figure 5 | Comparison of the EIS scheme (left) and the proposed scheme (right) from the northern elevation (Source: Applicant’s Submission Report, 2026)**

The Department has carefully considered the issues raised in submissions in response to the height, bulk and scale of the proposal, and the Applicant’s response and is satisfied that the proposal is acceptable for the site on the basis that:

- it aligns with the strategic intent of the Bankstown City Centre Masterplan, which seeks to increase capacity for housing and employment growth in the Bankstown City Centre that is close to public transport, jobs and amenities
- the proposed building height complies with and sits comfortably below the maximum permissible building height control that applies to the site
- the proposal comfortably complies with the maximum permissible FSR control and includes design features that will reduce the perceived bulk and scale, including a stepped design that provides a height variation at the upper levels, as well as articulation of the facades
- it is consistent with the existing and emerging character of the Bankstown City Centre which includes comparable high-rise development such as the Western Sydney University – Bankstown City Campus building and the future Bankstown Hospital located in proximity to the site
- it would not result in unacceptable impacts on the amenity of the surrounding area, including overshadowing of the public domain, privacy impacts or view loss.

## 5.1.2 Design quality

The proposal was subject to review by the State Design Review Panel (SDRP) prior to exhibition of the EIS. Refinements were made to the proposal in response to the SDRP's comments, including providing a colonnade to ground level and landscape improvements to the forecourt to improve the public interface. Further articulation of the building and improved street activation were also incorporated as part of the design. The corner elevation was also revised to enhance the vertical design and add variation, and high-quality materials were selected.

Council's submission on the EIS stated that the building design should introduce massing variation and height modulation, and that the tower layout should be revised to improve efficiency and amenity. It also considered that the public domain interface, building entries and pedestrian access points should be revised and redesigned.

Following public exhibition, and in response to Council's comments, the design was refined to provide further articulation to the corner elevation by reducing the overall height of the building and altering the form to a more uniform floor plate layout. Improvements were also made to the layout of the dual-use place of public worship and community facility, to improve the useability of the floor space. The commercial and retail tenancies at ground level were also removed.

The proposal now presents a three-storey podium frontage to Chapel Road with a colonnade at ground floor level which wraps around the corner of the building. The shared spaces fronting Chapel Road will allow for activation of the space, as will the central location of the entry foyer. The residential entry fronting French Avenue will provide activation to that street frontage. The Chapel Road frontage is shown in **Figure 6** below.



**Figure 6** | Photomontage of the Chapel Road frontage (Source: Applicant's Submission Report, 2026)

The Department has carefully considered the SDRP advice and Council comments, and the Applicant's response to these, and has considered the requirements of the CBLEP (see **Appendix C**) and is satisfied that the proposal can achieve design excellence as it:

- presents a high standard of architectural design and materiality that reflects the envisaged character Bankstown City Centre and responds appropriately to the adjacent locality
- provides a podium with active uses and ground level activation including the creation of a civic forecourt interface with Chapel Road that will improve the public domain at this prominent corner location
- features a tower with an articulated design that emphasises verticality and incorporates architectural recesses that will minimise the perceived bulk and scale
- incorporates a layout and design that provides future residents with a high level of residential amenity, including privacy and communal open space
- offers integrated landscaping and suitable site access.

The Department has also recommended conditions to ensure design excellence is maintained throughout construction to ensure a high-quality design outcome. For the reasons outlined above, the Department is satisfied that the proposal achieves an acceptable design outcome for the site, subject to the recommended conditions.

## 5.2 Car parking

Concerns were raised by Council and the public regarding the lack of car parking spaces. The car parking rates outlined in the Canterbury-Bankstown Development Control Plan 2023 (DCP) were considered as part of the assessment. While DCPs do not strictly apply to SSD, the Department notes that it provides useful guidance in assessing the development.

A basement car park originally formed part of the proposal. However, this was removed following exhibition of the EIS. The Applicant advised that its retention would adversely affect the feasibility and deliverability of the project, including the provision of much-needed affordable housing and the community benefits offered by the scheme.

The revised proposal includes 37 car parking spaces and complies with the DCP car parking rates for both the residential use and childcare facility. A shared car parking arrangement is proposed between the place of public worship and childcare facility, as these uses will operate at differing times. Notwithstanding this arrangement, the proposal results in a shortfall of 89 car parking spaces for the place of public worship when assessed against the DCP criteria. No car parking spaces are allocated to the community facility.

The Applicant provided a comprehensive car parking demand study based on the existing use of the site which included travel survey data. The study confirmed that the church currently accommodates up to 350 patrons with nine car parking spaces. The proposal seeks to increase the maximum capacity of the church to 476 patrons with provision of 18 parking spaces. The Applicant confirmed that the maximum capacity of the church would only be realised on very limited occasions such as Easter and Christmas church services.

The Department acknowledges that there are a number of relevant strategic planning documents and supporting studies that aim to encourage the use of public and active transport modes and reduced reliance on private vehicle usage in the Bankstown City Centre. The Department considers that the proposal aligns with the overall policy directions set out in the Bankstown City Centre Master Plan, the Bankstown CBD and Bankstown Airport Place Strategy, and the Precinct Transport Statement prepared for the Accelerated TOD Precinct, which all seek to limit car parking in highly accessible locations.

The Department is satisfied that the proposal is consistent with the established strategic planning framework for the site, noting it benefits from excellent public transport accessibility, including Bankstown Railway Station and the future Metro station within approximately a 10-minute walk, as well as regular bus services along Chapel Road. Once operational, the Metro services are expected to significantly increase public transport capacity and accessibility of the site.

While the proposal does not strictly comply with the DCP parking rates for the place of public worship and community facility uses, the Department considers the reduced provision is acceptable noting that:

- a shared car parking arrangement between the place of public worship and child care facility is appropriate in this instance, noting that these uses will operate at differing time periods
- the pick-up and drop-off periods for the child care facility will not coincide with the peak hours of operation of the community facility and place of public worship, which are more likely to occur during evenings or on weekends
- the peak operating periods of the community facility, place of public worship, and child care facility are proposed to be staggered to ensure the cumulative parking demand is appropriately managed and will be supported by Operational Plans of Management.

