



Appendix F: Regional and local planning considerations

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Regional and local planning considerations

Table F1 | Section 117 Directions under the EP&A Act

Directions	Objectives/Relevance/Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones	The objectives of this direction are to encourage employment growth in suitable locations such as Bankstown Airport, to protect employment land and support the viability of identified centres. Bankstown Airport/ Milperra is recognised as a strategic centre in the draft Metropolitan Strategy for Sydney. The MP seeks to provide areas for business and industrial uses.
1.2 Rural Zones	
1.3 Mining, Petroleum Production and Extractive Industries	Not relevant
1.4 Oyster Aquaculture	
1.5 Rural Lands	
2. Environment and Heritage	
2.1 Environment Protection Zones	The Airport is not located within an Environmental Protection Zone. However, the bushland adjacent to Deverall Park is acknowledged as an area that has environmental sensitivity identified in the Airport Environment Strategy and is included within an Environmentally Significant Zone under this MP.
2.2 Coastal Protection	Not relevant
2.3 Heritage Conservation	The Bankstown Airport Heritage Management Strategy (HMS) was prepared in April 2005 and identifies 26 items with heritage significance. The HMS provides principles, policies and specific guidelines for managing the heritage values of items at Bankstown Airport during on-going operations and proposed future development.
2.4 Recreation Vehicle Areas	Not relevant
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not relevant
3.2 Caravan Parks and Manufactured Home Estates	Not relevant
3.3 Home Occupations	Not relevant
3.4 Integrating Land Use and Transport	The MP enhances the Airport's position as a transport and employment area and integrating a variety of land uses in the one location. In turn, this improves the opportunity for access to the site by means other than private transport; the opportunities for public transport; and provides for the efficient movement of freight.

Directions	Objectives/Relevance/Consistency
	<p>The objectives of this direction are:</p> <p>(a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>These factors have been addressed in the MP.</p>
3.5 Development Near Licensed Aerodromes	
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Any development within areas affected by acid sulphate soils will be subject to the development assessment process.
4.2 Mine Subsidence and Unstable Land	Not relevant
4.3 Flood Prone Land	All development will be required to address the relevant principles and guidelines established by the NSW Floodplain Development Manual and the Bankstown Airport Stormwater and Flood Management Strategy review (2014) which was prepared to serve as the overarching policy framework in the MP.
4.4 Planning for Bushfire Protection	Not relevant
5. Regional Planning	
5.1 Implementation of Regional Strategies	The relevant land use strategies, policies, outcomes and actions for relevant Regional Strategies have been considered in the preparation of this the MP.
5.2 Sydney Drinking Water Catchments	Not relevant
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not relevant
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not relevant
5.6 Sydney to Canberra Corridor	(Revoked 10/7/2008. See Direction 5.1)
5.7 Central Coast	(Revoked 10/7/2008. See Direction 5.1)
5.8 Second Sydney Airport: Badgerys Creek	Not considered due to insufficient build and aeronautical data
6. Local Plan Making	
6.1 Approval and Referral Requirements	The MP complies with the objective of this direction which is to ensure that zoning provisions encourage the efficient and appropriate assessment of development.

Directions	Objectives/Relevance/Consistency
6.2 Reserving Land for Public Purposes	The site is currently zoned 'Special Uses (Aerodrome)' under the Bankstown Local Environmental Plan 2001 and 'Special Activities (SP1) – Air Transport Facilities' under the draft Bankstown Local Environmental Plan 2012 and its continued use as an airport is encouraged within the MP.
6.3 Site Specific Provisions	The site is currently zoned 'Special Uses (Aerodrome)' under the <i>Bankstown Local Environmental Plan 2001</i> and 'Special Activities (SP1) – Air Transport Facilities' under the <i>draft Bankstown Local Environmental Plan 2012</i> and its continued use as an airport is encouraged within the MP.
6.3 Site Specific Provisions	The MP complies with the objective of this direction which seeks to discourage unnecessarily restrictive site specific planning controls.

7.1 Implementation of the Sydney Metropolitan Strategy

The MP considers and incorporates all relevant policies and strategies from the Sydney Metropolitan Strategy.

