



New South Wales

Bankstown Local Environmental Plan No 216

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(P00/00457/S69)

26th April 2001.

KIM YEADON, M.P.,

Acting Minister for Urban Affairs and Planning

Bankstown Local Environmental Plan No 216

1 Name of plan

This plan is *Bankstown Local Environmental Plan No 216*.

2 Aims of plan

This plan aims:

- (a) to allow the Council of the City of Bankstown to permit development for the purpose of a newsagency on part of the land to which this plan applies, and
- (b) to prohibit the use of that land for the purpose of displaying, or making available for sale or rental, certain material used or intended for use in connection with sexual behaviour.

3 Land to which plan applies

This plan applies to land situated in the City of Bankstown, being Lots 4, 5, 6, 7, 8, 35 and 36 in DP 12936, known as 56 Clapham Road, Sefton, as shown edged heavy black on the map marked “Bankstown Local Environmental Plan No 216” deposited in the office of the Council of the City of Bankstown.

4 Amendment of Bankstown Planning Scheme Ordinance

Bankstown Planning Scheme Ordinance is amended by inserting in appropriate order the following clause:

77I Development for additional purpose—56 Clapham Road, Sefton

- (1) This clause applies to Lots 4, 5, 6, 7, 8, 35 and 36 in DP 12936, known as 56 Clapham Road, Sefton, as shown edged heavy black on the map marked “Bankstown Local Environmental Plan No 216” deposited in the office of the Council.
- (2) Nothing in this Ordinance prevents a person, with the consent of the Council, from carrying out development for the purpose of a newsagency on that area of the land that was occupied by a bottle shop on the date of commencement of *Bankstown Local Environmental Plan No 216*.

- (3) Despite subclause (2), the Council must not consent to use of the land for the purpose of displaying, or making available for sale or rental, material (whether literature, video, film or goods or articles) used or intended for use in connection with sexual behaviour and classified or refused classification under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth or to which section 578E of the *Crimes Act 1900* applies.
- (4) In this clause, **newsagency** means a business that sells by retail any of the following items only (and not, for example, general grocery or convenience items):
- (a) newspapers, magazines, books,
 - (b) stationery,
 - (c) confectionery, non-alcoholic drinks,
 - (d) tobacco,
 - (e) lottery tickets and other products of NSW Lotteries,
 - (f) children's toys.