The Department also recognises that the proposal provides a number of public benefits, including affordable housing, new community facilities, childcare placements and improved public domain. It is noted that the project is being delivered by a not-for-profit organisation that aims to provide housing to support vulnerable members of society. Accordingly, the removal of the basement car park and the associated parking shortfall are considered acceptable, as they are necessary to enable the feasible delivery of the proposal's public benefits, including the affordable housing.

On balance, the Department’s assessment concludes the proposed car parking provision is acceptable, subject to conditions requiring a Car Parking, Loading and Servicing Management Plan and Operational Plans of Management to ensure parking demand is appropriately managed.

### 5.3 Other issues

The Department’s consideration of other issues is summarised in **Table 5** below.

**Table 5 | Assessment of other issues**

Issue	Findings and conclusions	Recommended conditions
<p><b>Apartment Design Guide (ADG)</b></p>	<p>The Department has undertaken a detailed assessment of the proposal against the ADG. The ADG sets guidelines for residential flat development to ensure apartments are provided with an appropriate level of residential amenity.</p> <p>The Applicant has provided analysis which demonstrates that the design is suitable having regard to the relevant ADG amenity criteria in terms of apartment sizes, communal open space, vehicle and pedestrian access, ceiling heights, apartment depth and natural ventilation. The design of the scheme results in inconsistencies (deep soil, car parking and room layout) but is broadly consistent with the guidance of the ADG and will provide suitable amenity for occupants.</p> <p>The Department accepts the Applicant’s analysis and is satisfied that the proposal is generally consistent with the aims and provisions of the ADG. The Department’s consideration of the ADG is discussed in <b>Table 11 (Appendix C)</b> below.</p> <p>In summary, the Department is satisfied that the proposal is consistent with the ADG’s recommendations and that any variations are minor and acceptable. Overall, the Department is satisfied the proposed apartments would provide acceptable levels of amenity for residents.</p>	<p>No conditions recommended.</p>
<p><b>Apartment mix</b></p>	<p>It is noted that submissions raised concerns regarding the mix of apartments proposed. However, the Applicant has stated the development is to target vulnerable members of the community, including those over the age of 55. Given the demographic likely to reside within the building, the proposed mix of studios and one-bedroom apartments is considered appropriate.</p>	<p>Conditions recommended to ensure provision of affordable housing.</p>

Issue	Findings and conclusions	Recommended conditions
<b>Heritage</b>	<p>Many of the public submissions received objecting to the proposal raised concerns regarding the demolition of the existing church and loss of heritage significance.</p> <p>However, the Department notes that a local DA seeking consent for the demolition of all existing structures on the site (DA-438/2025) was approved by the Canterbury-Bankstown Local Planning Panel on 13 October 2025. The Applicant subsequently advised in its submissions report that the demolition works no longer form part of the SSD application.</p> <p>While the Department acknowledges there is a level of interest in St Paul's Anglican Church, it is not listed as either a State or local heritage item, and the site is not located in a heritage conservation area. The Department is satisfied that the proposal will not impact on any items of heritage significance.</p>	No conditions required.
<b>Traffic impacts</b>	<p>Public submissions raised concerns that the proposal would exacerbate traffic impacts and congestion.</p> <p>The Applicant's Transport Impact Assessment undertook SIDRA modelling of the surrounding intersections. The assessment found that most intersections will function at the same level, with the exception of the Chapel Road/French Avenue intersection. This degrades from a Level of Service 'A' to 'B', which is still considered to operate with free-flowing traffic with spare capacity. The report concluded that the additional traffic generated by the proposal is not anticipated to compromise the safety or function of the road network.</p> <p>TfNSW also advised that the proposal was unlikely to have a significant impact on the State classified road network.</p> <p>The Department is satisfied that the proposal is not expected to result in any significant traffic impacts, and the surrounding road network can accommodate the additional traffic demand and can continue operating at an acceptable LOS. Further, the site is in a highly accessible location with access to public transport, thereby reducing reliance on private vehicles. The Department is, therefore, satisfied that the proposal will not result in any significant traffic impacts.</p>	No conditions recommended.

Issue	Findings and conclusions	Recommended conditions
<p><b>Overshadowing</b></p>	<p>Public submissions raised concerns about potential overshadowing of nearby properties.</p> <p>The Department has carefully considered the potential overshadowing impacts of the proposal on surrounding properties. While the proposal will result in some additional overshadowing impacts, the Department considers these impacts acceptable for the following reasons:</p> <ul style="list-style-type: none"> <li>the proposal sits well beneath the site’s incentive bonus height and FSR controls under the CBLEP (discussed in <b>Section 5.1.1</b>) and is consistent with the planned density for the Bankstown City Centre identified in the CBLEP</li> <li>the proposal will not result in any surrounding residential dwellings receiving less than two-hours of solar access at mid-winter, in accordance with the ADG recommendations for higher density areas</li> <li>the building’s height, bulk and scale have been refined through the design excellence process, which incorporated consideration of amenity impacts.</li> </ul> <p>On this basis, the Department is satisfied that the proposal would not result in unreasonable overshadowing of neighbouring properties or public recreation areas.</p> <p>Concerns were also raised in submission regarding the potential overshadowing of the proposal from the proposed new Bankstown Hospital. The Applicant has prepared an assessment of the potential overshadowing of the site based on the concept proposal exhibited for the hospital. This demonstrates that although there are some north-facing apartments that would be impacted, they would still receive in excess of two hours of direct sunlight, in compliance with the ADG guidance, and is therefore acceptable.</p>	<p>No conditions recommended.</p>
<p><b>Site isolation</b></p>	<p>Concerns were raised that the proposal may isolate the adjoining site at 457 Chapel Road, Bankstown.</p> <p>The Department notes that the site-specific controls under the CBLEP were prepared for 461 Chapel Road as a standalone site and did not require amalgamation with 457 Chapel Road. The</p>	<p>No conditions recommended.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>Applicant states that the inclusion of this site would be difficult to utilise as it would result in a building that no longer complies with many of the ADG and DCP controls, and that any requirement to amalgamate would likely prevent the subject development occurring, impacting the delivery of much needed affordable housing.</p> <p>The Applicant provided an indicative development plan demonstrating how 457 Chapel Road could potentially be redeveloped, including a potential building with compliant ADG building separation distances.</p> <p>The Department is therefore satisfied that site isolation has been appropriately considered and that the proposal would not unreasonably constrain the future redevelopment potential of the adjoining land at 457 Chapel Road.</p>	
<b>Noise</b>	<p>Public submissions raised concerns that the proposal will result in unacceptable noise impacts.</p> <p>The Noise and Vibration Impact Assessment (NVIA) includes recommendations to ensure that noise emissions from the childcare centre, place of public worship, community facility, mechanical plant and equipment are appropriately managed.</p> <p>The Department is satisfied that any operational noise impacts can be appropriately mitigated and managed, subject to conditions of consent requiring the recommendations of the NVIA to be implemented, including measures such as insulation and screening of mechanical plant.</p>	The recommended conditions require the implementation of the NVIA.
<b>Construction impacts</b>	<p>The EIS was accompanied by a:</p> <ul style="list-style-type: none"> <li>• Noise and Vibration Impact Assessment which provides mitigation measures to minimise noise impacts during construction</li> <li>• Construction Traffic Management Plan to manage construction traffic and pedestrian movements</li> <li>• Geotechnical Assessment which includes excavation and vibration considerations</li> </ul>	The recommended conditions set out the requirements to manage and mitigate construction impacts including the preparation of a Construction Environmental Management Plan.