Table F2 | State Environmental Planning Policies

State Environmental Planning Policies	Response
SEPP No. 1 - Development Standards	BAL manages a development assessment process pursuant to the aims and objectives of the Airports Act 1996.
SEPP No. 4 - Development without Consent and Miscellaneous Complying Development	Changes of use are managed through the development process pursuant to the aims and objectives of the Airports Act 1996.
SEPP No. 6 - Number of Storeys in a Building	Not relevant
SEPP No. 14 - Coastal Wetlands	Not relevant
SEPP No. 15 - Rural Land-Sharing Communities	Not relevant
SEPP No. 19 - Bushland in Urban Areas	Bushland area adjacent to Deverall Park is included in the Environmentally Significant Zone in the MP.
SEPP No. 21 - Caravan Parks	Not relevant
SEPP No. 22 - Shops and Commercial Premises	Any change of use is to be handled through the development assessment process and may also require Airport Building Controller approval.
SEPP No. 26 - Littoral Rainforests	Not relevant
SEPP No. 29 - Western Sydney Recreation Area	Not relevant
SEPP No. 30 - Intensive Agriculture	Not relevant
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	Not relevant

State Environmental Planning Policies	Response
SEPP No. 33 - Hazardous and Offensive Development	<p>All forms of industrial development are permissible within the Business zone, Aviation zone and Aviation/Business zone. Any proposed development of a hazardous or offensive nature requires consent through the development assessment process.</p> <p>In some cases the AES may necessitate an Environmental Management Plan for which BAL would have regard to the current circulars and guidelines published by Workcover NSW, the NSW DECC (EPA) and Department of Planning & Environment</p>
SEPP No. 36 - Manufactured Home Estates	Not relevant
SEPP No. 39 - Spit Island Bird Habitat	Not relevant
SEPP No. 41 - Casino/Entertainment Complex	Not relevant
SEPP No. 44 - Koala Habitat Protection	Not relevant
SEPP No. 47 - Moore Park Showground	Not relevant
SEPP No. 50 - Canal Estates	Not relevant
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not relevant
SEPP No. 53 - Metropolitan Residential Development	Not relevant
SEPP No. 55 - Remediation of Land	<p>Environmental issues within Bankstown Airport are regulated by the Airports Act 1996 (and associated regulations) and the Environment Protection and Biodiversity Conservation Act 1999.</p> <p>The Airports Act 1996 requires BAL to prepare an Airport Environment Strategy (AES) for the airport (see Appendix B). Any development of the land would have to consider this AES. Contaminated land sites are managed through this AES and are also subject to regulation by the Airport Environment Officer, a body appointed by the Commonwealth Government under the Airports Act 1996 to regulate environmental impacts at the Airport.</p> <p>BAL has developed internal processes to manage contaminated sites to achieve objectives similar to the broad aims and objectives of SEPP 55.</p>
SEPP No. 59 - Central Western Sydney Economic and Employment Area	Not relevant
SEPP No. 60 - Exempt and Complying Development	Not relevant
SEPP No. 62 - Sustainable Aquaculture	Not relevant
SEPP No. 64 - Advertising and Signage	<p>BAL acknowledges the aims and objectives of SEPP 64. BAL considers issues of amenity, character and finish through its development assessment process.</p>
SEPP No. 65 - Design Quality of Residential Flat Development	Not relevant
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not relevant
SEPP No. 71 - Coastal Protection	Not relevant

State Environmental Planning Policies	Response
SEPP (Housing for Seniors or People with a Disability) 2004	Not relevant
SEPP (Building Sustainability Index: BASIX) 2004	Any development will be developed having regard to the aims of the Policy where relevant.
SEPP (Major Development) 2005	Not relevant
SEPP (Sydney Region Growth Centres) 2006	Not relevant
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not relevant
SEPP (Temporary Structures and Places of Public Entertainment) 2007	Not relevant
SEPP (Infrastructure) 2007	The aim of this SEPP is to encourage a range of infrastructure works in NSW, by a consistent planning regime and appropriate consultation. The SEPP supports greater flexibility in the location of infrastructure and service facilities. The MP is consistent with the SEPP's provisions for a robust development assessment regime.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not relevant
SEPP (Rural Lands) 2008	Not relevant
SEPP (Exempt and Complying Development Codes) 2008	Used as an assessment tool the development assessment process, where relevant
SEPP (Western Sydney Parklands) 2009	Not relevant
SEPP (Affordable Rental Housing) 2009	Not relevant
SEPP (Western Sydney Employment Area) 2009	Not relevant

Table F3 | Regional Environmental Plans (Deemed State Environmental Planning Policies)

