



New South Wales

Bankstown Local Environmental Plan 2015 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

CATHERINE VAN LAEREN

As delegate for the Minister for Planning and Public Spaces

Bankstown Local Environmental Plan 2015 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Bankstown Local Environmental Plan 2015 (Amendment No 13)*.

2 Commencement

This Plan commences on 25 November 2021 and is required to be published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to Lot 9, DP 10945 and Lot 41, DP 1037863, 353–355 Waterloo Road, Greenacre, known as Chullora Marketplace.

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 local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Bankstown Local Environmental Plan 2015

Clause 6.14

Insert after clause 6.13—

6.14 Exception to maximum height of buildings—Chullora Marketplace

- (1) This clause applies to Lot 9, DP 10945 and Lot 41, DP 1037863, 353–355 Waterloo Road, Greenacre, known as Chullora Marketplace.
- (2) Despite clause 4.3, development consent may be granted to development on land to which this clause applies with a maximum height of—
 - (a) for development on Lot 41, DP 1037863—20 metres, or
 - (b) for development on Lot 9, DP 10945—14 metres.
- (3) However, development consent must not be granted to development on Lot 41, DP 1037863 that results in a building with a height greater than—
 - (a) 14 metres if the building is—
 - (i) within 46 metres of Waterloo Road, Greenacre, or
 - (ii) within 41.5 metres of the eastern boundary adjoining 67 Norfolk Road and 11 Watergum Way, Greenacre, or
 - (b) 9 metres if the building is within 30.5 metres of the southern boundary adjoining 81–105 Norfolk Road, Greenacre.
- (4) Also, development consent must not be granted to development that results in a building with a height greater than the maximum height shown for the land on the Height of Buildings Map unless the consent authority is satisfied of all of the following—
 - (a) Lot 9, DP 10945 and Lot 41, DP 1037863 have been consolidated into a single lot,
 - (b) without exceeding the floor space ratio otherwise applying to the land, the development includes floor space used for the purposes of commercial premises that is equivalent to a floor space ratio of at least 0.35:1,
 - (c) the development has a building setback of at least 10 metres from the southern boundary adjoining 81–105 Norfolk Road and 351 Waterloo Road, Greenacre,
 - (d) the development has a building setback of at least 15 metres, including a 6 metre wide deep soil zone, from the eastern boundary adjoining Norfolk Reserve,
 - (e) the development will not result in Norfolk Reserve receiving less than 4 hours of direct sunlight between 9am and 3pm on 21 June,
 - (f) the development avoids overshadowing of, and other adverse environmental impacts on, the endangered ecological communities and habitats of threatened species in Norfolk Reserve,
 - (g) a development control plan that provides for the matters specified in subclause (6) has been prepared for the land.
- (5) The consent authority may seek and consider advice from a suitably qualified ecologist in determining whether the consent authority is satisfied of the matters set out in subclause (4)(e) and (f).
- (6) The development control plan is to provide for the following—

- (a) building envelopes and built form controls, including storeys and setbacks at both ground floor and upper storeys, and bulk, massing and modulation of buildings,
 - (b) appropriate access to, capacity of, and vehicle and pedestrian safety on, the surrounding road network, particularly Waterloo Road,
 - (c) improved pedestrian and cyclist connectivity,
 - (d) sustainable transport, including strategies to encourage increased use of public transport, walking and cycling, and by providing for appropriate car parking,
 - (e) the transition to surrounding land, including low density development, through built form, deep soil planting and additional landscaping,
 - (f) mitigation of environmental impacts, including overshadowing and impacts on solar access and visual and acoustic privacy,
 - (g) improvements to landscaped areas and the introduction of new public open spaces, including a central plaza,
 - (h) an indicative structure plan and key design principles in support of the plan,
 - (i) application of the Crime Prevention Through Environmental Design principles.
- (7) In this clause—

Crime Prevention Through Environmental Design principles means principles of the planning, design and structure of cities and neighbourhoods to reduce opportunities for crime, including through natural surveillance, access control, territorial reinforcement and space management.

Norfolk Reserve means the following land in Greenacre—

- (a) Lot 3, DP 546653, 67 Norfolk Road,
- (b) Lot 21, DP 836445, 67A Norfolk Road,
- (c) Lot 200, DP 843319, 11 Watergum Way.