Issue	Findings and conclusions	Recommended conditions
	<ul style="list-style-type: none"> <li>Construction Waste Management Plan which included consideration of construction waste removal and minimisation.</li> </ul> <p>The Department acknowledges that some construction impacts are unavoidable. However, it is satisfied that these impacts are temporary in nature and that the works can be carried out to appropriate standards without causing unreasonable impacts.</p> <p>The Department has recommended the preparation of a detailed Construction Environmental Management Plan to manage and/or mitigate potential environmental impacts to an acceptable level during the construction phase. Additionally, the Department recommends that the Applicant prepare pre- and post-construction dilapidation reports to ensure any damage incurred during construction is addressed.</p>	
<b>Contributions</b>	<p>Housing and Productivity Contributions apply to the proposal in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) order 2024. A condition is therefore recommended requiring payment of this contribution.</p> <p>Local infrastructure contributions do not apply to the affordable housing component of the development as the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 exempts affordable housing held in perpetuity. Contributions are payable on the other proposed uses within the development. A condition is therefore recommended that the Applicant confirm the total contribution amount with Council prior to payment.</p>	<p>The recommended conditions require the payment of a Housing and Productivity Contribution and local infrastructure contributions.</p>

## 6 Evaluation

The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ESD, advice from Government agencies, Council's submission, and Government policies and plans.

The Department's assessment concludes that the proposal is acceptable because:

- it supports the NSW Government's priorities to deliver well-located housing in a highly accessible location including 100% affordable housing
- it is consistent with the relevant strategic planning framework in providing greater housing supply in a highly accessible location close to the Bankstown Train and Metro Stations
- it provides much needed community facilities and additional child care placements
- it complies with the built form controls that apply to the site and provides a bulk and scale that is compatible with the desired future character of the Bankstown City Centre
- it achieves a high level of residential amenity for future residents consistent with the Apartment Design Guide
- it achieves design excellence in its architectural expression, use of high-quality materials, good residential amenity and positive contribution to the public domain
- it does not result in any unreasonable overshadowing, visual or privacy impacts.

The Department has also recommended a range of conditions to address any residual impacts. Subject to the recommended conditions, the Department considers the proposal is in the public interest and recommends the application be approved.

# 7 Recommendation

It is recommended that the **Executive Director, Housing and Key Sites Assessment**, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of the Redevelopment of St Paul’s Anglican Church at 459-461 Chapel Road, Bankstown (SSD-79709963), subject to the conditions in the attached development consent
- **signs** the attached development consent (**Appendix D**).

Prepared by:



**Adam Flynn**

Senior Planning Officer

Key Sites and TOD Assessments

Recommended by:



**Brent Devine**

Team Leader

Key Sites and TOD Assessments

Recommended by:



**Anthony Witherdin**

Director

Key Sites and TOD Assessments

## 8 Determination

The recommendation is **adopted** by:



30 April 2026

**Ben Lusher**

Executive Director

Housing and Key Sites Assessment

# Appendices

## Appendix A – List of referenced documents, submissions and advice

The following documents can be accessed at <https://www.planningportal.nsw.gov.au/major-projects/projects/tod-st-pauls-anglican-church-bankstown>

- Environmental Impact Statement
- Submissions report
- Applicant’s additional information
- Public submissions
- Council’s submission
- Government agency advice

## Appendix B – Community views for draft Notice of Decision

**Table 6** | Key issues and how they have been considered

Issue	Consideration
<p><b>Demolition of the church and heritage impacts and loss of heritage significance</b></p>	<p>A separate development application for the demolition of the church and associated structures on the site was approved by the Canterbury-Bankstown Local Planning Panel in October 2025. Demolition was therefore removed from the State significant development application as part of the submissions report.</p> <p>While the Department acknowledges there is a level of interest in St Paul’s Anglican Church, it is not listed as either a State or local heritage item, and the site is not located in a heritage conservation area. The Department is satisfied that the proposal will not impact on any items of heritage significance.</p>
<p><b>Insufficient car parking spaces</b></p>	<p>The car parking provision for the residential component and the child care centre are compliant, however it is noted there is a shortfall in spaces for the place of worship and community facility when assessed against the requirements of the Canterbury-Bankstown Development Control Plan 2023 (DCP).</p> <p>The Department is satisfied that the proposal is consistent with the established strategic planning framework for the site, noting it benefits from excellent public transport accessibility, including Bankstown Railway Station and the future Metro station within approximately a 10-minute walk, as well as regular bus services along Chapel Road. Once operational, the Metro services are expected to significantly increase public transport capacity and accessibility of the site.</p> <p>While the proposal does not strictly comply with the DCP parking rates for the place of public worship and community facility uses, the Department considers the reduced provision is acceptable noting that:</p> <ul style="list-style-type: none"> <li>• a shared car parking arrangement between the place of public worship and child care facility is appropriate in this instance, noting that these uses will operate at differing time periods</li> <li>• the pick-up and drop-off periods for the child care facility will not coincide with the peak hours of operation of the community facility and place of public worship, which are more likely to occur during evenings or on weekends</li> </ul>