Sydney Regional Environmental Plans	Response
REP No. 5 - Chatswood Town Centre	Not relevant
REP No. 6 - Gosford Coastal Areas	Not relevant
REP No. 7 - Multi-Unit Housing - Surplus Government Sites	Not relevant
REP No. 8 - Central Coast Plateau Areas	Not relevant
REP No. 9- Extractive Industry (No. 2)	Not relevant
REP No. 10 - Blue Mountains Regional Open Space	Not relevant
REP No. 11 - Penrith Lakes Scheme	Not relevant
REP No. 12 - Dual Occupancy	Not relevant
REP No. 13 - Mulgoa Valley	Not relevant
REP No. 14 - Eastern Beaches	Not relevant

Sydney Regional Environmental Plans	Response
REP No. 16 - Walsh Bay	Not relevant
REP No. 17 - Kurnell Peninsula	Not relevant
REP No. 18 - Public Transport Corridor	Not relevant
REP No. 19 - Rouse Hill Development Area	Not relevant
REP No. 20 - Hawkesbury–Nepean River (No. 2 - 1997)	Not relevant
REP No. 21 - Warringah Urban Release Areas	Not relevant
REP No. 24 - Homebush Bay Area	Not relevant
REP No. 25 - Orchard Hills	Not relevant
REP No. 26 - City West	Not relevant
REP No. 27 - Wollondilly Regional Open Space	Not relevant
REP No. 28 – Parramatta	Not relevant
REP No. 29 - Rhodes Peninsula	Not relevant
REP No. 30 - St Marys	Not relevant
REP No. 31 - Regional Parklands	Not relevant
REP No. 33 - Cooks Cove	Not relevant
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Not relevant
Greater Metropolitan Regional Environmental Plan	Response
Drinking Water Catchments Regional Environmental Plan No. 1	Not relevant
REP No. 2 - Georges River Catchment	This REP aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment. Water management issues are captured in Airport Environmental Strategy and acknowledge the importance of the Georges River.

Table F4 | Local planning instruments - Bankstown LEP 2001 and Draft LEP 2014 Template LEP

Bankstown Local Environmental Plan 2001 LEP Provision	Details	Bankstown Airport MP Response
General LEP Objectives	Provides various broad principles that are required to be considered in regulated development and preparing development control plans – including urban design, the natural environment, location of trip generation activities, economic impacts and the amenity of residential areas.	The principles included within are required to be considered in these objectives are matters that will be considered in the development assessment process.

Bankstown Local Environmental Plan 2001 LEP Provision	Details	Bankstown Airport MP Response
LEP Definitions	Provides a comprehensive list of the definitions used in the LEP.	Definitions for terms in the LEP are contained in the Dictionary contained in Schedule 1 to the LEP. The Dictionary contains a comprehensive list of defined terms.
LEP Zones – on Airport	The LEP includes a variety of land use zones across the Bankstown LGA.	The area of Bankstown Airport is zoned ‘5 (Special Uses)’ and marked as “Aerodrome” on the zoning map. Under clause 13(5) of the LEP, on land zoned ‘special uses’ development (including ordinarily ancillary or incidental development) may be carried out with consent for the purpose of the land use (i.e, aerodrome) indicated. In addition, the zoning table for zone 5 permits with consent a variety of other uses including, most relevantly, car parks, community facilities, helicopter landing sites, public buildings and recreation areas.
Additional Discretion to Grant Consent	Provides Council with the authority to approve certain uses that are not as permissible uses in the zoning table subject to the satisfaction of certain criteria including: being of a nature that warrants approval; not of being inconsistent with the objectives of the zone; not being inconsistent with any other environmental planning instruments; and not having an adverse effect on other land in the locality.	MP takes a more stringent approach in regard to compliance with its permissible uses, although compatible land use is permitted.
Development by Public Authorities	Allows public authorities to undertake activities or development on the land without development consent under the EP&A Act and includes specific reference to air transport.	On-airport activities are regulated by the Airports Act 1996 and not the EP&A Act, however development will have regard for the objects of the EP&A Act.
General Objectives of the LEP – Special Provisions	The special provisions of the LEP aim to minimise the impact of development on the environment, recognizing specific constraints to development as well as regulating specific types of development.	Any development will need to consider the provisions of the Airport Environment Strategy and will be subject to the development assessment process.
General Environmental Considerations	This provision applies to development which is likely to have a significant environmental impact. Consideration of a number of environmental matters must be adhered to.	Any development will need to consider the provisions of the Airport Environment Strategy and will be subject to the development assessment process.

