



Bankstown Local Environmental Plan 2001 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00261/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2005 No 138

Clause 1 Bankstown Local Environmental Plan 2001 (Amendment No 12)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bankstown Local Environmental Plan 2001 (Amendment No 12)*.

2 Aims of plan

This plan aims:

- (a) to rezone and alter the floor space ratio in respect of part of the land to which this plan applies (30–46 Auburn Road, Regents Park) to Zone 2 (b)—Residential B under *Bankstown Local Environmental Plan 2001*, and
- (b) to ensure consent will not be granted to residential development on the land referred to in paragraph (a) until Bankstown City Council:
 - (i) considers whether the land is contaminated, and
 - (ii) if the land is contaminated, considers whether the land is suitable in its contaminated state for residential development, and
 - (iii) if it considers that the land is to be remediated to a level suitable for residential development, is satisfied that the land has been remediated to that level, and
 - (iv) is satisfied that an acceptable level of amenity is maintained in relation to the land by mitigation measures that minimise the impact of road and rail noise and vibration on future residents of the development, and
- (c) to ensure that industrial development on the remainder of the land (20–28A Auburn Road and 1–8 and 17 Gunya Street, Regents Park) has no significant adverse environmental noise or air impacts on the residential and educational land uses within the vicinity.

3 Land to which plan applies

This plan applies to land situated in the City of Bankstown, being:

- (a) Lot 1, DP 656032 and part Lot 2, DP 433938, 30–46 Auburn Road, Regents Park, as shown edged heavy black on Sheets 1 and 2 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 12)” deposited in the office of Bankstown City Council, and
- (b) Lots 31, 32, 34 and 35, Section 4, DP 715, Lots 1 and 2, DP 800889, Lot 23, DP 854452, Lot 4, DP 845800, Lots 30–32, 34–37 and 39–41 Section 2, DP 715, Lot 100, DP 635765, Lot 33, DP 785026, Lot 18, DP 706576 and Lot 13, DP 706575, 20–28A Auburn Road and 1–8 and 17 Gunya Street, Regents Park.

4 Amendment of Bankstown Local Environmental Plan 2001

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

2005 No 138

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Schedule 1 Dictionary

Insert in appropriate order in the definition of *Floor Space Ratio Map*:

Bankstown Local Environmental Plan 2001 (Amendment No 12)—Sheet 2

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

Insert in appropriate order:

Bankstown Local Environmental Plan 2001 (Amendment No 12)—Sheet 1

[3] Schedule 9 Special requirements to particular sites

Insert in alphabetical order of locality in Columns 1 and 2, respectively:

Regents Park

20–28A Auburn Road
and 1–8 and 17 Gunya
Street

The consent authority must consider whether the proposed development of the land will cause any significant adverse environmental noise or air impacts to the residential or educational land uses in the vicinity of the land.

30–46 Auburn Road

The consent authority:

- (a) must consider whether the land is contaminated, and
- (b) if the land is contaminated—must consider whether the land is suitable in its contaminated state for residential development, and
- (c) if it considers that the land is to be remediated to a level suitable for residential development—must be satisfied that the land has been remediated to that level, and
- (d) must be satisfied that mitigation measures to control road and rail noise and vibration have been incorporated into the development so that the development complies with AS/NZS 2107:2000 *Acoustics—Recommended design sound levels and reverberation times for building interiors*, AS 3671–1989 *Acoustics—Road traffic noise intrusion—Building siting and construction*, BS 6472:1992 *Guide to evaluation of human exposure to vibration in buildings (1 Hz to 80 Hz)*, *Environmental criteria for road traffic noise* (an Environment Protection Authority document published in May 1999) and *Interim Guidelines for Councils: Consideration of Rail Noise and Vibration in the Planning Process* (a joint document of the Rail Infrastructure Corporation and the State Rail Authority published in November 2003).

Nothing in this item affects the application of *State Environmental Planning Policy No 55—Remediation of Land* or the *Contaminated Land Management Act 1997* to the land.