Issue	Consideration
	<ul style="list-style-type: none"> <li>the peak operating periods of the community facility, place of public worship, and child care facility are proposed to be staggered to ensure the cumulative parking demand is appropriately managed and will be supported by Operational Plans of Management.</li> </ul> <p>The Department also recognises that the proposal provides a number of public benefits, including affordable housing, new community facilities, childcare placements and improved public domain.</p>
<p><b>Building height and scale is out of character with the surrounding area</b></p>	<p>The proposal complies with the applicable height and FSR controls and is well located for high density residential development being near to services, jobs and public transport. It also provides much needed community floorspace and affordable housing, in line with the incentive clauses in the Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP).</p>
<p><b>Amenity impacts, including overshadowing</b></p>	<p>The Department assessed overshadowing impacts on neighbouring properties against the controls in the ADG and the CBLEP. It is acknowledged that the proposal will result in some additional overshadowing impacts, however these impacts are found to be acceptable as:</p> <ul style="list-style-type: none"> <li>the proposal sits well beneath the site’s incentive bonus height and floor space ratio controls</li> <li>it will not result in any surrounding residential dwellings receiving less than two-hours of solar access at mid-winter</li> <li>the building’s height, bulk and scale have been refined through the design excellence process, which incorporated consideration of amenity impacts.</li> </ul>
<p><b>Apartment mix</b></p>	<p>The Department accepts that the development is designed to cater primarily to vulnerable seniors over the age of 55. Given the demographic and communities likely to reside within the building, the proposed mix of studios and one-bedroom apartments is considered appropriate in this instance.</p>

## Appendix C – Statutory considerations

Matters of consideration required by the *Environmental Planning and Assessment Act 1979* (EP&A Act)

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department’s consideration of these matters is shown in **Table 7** below.

**Table 7** | Matters for consideration

Matter for consideration	Department’s assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	Appendix C
EP&A Regulation	Appendix C
Likely impacts	Section 5 – Assessment
Suitability of the site	Section 1.1 – Project location, Section 1.2 – Local context, Section 3 – Policy and statutory context and Section 5 – Assessment
Public submissions	Section 4 – Engagement and Section 5 – Assessment
Public interest	Section 4 – Engagement, Section 5 – Assessment and Section 6 – Evaluation

### Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act (section 1.3) including the principles of ESD. Consideration of those factors is described in **Table 8** below.

As a result of its analysis, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ESD.

**Table 8 |** Objects of the EP&A Act and how they have been considered

Object	Consideration
<p><b>(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,</b></p>	<p>The proposal promotes the social and economic welfare of the community by providing residential accommodation, including affordable housing, child care facilities and community floorspace in an accessible location.</p> <p>Environmental impacts will be mitigated through the building’s design and by recommended conditions of consent. Impacts on the natural environment would be balanced by tree planting and landscaping works.</p> <p>The proposal will not adversely impact the State’s natural or other resources.</p>
<p><b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b></p>	<p>The proposal includes ESD initiatives and sustainability measures which would allow the proposal to meet the Building Sustainability Index (BASIX) requirements.</p>
<p><b>(c) to promote the orderly and economic use and development of land,</b></p>	<p>The proposal represents the orderly and economic use of the land primarily as it will increase housing supply in an accessible location, close public transport, jobs and services. The form of the development has had regard to the applicable land use planning controls, the character of the locality and surrounding area.</p>
<p><b>(d) to promote the delivery and maintenance of affordable housing,</b></p>	<p>The development will increase housing supply in a well-located area by providing 185 new apartments which will be for the purpose of affordable housing and managed by a registered community housing provider for at least 15 years.</p>
<p><b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b></p>	<p>The proposal will not adversely impact the natural environment or the conservation of threatened species.</p>

Object	Consideration
<p><b>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b></p>	<p>The proposal will not have an adverse impact on any built heritage items or conservation areas. No impacts to Aboriginal cultural heritage have been identified. Conditions have been recommended for any unexpected finds or for the uncovering of any relics or Aboriginal objects.</p>
<p><b>(g) to promote good design and amenity of the built environment,</b></p>	<p>Overall, the proposal demonstrates a good design approach to the relevant planning controls and local character and has been reviewed by the NSW State Design Review Panel, whose comments have been considered in the proposed design.</p> <p>The proposal has been designed to minimise amenity impacts to the surrounding residences and to provide good levels of internal amenity for future occupants.</p> <p>The proposal has been assessed against the design principles for residential apartment development in Schedule 9 of the Housing SEPP in <b>Table 9</b> below.</p>
<p><b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b></p>	<p>The proposal demonstrates that construction work would be undertaken in accordance with national construction standards, relevant regulations and the site-specific construction management plan. Any impacts during this phase will be monitored and managed in keeping with the conditions of consent set out to mitigate any impacts. Ongoing management and maintenance of the development shall be overseen by the building management.</p>
<p><b>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</b></p>	<p>The Department publicly exhibited the proposal as outlined in <b>Section 4</b>. This included consultation with Council and other Government agencies, and consideration of their responses.</p>
<p><b>(j) to provide increased opportunity for community participation in environmental planning and assessment.</b></p>	<p>The Department publicly exhibited the application, which included notifying adjoining landowners and displaying the application on the Department's website.</p> <p>The Department placed the Submissions Report and additional information on its website, in addition to providing a copy to Council and other relevant Government agencies.</p>

Object	Consideration
	The engagement activities carried out by the Department are detailed in <b>Section 4</b> .

### Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the Biodiversity Conservation Regulation 2017).

A BDAR waiver request was submitted to the Department on 11 February 2025. The Director, Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water and the Team Leader, Key Sites and TOD Assessments, as delegates of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was subsequently issued on 5 March 2025.

### Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The Applicant has committed to achieving the following minimum sustainability targets:

- achieve a minimum average of 8.4-star NatHERS rating with individual apartments achieving a minimum of 6.7 Stars
- meet or exceed BASIX minimum Energy and Water requirements
- meet the BASIX thermal performance requirements.

The development also provides for good sustainable design through the provision of adequate cross-ventilation and solar access.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The conservation principle has been applied through the provision of new landscaping around the development and the valuation principle has been applied through the efficient use of the site, application of sustainability measures and creation of new employment opportunities.

