



New South Wales

Bankstown Local Environmental Plan 2015 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

MARCUS RAY

As delegate for the Greater Sydney Commission

Bankstown Local Environmental Plan 2015 (Amendment No 4)

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1 Name of Plan

This Plan is *Bankstown Local Environmental Plan 2015 (Amendment No 4)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Bankstown Local Environmental Plan 2015* applies and, in particular, to the following land at Milperra (known as the Riverlands Golf Course site):

- (a) Lots 23–27, 38–41 and 50–59, DP 7304, Lots 21 and 22, DP 749985, Lots 231 and 232, DP 805826 and Lot 1, DP 813007, being 67, 67A, 80, 80A, 90 and 100 Auld Avenue,
- (b) Lot 1, DP 625013 and Lot 1, DP 813006, being 123 and 123A Raleigh Road,
- (c) Lot 10, DP 731859, being 56 Prescott Parade.

4 Maps

The maps adopted by *Bankstown Local Environmental Plan 2015* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

Schedule 1 Amendment of Bankstown Local Environmental Plan 2015

[1] Clause 6.4A

Insert after clause 6.4:

6.4A Riparian land and watercourses

- (1) The objective of this clause is to protect and maintain the following:
 - (a) water quality within watercourses,
 - (b) the stability of the bed and banks of watercourses,
 - (c) aquatic and riparian habitats,
 - (d) ecological processes within watercourses and riparian areas.
- (2) This clause applies to all of the following:
 - (a) land identified as “Riparian land” on the Riparian Lands and Watercourses Map,
 - (b) land identified as “Watercourse” on that map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:
 - (a) whether or not the development is likely to have any adverse impact on the following:
 - (i) the water quality and flows within the watercourse,
 - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
 - (iii) the stability of the bed and banks of the watercourse,
 - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,
 - (v) any future rehabilitation of the watercourse and riparian areas, and
 - (b) whether or not the development is likely to increase water extraction from the watercourse, and
 - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact.

[2] Clause 6.11

Insert after clause 6.10:

6.11 Development on Riverlands Golf Course site

- (1) This clause applies to the following land at Milperra (known as the Riverlands Golf Course site):

- (a) Lots 23–27, 38–41 and 50–59, DP 7304, Lots 21 and 22, DP 749985, Lots 231 and 232, DP 805826 and Lot 1, DP 813007, being 67, 67A, 80, 80A, 90 and 100 Auld Avenue,
 - (b) Lot 1, DP 625013 and Lot 1, DP 813006, being 123 and 123A Raleigh Road,
 - (c) Lot 10, DP 731859, being 56 Prescott Parade, Milperra.
- (2) The objectives of this clause are as follows:
- (a) to ensure that development on the site reflects the low density residential character of the surrounding area,
 - (b) to ensure that traffic generated by development of the site does not adversely affect the efficiency and safety of Henry Lawson Drive and surrounding local roads,
 - (c) to ensure that development protects and conserves the cultural heritage, ecological and habitat values of the site and the scenic values of the surrounding waterways and riparian corridors,
 - (d) to ensure that development integrates with the landform, vegetation, overland flow path and landscape of the site.
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied of the following:
- (a) that the development is consistent with the low density residential scale and character of the surrounding area,
 - (b) that the development will not significantly impact on the efficiency and safety of the surrounding road network,
 - (c) that the development of the site integrates with the road, pedestrian and cycle networks of the surrounding established Milperra neighbourhood area,
 - (d) that the development, including any lots created by the development, will be compatible with the topography of the site and integrate with the landform, vegetation and landscape of the site,
 - (e) that the development is appropriate given the environmental capabilities of, and environmental constraints that affect, the site (including, but not limited to, flood risks, land contamination, acid sulfate soils and bushfire risks),
 - (f) that the development will protect the cultural heritage values of the site and the scenic values of the surrounding waterways and riparian and biodiversity corridors,
 - (g) that the development will protect and conserve the ecological communities and areas on the site,
 - (h) that adequate provision has been made for protecting and conserving hollow bearing trees on the site,
 - (i) that any adverse impacts of stormwater on the site, or caused by stormwater runoff on adjoining properties, native vegetation, wetlands or waterways, are properly managed or mitigated,
 - (j) that any lot created by the development will be compatible with the stormwater management measures on the site.

[3] Schedule 1 Additional permitted uses

Omit clause 3 (relating to 56 Prescott Parade, Milperra).

[4] Dictionary

Omit the definition of *Council*. Insert instead:

Council means the Canterbury-Bankstown Council.

[5] Dictionary

Insert in alphabetical order:

Riparian Lands and Watercourses Map means the Bankstown Local Environmental Plan 2015 Riparian Lands and Watercourses Map.