Bankstown Local Environmental Plan 2001 LEP Provision	Details	Bankstown Airport MP Response
Environmentally Significant Land	This clause provides objectives for environmentally significant land broadly to minimise the impact of development on this land.	Bushland adjacent to the Deverall Park is included in the 'Environmentally Significant Zone' in the MP. Any development will need to consider the provisions of the Airport Environment Strategy and will be subject to the development assessment process.
Ecological Sustainable Development (ESD)	The requires consideration of ESD principals including conservation of energy, waste minimisation, encouraging the use of public transport, avoiding environmentally damaging materials and avoiding of adverse impacts on the natural environment.	Any development will need to consider the provisions of the Airport Environment Strategy and will be subject to the development assessment process.
Trees	Clause 20 provides details of Council's Tree Preservation Order, and the need to seek development consent when removing trees.	The retention of existing trees where appropriate, has been included in the MP. Tree removal will be subject to the development assessment process and AEO tree removal processes.
Acid Sulfate Soils	Outlines that development consent is required for works on acid sulphate soils and lists various classes of works.	Any development within areas affected by acid sulfate soils will be subject to the development assessment process
Development Adjacent to Residential Zones	Requires various matters to be considered for development adjacent to residential 2(a) or 2(b) land in order to address amenity impacts.	Impacts on the adjoining land uses, including residential areas, are required to be considered in the development assessment process.
Airports	This is a specific clause that relates to proposed developments in the vicinity of the airport and how the airport may impact on the development in terms of noise (ANEF) and its building form through the obstacle limitation surface plan (OLS) established by the Airport	The MP incorporates noise and OLS standards which are addressed in relevant sections of the MP.
Outdoor Advertising	Outlines provisions for certain forms of outdoor advertising.	Relevant signage will be considered as part of the development assessment process.

Bankstown Local Environmental Plan 2001 LEP Provision	Details	Bankstown Airport MP Response
Flood Liable Land	Requires consideration of any relevant Development Control Plan (DCP) and the requirements of any floodplain development manual for development on flood liable land.	Any development on flood liable land will be the subject to the development assessment process. This process includes development addressing the guiding principles contained within the Bankstown Airport Stormwater and Flooding Strategy Review 2014, Bankstown Council's relevant DCPs and NSW Floodplain Management Manual.
Landfill	Requires certain matters for consideration in respect to land-filling activities including the economic use of the land and there being no adverse impact on the natural environment or property.	Land filling on Airport land requires approval. This will need to consider the Airport Environment Strategy and other provisions of the MP and is subject to the development assessment process.
Floor Space Ratio (FSR)	Outlines the objectives of FSR as being to regulate scale and bulk consistent with the character of the area.	Appropriate built form controls are considered within the development assessment process.
Access for People with Disabilities.	Any new building must comply with the Building Code of Australia (BCA) in relation to access and facilities for people with disabilities.	Compliance with the BCA in respect to disabled access is required by the Airport Building Controller as part of the building permit process as well as being subject to the development assessment process.
Brothels	Brothels are only permitted on certain land in 4(a) and 4(b) zones.	Under the Airports Regulations, brothels are not permitted on Airport land.
Development along arterial roads	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 with road design and safety requirements.	BAL will continue with detailed discussions with the NSW Roads and Maritime Services and Bankstown City Council in relation to improvements to Henry Lawson Drive and Milperra Road.
Heritage Provisions	Outlines objectives and provisions for the protection of heritage items and their setting and states that consent is required for any alterations, works or changes to heritage items. Other provisions and objectives relate to development in the vicinity of heritage items, archaeological sites or potential archaeological sites and their setting.	Under Schedule 6 of the LEP, 'Bankstown aerodrome' is a listed heritage item. Development proposals will consider the Heritage Management Strategy developed for the Airport.

Bankstown Local Environmental Plan 2001 LEP Provision	Details	Bankstown Airport MP Response
LEP Zones– Adjoining Airport	The airport is surrounded by a number use zones as shown in Figure 14.	
Bankstown Draft LEP 2014 LEP Provision	Details	Bankstown Airport MP Response
Local Standard Template LEP provision	<p>In relation to the implementation/interpretation of AS2021-2000: Acoustics – Aircraft noise, the NSW Department of Planning & Environment has issued a Standard LEP Template for land use planning and for use within any new LEPs.</p> <p>This template includes a standard clause for obstacle heights and aircraft noise. Whilst the Draft Bankstown LEP 2014 adopts provisions for development in areas subject to aircraft noise, it appears that the flight path provisions have not been adopted.</p>	

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