The Department has recommended conditions requiring the implementation of ESD measures and minimum sustainability targets. Subject to these conditions, the proposal will be consistent with ESD principles. Accordingly, the Department is satisfied the proposal is capable of encouraging ESD, in accordance with the objects of the EP&A Act.

### **EP&A Regulation**

The EP&A Regulation requires the Applicant to have regard to the *State Significant Development Guidelines* when preparing their application. In addition, the SEARs require the Applicant to have regard to the following:

- Social Impact Assessment Guideline for State Significant Projects
- Undertaking Engagement Guidelines for State Significant Projects

The Department considers the requirements of the EP&A Regulations have been complied with.

### **Environmental Planning Instruments (EPIs)**

To satisfy the requirements of Section 4.15 of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been undertaken into consideration in the Department's environmental assessment of the project.

The EPIs that have been considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Canterbury-Bankstown Local Environmental Plan 2023

## State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

Chapter 2 of the Planning Systems SEPP identifies State significant development (SSD). Under section 2.6, development that is not permissible without development consent under Part 4 of the Act and which is identified in schedule 1 or 2 of the Planning Systems SEPP is declared to be State significant development.

The proposal is State significant development under section 19 of schedule 2 of the Planning Systems SEPP as it is for the purposes of residential accommodation within an Accelerated TOD Precinct with an EDC of more than \$60 million for the residential component.

## State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

The Housing SEPP aims to facilitate the supply of affordable and diverse housing in NSW, sets out specific standards and controls for different forms of residential accommodation including and ensures new housing development provides residents with a reasonable level of amenity.

Section 147(1)(a) of Chapter 4 of the Housing SEPP requires the consent authority to consider the design principles for residential apartment development set out in Schedule 9 while section 147(1)(b) requires the consent authority to consider the Apartment Design Guide (ADG). Importantly, section 147(3) of the Housing SEPP does not require a consent authority to require compliance with the design criteria specified in the ADG.

Section 148 of Chapter 4 of the Housing SEPP also contains non-discretionary standards in relation to minimum car parking rates, internal areas for apartments, and minimum ceiling heights. The proposal satisfies these non-discretionary development standards (see **Table 9**).

An assessment of the proposal against the relevant considerations of the Housing SEPP is provided in **Table 9** below. An assessment against the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP is provided in **Table 10**. An assessment against the design criteria of the ADG is in **Table 11**.

**Table 9** | Housing SEPP compliance table

Section	Consideration
<b>Chapter 4 Design of residential apartment development</b>	
<b>147 Determination of development applications and modification applications for residential apartment development</b>	The design principles under schedule 9 have been considered in detail in <b>Table 10</b> . The ADG has been considered in detail in <b>Table 11</b> .

Section	Consideration
<b>148 Non-discretionary development standards for residential apartment development – the Act, s 4.15</b>	<p>The proposal complies with the non-discretionary development standards for residential apartment development in relation to internal areas for each apartment and ceiling heights.</p> <p>With regard to minimum car parking provision, the proposal includes less car parking than would be required for the place of public worship and community centre. This is assessed in further detail in <b>Section 5</b>.</p>

**Table 10 | Consideration of the Design principles for residential apartment development**

Design Principles	Consideration
<b>1. Context and neighbourhood character</b>	<p>The proposal is compatible with the desired future character of the Bankstown City Centre and acerated TOD precinct. The proposal appropriately responds and contributes to the key built features of the area through its architectural and landscape design.</p> <p>The proposal will result in a mixed-use development that is commensurate with the scale of anticipated future development in the area and will have acceptable amenity impacts on existing and future neighbouring development.</p>
<b>2. Built form and scale</b>	<p>The height, bulk and scale of the proposed development will be compatible with the desired future character of the Bankstown City Centre.</p> <p>The proposal provides an appropriate built form for the site and responds well to the anticipated future scale of the street by providing good building separation towards adjacent properties.</p> <p>The built form adequately defines the public domain, contributes to the character of the streetscape, responds to the surrounding context and provides satisfactory internal amenity and outlook.</p>
<b>3. Density</b>	<p>The proposal is of an appropriate density and scale, consistent with the desired future character of the Bankstown City Centre and compliant with the applicable FSR controls.</p>
<b>4. Sustainability</b>	<p>The proposal satisfies BASIX requirements in relation to water conservation, thermal performance and energy efficiency, and achieves an average 8.4 Star NatHERs rating.</p>

Design Principles	Consideration
<b>5. Landscape</b>	The proposal provides suitable landscaping and sufficient areas are provided to support the planting of appropriate trees.
<b>6. Amenity</b>	The proposal is considered to positively contribute to living environments and resident well-being. It also satisfies the intent of the ADG in terms of achieving a suitable level of residential amenity for future residents (see ADG assessment in <b>Table 11</b> ).
<b>7. Safety</b>	The proposal implements design initiatives to ensure safety and security within the development and public domain, including clear and secure entrances to the building and car park, well-lit communal spaces, passive surveillance opportunities from balconies and common areas, and a basement design with clear sight lines and minimal obstructions.
<b>8. Housing diversity and social interaction</b>	<p>The proposal provides 185 studio and one-bedroom affordable housing apartments, aim for single women. It is acknowledged that a mix of apartments is not provided in this instance, however the scheme is designed and aim at a particular portion of the housing market that the Applicant has identified as being in high demand.</p> <p>The proposal provides communal open spaces, creating opportunities for social interaction amongst residents.</p>
<b>9. Aesthetics</b>	The proposal demonstrates a high standard of architectural design. The proposal uses an appropriate variety of materials, colours and textures which responds to the existing setting and the desired future character of the neighbourhood.

## Apartment Design Guide

The ADG sets guidelines for residential flat development to ensure apartments are provided with an appropriate level of residential amenity.

The Applicant has provided analysis which demonstrates that the design is suitable having regard to the relevant ADG amenity criteria in terms of apartment sizes, communal open space, vehicle and pedestrian access, ceiling heights, apartment depth and natural ventilation. The design of the scheme results in inconsistencies (deep soil, car parking and room layout) but is broadly consistent with the guidance of the ADG and will provide suitable amenity for occupants.

The Department accepts the Applicant's analysis and is satisfied that the proposal is generally consistent with the aims and provisions of the ADG. The Department's consideration of the ADG is discussed in **Table 11** below.

