



New South Wales

Canterbury-Bankstown Local Environmental Plan 2023 (Amendment No 3)

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*.

DANIEL THOMPSON

As delegate for the Minister for Planning and Public Spaces

Canterbury-Bankstown Local Environmental Plan 2023 (Amendment No 3)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Canterbury-Bankstown Local Environmental Plan 2023 (Amendment No 3)*.

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 *Canterbury-Bankstown Local Environmental Plan 2023* applies, including Lot 2, DP 1291984 and Lot 1, DP 101147, 2 and 2A Bullecourt Avenue, Milperra.

4 Maps

The maps adopted by *Canterbury-Bankstown Local Environmental Plan 2023* 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 Canterbury-Bankstown Local Environmental Plan 2023

[1] Clause 2.1 Land use zones

Insert “R1 General Residential” in appropriate order under the heading **Residential Zones**.

[2] Clause 2.1

Insert “C2 Environmental Conservation” in appropriate order under the heading **Conservation Zones**.

[3] Land Use Table

Insert in appropriate order—

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow development that is of a scale and nature that provides an appropriate transition to adjoining land uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Zone C2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Oyster aquaculture; Roads

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Local distribution premises; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

[4] Clause 4.1AA Minimum subdivision lot size for community title schemes

Omit clause 4.1AA(2)(a). Insert instead—

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,

[5] Clause 4.1B Minimum lot sizes and special provisions for certain dwellings

Insert at the end of clause 4.1B(2), table—

Area 8	Semi-detached dwellings	210m ²	—
Area 8	Attached dwellings	140m ²	—
Area 8	Dwelling houses—		
	(a) adjoining Ashford Avenue, Milperra	300m ²	—
	(b) otherwise	245m ²	—

[6] Clause 4.1B(3)

Insert after clause 4.1B(2)—

- (3) In this clause—
Area 8 means land identified as “Area 8” on the Special Provisions Map.

[7] Clause 5.1 Relevant acquisition authority

Insert after the matter relating to “Zone SP2 Infrastructure and marked “Local road”” in clause 5.1(2), table—

Zone SP2 Infrastructure and marked “Drainage” Council

[8] Part 6 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

Development at 2 and 2A Bullecourt Avenue, Milperra

- (1) This clause applies to land at 2 and 2A Bullecourt Avenue, Milperra, identified as “Area 8” on the Special Provisions Map.
- (2) Development consent must not be granted to development for the purposes of residential accommodation on land to which this clause applies that will result in more than 430 dwellings on the land.

- (3) Development consent must not be granted to development for the purposes of dual occupancies on a lot on land to which this clause applies unless—
 - (a) the lot is at least 350m², and
 - (b) 1 of the dwellings will have a gross floor area not exceeding 75m².
- (4) Development consent must not be granted for development for the purposes of multi dwelling housing on a lot on land to which this clause applies unless—
 - (a) the lot is at least 1,000m², or
 - (b) the lot is at least 450m² and the following apply—
 - (i) 1 of the dwellings will have a gross floor area not exceeding 75m²,
 - (ii) the development will result in no more than 3 dwellings.
- (5) A single development consent may be granted to development on land to which this clause applies, other than land adjoining Ashford Avenue, Milperra, if the development application is for both of the following—
 - (a) the subdivision of land into 4 or more lots, including 1 or more that may be less than the minimum size shown on the Lot Size Map,
 - (b) the erection of residential accommodation on each resulting lot.
- (6) Development consent must not be granted to development on a lot on land identified as “Area 6” on the Floor Space Ratio Map unless the consent authority is satisfied the gross floor area of all buildings on the lot will not exceed 37% of the lot size plus 80m².
- (7) Clause 4.1B prevails over this clause to the extent of an inconsistency.