



New South Wales

Bankstown Local Environmental Plan 2001 (Amendment No 25)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRW0000478/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2006 No 699

Clause 1 Bankstown Local Environmental Plan 2001 (Amendment No 25)

Bankstown Local Environmental Plan 2001 (Amendment No 25)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bankstown Local Environmental Plan 2001 (Amendment No 25)*.

2 Aims of plan

The aims of this plan are:

- (a) to reinforce the status of the Hume Highway Corridor as a regional centre for transport, employment and economic activities, and
- (b) to establish a clear structure for the redevelopment of allotments and infrastructure in the Hume Highway Corridor, and
- (c) to allow some residential development to support the regional rail and bus routes, and the activities and services of the Hume Highway Corridor, and
- (d) to ensure the scale and density of development complements its location to shopping centres, public transport and public open spaces, and the desired future character of the Hume Highway Corridor, and
- (e) to provide the Hume Highway Corridor with environments that are safe, well landscaped and achieve high amenity, and
- (f) to rezone certain land to which this plan applies.

3 Land to which plan applies

- (1) This plan applies to all land situated in the City of Bankstown, except as provided by this clause.
- (2) In respect of the amendment made by Schedule 1 [6] to this plan, this plan applies to land as shown distinctively coloured and with heavy black cross-hatching on Sheet 2 of the map marked "Bankstown Local Environmental Plan 2001 (Amendment No 25)" deposited in the office of Bankstown City Council.

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- (3) In respect of the amendment made by Schedule 1 [10] to this plan, this plan applies to the land as shown distinctively coloured and edged heavy black on Sheet 3 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council.
 - (4) In respect of the amendment made by Schedule 1 [12] to this plan, this plan applies to the land shown distinctively coloured and edged heavy black on Sheets 1 and 2 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council.
 - (5) In respect of the amendment made by Schedule 1 [13] to this plan, this plan applies to Lot 2, DP 184160, No 119 Hume Highway, Greenacre.
 - (6) In respect of the amendment made by Schedule 1 [14] to this plan, this plan applies to Lot 12, DP 24079, No 852 Hume Highway, Bass Hill, Lot 82, DP 207516, No 860 Hume Highway, Bass Hill and Nos 908–966 Hume Highway, Bass Hill.
 - (7) In respect of the amendment made by Schedule 1 [15] to this plan, this plan applies to Lot 345, DP 713612, Lots 1 and 2, DP 12521, Lot 1, DP 103526 and part of Lot 1, DP 217766, Nos 231–241A Hume Highway, Greenacre.
 - (8) In respect of the amendment made by Schedule 1 [16] to this plan, this plan applies to Lots 1–17, DP 16667 and Lots 10–12, DP 872968, No 18 George Street, Yagoona.
 - (9) The amendment made by Schedule 1 [10] to this plan does not apply to the land shown edged heavy black and indicated as “The Deferred Matter” on Sheet 3 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council, being deferred matter within the meaning of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.
 - (10) The amendment made by Schedule 1 [12] to this plan does not apply to the land shown edged heavy black and indicated as “The Deferred Matter” on Sheets 1 and 2 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council, being deferred matter within the meaning of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.

4 Amendment of Bankstown Local Environmental Plan 2001

Bankstown Local Environmental Plan 2001 is amended as set out in Schedule 1.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 8 Zones in this plan

Insert after the matter relating to Zone 3 (b)—Business—Other Centres in clause 8 (1):

3 (c)—Business—Enterprise

[2] Clause 11 Development which is allowed or prohibited within a zone

Insert a column headed “3 (c)” in the Table to the clause after the column headed “3 (b)” in the grouping relating to Business zones.

[3] Clause 11, Table

Insert “High-tech industries” in alphabetical order in the first column of the Table.

[4] Clause 11, Table

Insert “√” in the column for Zone 3 (c) (as inserted by Schedule 1 [2]) opposite each of the following kinds of development listed in the first column of the Table (as amended by Schedule 1 [3]):

Bulky goods salesrooms or showrooms
Business premises
Car parks
Centre based child care centres
Communications facilities
Community facilities
Convenience stores
Entertainment establishments
Entertainment facilities
Health consulting rooms
High-tech industries
Highway service centres
Hospitals
Hotels
Medical centres
Motels
Motor showrooms

Office premises
Passenger transport terminals
Places of public worship
Plant hire
Public buildings
Recreation areas
Recreation facilities
Registered clubs
Research facilities
Restaurants
Retail plant nurseries
Sanctuaries
Service stations
Utility installations
Vehicle repair stations
Warehouses or distribution centres

[5] Clause 36C

Insert after clause 36B:

36C Development along arterial roads

- (1) Consent must not be granted to development on an allotment of land that has a boundary adjoining an arterial road (or a road related area adjoining or associated with an arterial road) unless the consent authority is satisfied that:
 - (a) where practicable, vehicle access to the land is provided by a road other than the arterial road, and
 - (b) the safety, efficiency and ongoing operation of the arterial road will not be adversely affected by the proposed development as a result of:
 - (i) the design of the vehicle access to the land from the arterial road, or
 - (ii) the nature, volume or frequency of vehicles using the arterial road to gain access to the land, or
 - (iii) the emission of smoke or dust from the proposed development, and
 - (c) the development is of a type that:
 - (i) is not sensitive to traffic noise, or

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Schedule 1 Amendments

- (ii) is appropriately located and designed, or
- (iii) includes measures to reduce potential traffic noise within the site or the proposed development.