**Table 11 | ADG compliance table**

ADG criteria	Consideration	Complies
<p><b>3A Site Analysis</b></p>	<p>The Applicant has prepared detailed site analysis that demonstrates design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.</p>	<p>Yes</p>
<p><b>3B Orientation</b></p>	<p>The building type and layouts respond to the streetscape and site while optimising solar access within the development and minimise overshadowing to neighbouring properties during mid-winter.</p>	<p>Yes</p>
<p><b>3C Public Domain Interface</b></p>	<p>The transition between private and public domain would not compromise safety and security and would enhance the public domain and provide an active street frontage in this local centre location.</p>	<p>Yes</p>
<p><b>3D Communal and Public Open Space</b> Communal open space has a minimum area equal to 25% of the site area.</p>	<p>The site area is 2,189 m<sup>2</sup> which requires a minimum of 548 m<sup>2</sup> of communal open space. The development provides a total of 552 m<sup>2</sup> of rooftop communal open space across, or equal to 25.2% of the site area.</p>	<p>Yes</p>
<p>Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two hours between 9 am and 3 pm on 21 June (mid-winter).</p>	<p>Compliant solar access is provided to the rooftop communal open space area.</p>	<p>Yes</p>
<p><b>3E Deep Soil Zones</b> Deep soil zones are to meet the following minimum requirements: <u>Site area &gt;1,500 m<sup>2</sup></u>: Minimum dimensions of 6m and 7% of site area</p>	<p>The ADG acknowledges that the provision of deep soil may not be possible in all circumstances, such as business areas and where there are non-residential uses at ground floor.  In this instance, given the site's location within a town centre, and the planning controls which envision minimal setbacks and ground floor</p>	<p>No</p>

ADG criteria	Consideration	Complies
	<p>community uses, a non-compliance with this criteria is considered acceptable.</p> <p>It is noted that proposal includes adequate landscaping and green coverage, including new street trees, which would serve to mitigate the impacts of the lack of deep soil.</p> <p>Stormwater on the site would be able to be managed by the landscaped courtyard and OSD proposed.</p>	
<p><b>3F Visual Privacy</b></p> <p>Separation distance between windows and balconies is provided to ensure visual privacy is achieved. Minimum requires separation distance from buildings to the side and rear boundaries are as follows:</p> <p><u>Building up to 12 m (4 storeys):</u> 6 m between habitable rooms and balconies, 3 m between non-habitable rooms</p> <p><u>Building up to 25 m (5-8 storeys):</u> 9 m between habitable rooms and balconies, 4.5 m between non-habitable rooms</p> <p><u>Building over 25 m (9+ storeys):</u> 12 m between habitable rooms and balconies, 6 m between non-habitable rooms</p>	<p>The proposal generally complies with setback guidelines.</p> <p>The setbacks to the eastern and southern boundaries are 12m from Level 2 to the roof.</p> <p>At the lower levels, the proposal includes blank boundary walls, which complies with the design guidance.</p>	Yes
<p><b>3G Pedestrian Access and Entries</b></p>	<p>Pedestrian access and entries to the development are accessible and easy to identify.</p>	Yes
<p><b>3H Vehicle Access</b></p>	<p>The vehicle access point is designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</p>	Yes
<p><b>3J Bicycle and Car Parking</b></p> <p>For development in the following locations:</p>	<p><u>Car Parking</u></p>	No

ADG criteria	Consideration	Complies
<ul style="list-style-type: none"> <li>on sites that are within 800 m of a railway station or light rail stop in the Sydney Metropolitan Area, or</li> <li>on land zoned, and sites within 400 m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li> </ul> <p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever less.</p> <p>The car parking need for a development must be provided off-street.</p>	<p>As assessed in <b>Section 5.2</b>, the DCP contains the lesser standard.</p> <p>The proposal provides a compliant amount of car parking for the residential use, but a shortfall for the place of public worship.</p> <p>However, the Applicant has provided a parking demand study that justifies the parking provision proposed on site. Given this, and the site's location within a town centre and near to a train station, the amount of parking proposed is considered acceptable.</p> <p><u>Bicycle Parking</u></p> <p>Under the Council's DCP, 91 bicycle parking spaces would be required for residents and the other uses tenancies.</p> <p>91 bicycle spaces are provided within the parking areas where they are secure and easily accessible. The proposed bicycle parking provision is appropriate.</p>	
<p><b>4A Solar and Daylight Access</b></p> <p>Living rooms and private open spaces of at least 70% of apartments in a building receive minimum of 2 hours direct sunlight.</p>	<p>142 of 186 apartments (76%) receive at least 2 hours mid-winter.</p>	<p>Yes</p>
<p>A maximum of 15% receive no direct sunlight between 9 am - 3 pm mid-winter.</p>	<p>28 of 186 apartments (15%) are south facing and receive no solar access.</p>	<p>Yes</p>
<p><b>4B Natural Ventilation</b></p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be naturally ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p>	<p>All habitable rooms are provided with at least one window or door for natural ventilation.</p> <p>At least 44 of 68 apartments (65%) up to level 7 achieve cross ventilation in accordance with the ADG.</p>	<p>Yes</p>

ADG criteria	Consideration	Complies
Overall depth of a cross-over or cross-through apartment does not exceed 18 m, measured glass line to glass line.	There are no cross-over or cross-through apartments.	N/A
<p><b>4C Ceiling Heights</b></p> <p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <ul style="list-style-type: none"> <li>Habitable rooms: 2.7 m</li> <li>Non-habitable rooms: 2.4 m</li> </ul>	The floor to ceiling heights within all apartments are 2.7 m which complies with the minimum requirements.	Yes
<p><b>4D Apartment Size and Layout</b></p> <p>Apartments are required to have the following minimum internal areas:</p> <ul style="list-style-type: none"> <li>Studios: 35 m<sup>2</sup></li> <li>One bedroom: 50 m<sup>2</sup></li> </ul> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5 m<sup>2</sup> each.</p>	<p>All apartments comply with the minimum size requirements.</p> <p>All kitchens are separate to the circulation spaces.</p>	Yes
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	All habitable rooms are provided with suitable operable windows or doors.	Yes
<p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p> <p>In open plan layout (where the living, dining and kitchen are combined) the maximum habitable room depth is 8 m from a window</p>	<p>The development features open plan layouts for kitchen, living rooms and dining areas. It is noted that some of these have maximum depths of up to 6.8 m which is a minor exceedance of 2.5 x 2.7 m (6.75 m).</p> <p>The degree of exceedance is minor and living spaces are all located on the external face of the building, and have large glazed doors that allow for the maximum daylight to enter the</p>	No

ADG criteria	Consideration	Complies
	room. As such, it is considered that the layout complies with the objective of this criteria.	
<p>Master bedrooms have a minimum area of 10 m<sup>2</sup> and other bedrooms 9 m<sup>2</sup> (excluding wardrobe space).</p> <p>Bedrooms have a minimum dimension of 3 m (excluding wardrobe space).</p>	<p>Bedrooms have appropriate dimensions and areas.</p> <p>1.5 m is provided for wardrobes in bedrooms.</p>	Yes
<p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> <li>• Studio and One-bedroom apartments: 3.6 m</li> </ul>	Living rooms comply with the minimum dimensions.	Yes
The width of cross-over or cross-through apartments are at least 4 m internally to avoid deep narrow apartment layouts.	There are no cross-over or cross-through apartments.	N/A
<p><b>4E Private Open Space and Balconies</b></p> <p>All apartments are required to have primary balconies as follows:</p> <ul style="list-style-type: none"> <li>• Studio: 4 m<sup>2</sup></li> <li>• One-bedroom: 8 m<sup>2</sup> with a minimum depth of 2 m</li> </ul> <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15 m<sup>2</sup> and a minimum depth of 3 m.</p>	Balconies comply with the minimum dimensions.	Yes
<p><b>4F Common Circulation and Spaces</b></p> <p>The maximum number of apartments off a circulation core on a single level is eight.</p> <p>Note: Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level</p>	The maximum number of apartments per floor being served by a single lift is 12.	Yes

ADG criteria	Consideration	Complies
<p><b>4G Storage</b></p> <p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <ul style="list-style-type: none"> <li>• One-bedroom: 6 m<sup>3</sup></li> </ul> <p>At least 50% of the required storage is to be located within the apartment.</p>	<p>The development provides separate storage within each apartment.</p>	<p>Yes</p>
<p><b>4H Acoustic Privacy</b></p>	<p>The development minimises the transfer of noise through the siting of buildings and building layout and noise impacts are to be mitigated through layout and acoustic treatments.</p>	<p>Yes</p>
<p><b>4J Noise and Pollution</b></p>	<p>The subject site is not located near significant sources of noise or pollution.</p>	<p>N/A</p>
<p><b>4K Apartment Mix</b></p> <p>A range of apartment types and sizes is provided to cater for different household types now and into the future.</p>	<p>The development proposes a total of 186 apartments in the following mix:</p> <ul style="list-style-type: none"> <li>• 93 Studios (50%)</li> <li>• 92 1 bed apartments (49.5%)</li> <li>• One 4-bed dwelling (ancillary) (0.5%)</li> </ul> <p>Although it is noted the mix is limited, the development is targeted at a demographic for which larger apartments are not required.</p>	<p>Yes</p>
<p><b>4L Ground Floor Apartments</b></p>	<p>There are no apartments proposed at ground floor level.</p>	<p>N/A</p>
<p><b>4M Facades</b></p>	<p>Building facades provide visual interest along the street.</p>	<p>Yes</p>
<p><b>4N Roof Design</b></p>	<p>Rooftop plant and equipment will not be readily visible due to its location in the centre of the roof plane. The flat roof design is appropriate to the scale of the building and local character.</p>	<p>Yes</p>

ADG criteria	Consideration	Complies
<p><b>4O Landscape Design</b></p> <p>Recommended planting in deep soil zones:</p> <ul style="list-style-type: none"> <li>• Site area up to 850 m<sup>2</sup> = 1 medium tree per 50 m<sup>2</sup> of deep soil zone</li> <li>• Site area between 850 m<sup>2</sup> – 1500 m<sup>2</sup> = 1 large tree or 2 medium trees per 90 m<sup>2</sup> of deep soil zone</li> <li>• Site area greater than 1,500 m<sup>2</sup> = 1 large tree or 2 medium trees per 80 m<sup>2</sup> of deep soil zone</li> </ul>	<p>A landscaping design is proposed that contributes to the streetscape and amenity and contains a variety of large and medium trees.</p>	<p>Yes</p>
<p><b>4P Planting on Structures</b></p> <p>Minimum soil standards for plant types and sizes.</p>	<p>Planting is not proposed on structures.</p>	<p>N/A</p>
<p><b>4Q Universal Design</b></p> <p>Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features.</p>	<p>44 (24%) of the apartments will be designed to gold level and 141 (76%) will be designed to silver apartments under the Liveable Housing Design Guidelines.</p> <p>Therefore, a variety of apartments with adaptable designs and features are provided to promote flexible housing for all community members.</p>	<p>Yes</p>
<p><b>4R Adaptive Reuse</b></p>	<p>There are no existing buildings on the site capable of reuse.</p>	<p>N/A</p>
<p><b>4S Mixed Use</b></p> <p>Mixed use development should be concentrated around public transport and centres.</p> <p>Residential circulation areas should be clearly defined.</p>	<p>The proposal is a mixed-use development and it is located within the Bankstown City Centre, within easy walking distance of a train station.</p> <p>The residential circulation areas have been made clearer as part of the refinements to the application, and the entrance to the residential core from French Avenue are well defined.</p>	<p>Yes</p>
<p><b>4T Awnings and Signage</b></p>	<p>A colonnade and undercroft areas are proposed to the active frontages of the</p>	<p>Yes</p>

ADG criteria	Consideration	Complies
Awnings should be located along streets with high pedestrian activity and active frontages.	community uses along Chapel Road and French Avenue.	
Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development.	No signage is proposed as part of this application and would be part of future applications for the fit out of the non-residential uses. Suitable areas existing on the facades of the building to allow for signage to be integrated into the building later.	Yes
<b>4U Energy Efficiency</b>	The design has been developed in consideration of energy efficiency, achieving a high degree of cross ventilation and solar access. Solar panels have been incorporated in the design.	Yes
<b>4V Water Management and Conservation</b>	Water sensitive urban design has been incorporated as part of the proposal.	Yes
<b>4W Waste Management</b>	Adequate bin storage is provided and designed to minimise impacts on the streetscape.	Yes
<b>4X Building Maintenance</b>	The materials are appropriately selected to minimise long term maintenance obligations.	Yes

### State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development in, or adjacent to, particular types of infrastructure and providing for consultation with relevant public authorities during the assessment process.