[6] **Clause 46 Core residential development standards**

Insert after clause 46 (7):

- (7A) The consent authority may grant consent to development for the purpose of terrace houses on an allotment of land within Zone 2 (a) only if the consent authority is satisfied that:
 - (a) the allotment of land within Zone 2 (a) is identified on the map distinctively coloured and with heavy black cross-hatching, and
 - (b) vehicle access to the allotment is from a road or right of way for access at the rear of the allotment.

[7] **Clause 48 Objectives of the Business zones**

Insert after clause 48 (2):

- (3) The objectives of Zone 3 (c) are:
 - (a) to promote economic and employment growth, and
 - (b) to promote a high standard of building design and landscaping (particularly along arterial roads), and
 - (c) to allow mixed use development on certain large allotments that have regard to local amenity, and
 - (d) to limit retail activity except where it involves bulky goods, or where it services the daily convenience needs of the local workforce, and
 - (e) to encourage appropriate and safe vehicle access to allotments (particularly along arterial roads).

[8] **Clause 50A**

Insert after clause 50:

50A Development in Zone 3 (c)

- (1) The consent authority must not grant consent to development on land within Zone 3 (c), unless the consent authority is satisfied that the development achieves high quality architectural and landscaping outcomes that contribute to improving the character and appearance of a locality or arterial road.
- (2) The consent authority must not grant consent to development on land within Zone 3 (c) if vehicle access to the development will

be by means of an arterial road, unless the consent authority is satisfied that:

- (a) there are no other practical means of access to the land, and
 - (b) traffic generated from the development will not have a significant adverse impact on the arterial road.
- (3) The consent authority may grant consent to development for the purpose of a convenience store on land within Zone 3 (c) only if it has a gross floor area of not more than 250 square metres.
- (4) Despite clause 11, the consent authority may grant consent to development on an allotment of land within Zone 3 (c) for the purpose of boarding-houses, family day care centres, home based child care centres, home businesses, housing for older people or people with a disability, residential flat buildings, serviced apartments, terrace houses and villas if the consent authority is satisfied that:
- (a) the allotment is identified on the map by pink cross-hatching, and
 - (b) the allotment has an area of not less than 5,000 square metres, and
 - (c) any dwellings are set back a minimum of 20 metres from any boundary of the allotment that adjoins an arterial road or a road related area (within the meaning of the *Roads Act 1993*) adjoining or associated with an arterial road, and
 - (d) any development other than dwellings will not detract from the amenity of any dwellings on the allotment.
- (5) Despite clause 11, the consent authority may grant consent to development on an allotment of land within Zone 3 (c) for the purpose of an educational establishment other than an infants', primary or secondary school.

[9] Schedule 1 Dictionary

Omit "2 or more" from the definition of *bulky goods complex*.

Insert instead "5 or more".

[10] Schedule 1, definition of "Floor Space Ratio Map"

Insert in appropriate order:

Bankstown Local Environmental Plan 2001 (Amendment No 25)—Sheet 3

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Bankstown Local Environmental Plan 2001 (Amendment No 25)

Schedule 1 Amendments

[11] Schedule 1

Insert in alphabetical order:

high-tech industry means an enterprise that:

- (a) has as its primary function the manufacture, development, production, processing or assembly of, or researching into, any of the following:
 - (i) electronic and microelectronic systems and goods,
 - (ii) information technology, computer software or hardware,
 - (iii) instrumentation and instruments,
 - (iv) biological, pharmaceutical, medical or paramedical systems, goods and components,
 - (v) other goods, systems and components intended for use in science and technology, and
- (b) does not interfere with the amenity of the neighbourhood in which it is located by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste, water, waste products, grit, oil or otherwise.

terrace house means three or more attached dwellings facing the street with each having:

- (a) a common wall or walls with the adjoining dwelling or dwellings, and
- (b) vehicle access at the rear of the allotment on which the dwellings are located.

[12] Schedule 1, definition of “the map”

Insert in appropriate order:

Bankstown Local Environmental Plan 2001 (Amendment No 25)—Sheets 1 and 2

[13] Schedule 2 Additional uses

Omit “Lot 2, DP 184160, No 119 Hume Highway, Greenacre, and” from Item No 1.

[14] Schedule 2

Omit the matter relating to Item Nos 2 and 3. Insert instead:

- 2 Lot 12, DP 24079, No 852 Hume Highway, Bass Hill, and Dwelling house
Lot 82, DP 207516, No 860 Hume Highway, Bass Hill
- 3 Nos 908–966 Hume Highway, Bass Hill Motel

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Amendments

Schedule 1

[15] Schedule 2

Omit item 14.

[16] Schedule 2

Omit “and Lots 1–17, DP 16667” from the matter relating to Item No 21.

Insert instead “, Lots 1–17, DP 16667 and Lots 10–12, DP 872968, No 18 George Street, Yagoona”.