The proposal does not front a classified road, is not adjacent to a high-noise road and does not constitute traffic generating development, and therefore, referral to TfNSW is not required. Notwithstanding, the Department referred the application to TfNSW for its consideration. TfNSW raised no concerns in response to the proposal.

Section 2.48 of the Transport and Infrastructure SEPP requires the consent authority to notify the relevant utility authority. The Department consulted Ausgrid and its response is summarised in

**Section 4.** The Department has recommended conditions requiring the Applicant to obtain approval from utility providers for any necessary service connections and infrastructure augmentations.

### **State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)**

The Resilience and Hazards SEPP aims to ensure that potential contamination issues are considered in the determination of a development application. The Resilience and Hazards SEPP requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purpose of the proposed development.

The Applicant provided preliminary and detailed site investigations (see **Appendix A**) which confirm that subject to recommended ‘picking’ works being carried out, the site will be suitable for high-density residential use. The Department considers the site is suitable for the proposed use, subject to recommended conditions ensuring the proposal addresses the requirements of the Resilience and Hazards SEPP.

### **State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)**

The Sustainable Buildings SEPP encourages the design and construction of more sustainable buildings across to help meet climate change targets.

A BASIX certificate was submitted demonstrating the proposal achieves compliance with the BASIX water, energy and thermal comfort requirements under this SEPP. The Department recommends a condition requiring compliance with the BASIX certificate.

### **State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)**

The Biodiversity and Conservation SEPP aims to protect the biodiversity value of vegetation in non-rural areas and to protect the water quality and quantity of water catchments.

The Department accepts the findings of the Applicant’s BDAR waiver request which described the site as highly disturbed with little vegetation and with limited potential to provide breeding habitat for threatened species. A BDAR waiver was subsequently issued on 5 March 2025.

### **Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP)**

The subject site is located in the MU1 Mixed Use zone under the CBLEP. The relevant controls are considered in **Table 12** below.

**Table 12 | CBLEP compliance**

<b>Section</b>	<b>Consideration</b>
<b>1.2 Aims of the Plan</b>	The proposal is consistent with the aims of the plan. In particular, the proposal promotes a high-quality architectural design that is consistent with

Section	Consideration
	the desired future character of the area and will contribute positively to the urban domain. The proposed residential dwellings have suitable amenity and will increase the supply and diversity of housing in the area. Non-residential uses support a diversity of community and educational uses.
<b>2.1 Land use zones</b>	The site is zoned MU1 Mixed Use and is located in an Accelerated TOD Precinct.
<b>2.3 Zone objectives and land use table</b>	Residential flat buildings, places of public worship, community facilities, and centre-based child care facilities are permitted with consent in the MU1 zone.
<b>4.3 Height of Buildings</b>	The subject site has a maximum height limit of 35 m under the CBLEP. Under clause 6.41 of the CBLEP, an incentive height of up to 78 m is permitted for the site. The proposal complies with a maximum height of 68 m.
<b>4.4 Floor space ratio</b>	<p>The subject site has a maximum FSR of 3:1 under the CBLEP. Under clause 6.41 of the CBLEP, an incentive FSR of up to 6.7:1 is allowed for on site.</p> <p>The site has an area of 2,189 m<sup>2</sup> and the permissible maximum GFA is 14,666 m<sup>2</sup>. The proposal has a proposed GFA of 11,944 m<sup>2</sup> which equates to an FSR of 5.46:1.</p>
<b>5.10 Heritage conservation</b>	The subject site is not near to a heritage item or within a conservation area.
<b>6.1 Acid sulfate soils</b>	The site is not identified to contain acid sulfate soils on the Acid Sulfate Soils Map under CBLEP.
<b>6.2 Earthworks</b>	The supporting documents submitted with the EIS demonstrate that the earthworks for the development of the site can be carried out with minimal impacts, subject to compliance with the mitigation measures set out in the EIS and the recommended conditions of consent.
<b>6.3 Stormwater management and water sensitive urban design</b>	A stormwater management plan was submitted which demonstrates the proposal will manage stormwater in accordance with Council's requirements.
<b>6.8 Airspace operations</b>	The Applicant obtained a Controlled Activity Approval under the <i>Airports Act 1996</i> from the Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts.

Section	Consideration
<b>6.9 Essential services</b>	Adequate arrangements have been made to make public utility infrastructure available when required.
<b>6.10 Active Street frontages</b>	The CBLEP contains an 'Active Street Frontages' map, which applies to both frontages of the site. The proposal includes the dual-use place of public worship and community facility entry on the Chapel Road frontage, and the residential lobby on French Avenue. The entry foyer, glazed frontages to the community uses, and residential entrance will ensure these frontages are activated in accordance with this clause.
<b>6.13 Special provisions for centre-based child care facilities</b>	Development consent must not be granted for the purposes of centre-based child care facilities if the access is from a classified road or a road where the carriageway is less than 10 m wide. The site is not located on a classified road, and the carriageways are over 10 m wide.
<b>6.15 Design excellence</b>	Reports were provided with the EIS and submissions report demonstrating that consideration has been given to consultation and advice from the NSW State Design Review Panel, Government Architect Design Principles and Residential Amenity Design Principles, as well as the requirements of this clause.
<b>6.41 St Paul's Anglican Church</b>	<p>The CBLEP allows for this site to have higher height and FSR limits provided at least 1000 m<sup>2</sup> of the gross floor area of the site will be used for the purposes of community facilities and places of public worship, and development for the purposes of residential accommodation will be seniors housing or affordable housing.</p> <p>This proposal meets these requirements (1,209 m<sup>2</sup> of community facility, and 185 affordable housing apartments), and therefore the incentive height and FSR limits apply.</p>

## Appendix D – Recommended instrument of consent

The recommended instrument of consent can be accessed here:

<https://www.planningportal.nsw.gov.au/major-projects/projects/tod-st-pauls-anglican-church-bankstown>