

> Appendix 2 – Regional Planning Considerations

Schedule 1

Section 117 Directions Under EP&A Act

S. 117(2) Directions (General)	Response
G1 Model Provisions	<p>Many of the definitions within Part 2 of the NSW Environmental Planning and Assessment Model provisions 1980 have been adopted within this MP.</p> <p>In addition, some Model Provisions' definitions have been amended and new definitions introduced where appropriate. This practice is consistent with the making of LEPs under the EP&A Act.</p> <p>Specific aeronautically-related uses are not defined by Part 2 of the Model Provisions.</p> <p>Appendix 3 includes the listed definitions as they appear in Section 18 of this Master Plan (except for those aeronautically-related uses).</p> <p>Other parts of the Model Provisions are inappropriate and have not been adopted for the purpose of this MP.</p>
G2 Circulars to Council	<p>State Planning Circular no. 72 – Child Care Centres are permissible within zones on the Airport site including the proposed Employment and Business zones.</p> <p>State Planning Circular no. 45 – This MP has identified that various improvements are expected to be required to the external road.</p> <p>State Planning Circular no. 9 – Panel Beating and Spray Painting uses are permissible within zones on the Airport site including the proposed Employment and Business zones.</p>
G3 Reservations	<p>There are currently no open space zonings within the site, however the MP seeks to include an Open Space zone within areas to the east and west of the site.</p>
G4 Minister or Public Authority Approval/Concurrence	<p>BAL requires public authorities to submit applications for work on the airport lands.</p>
G5 Development by the Crown	<p>Not relevant.</p>
G6 Savings	<p>Not relevant.</p>
G7 Existing General Provisions	<p>Other sections of the MP address issues relating to flood liable land and water catchment areas and heritage.</p>
G8 Rural Zones	<p>Not relevant- the Airport is not within a rural zone.</p>
G9 Residential Zones	<p>Not relevant- the Airport is not within a residential zone</p>
G10 Business Zones	<p>Not relevant- the Airport is not within a business zone, however seeks to provide areas for business uses.</p>
G11 Industrial Zones	<p>Not relevant- the Airport is not within an industrial zone, however seeks to provide areas for industrial uses.</p>

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G12 Environmental Protection Zones	The Airport is not located within an environmental protection zone. However, the bushland adjacent to Deverell Park is acknowledged as an area that has environmental sensitivity identified in the Airport Environment Strategy and is within an Environmental Protection zone under this MP.
G13 Corridors	Not relevant.
G14 Designated Development	Not relevant.
G15 Out of Date Instruments	Not relevant.
G16 Airport Noise	G16 provides guidance on acceptable airport noise levels and appropriate land uses. BAL is required to meet the Australian Standards relating to the location of particular uses and building insulation.
G17 Acquisition	Not relevant.
G18 Community Use of Schools	Not relevant.
G19 Public Recreation Zones	The Airport is not located within a public recreation zone. However, specific areas of land have been zoned for Open Space under the MP allowing for a range of recreational uses.
G20 Planning for Bushfire Protection	Not relevant.
G21 Conservation of Environmental Heritage and Ecologically Significant items and Areas	Other sections of the MP and the AES address issues relating to environmental heritage and ecology.
G22 Determination and Direction under S.71 and 117(2) [for Plans made using s69 Delegation to Council Officers]	Not relevant.
G23 Recreation Vehicle Areas	Not relevant.
G24 Revoked	–
G25 Flood Liable Land	All development will be required to address the relevant principals and guidelines established by the NSW Floodplain Development Manual.
G26 Residential Allotment Sizes	Not relevant.
G27 Bus Services	As part of the Master-planning process, consultation with the NSW State Transit Authority will be undertaken regarding the provision of additional bus services to the site.
G28 Coal, Other Minerals, Petroleum and Extractive Resources	Not relevant.
S. 117(2) Directions (Specific)	Response
None relevant	None relevant
C1- Acid Sulphate Soils	Any development within areas affected by acid sulphate soils will be subject to the development assessment process.

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State Environmental Planning Policies

State Environmental Planning Policy	Response
SEPP No. 1 – Development Standards and new	BAL manages a development assessment process Draft SEPP 1 pursuant to the aims and objectives of the Airports Act 1996.
SEPP No. 2 – Minimum Standards for Residential Flat Development	Not relevant
SEPP No. 3 – Castlereagh Liquid Waste Disposal Depot	Not relevant
SEPP No. 4 – Development Without Consent and Miscellaneous Complying Development	Changes of use are managed through the development assessment process pursuant to the aims and objectives of the Airports Act 1996.
SEPP (Seniors Living) 2004	Any development for the purpose of aged care facilities will be developed having regard to the aims of the Policy.
SEPP No. 6 – Number of Storeys in a Building	Not relevant
SEPP No. 7 – Port Kembla Coal Loader	Not relevant
SEPP No. 8 – Surplus Public Land	Not relevant
SEPP No. 9 – Group Homes	Not relevant
SEPP No. 10 – Retention of Low-Cost Rental Accommodation	Not relevant
SEPP No. 11 – Traffic Generating Developments	SEPP 11 is not a consideration under the requirements of the Airports Act. Nevertheless the MP has considered the objectives of SEPP 11. Detailed guidelines and controls for any proposed development within the airport will be developed to manage land use activities and ensure any impacts are considered.
SEPP No. 12 – Public Housing (Dwelling Houses)	Not relevant
SEPP No. 14 – Coastal Wetlands	Not relevant
SEPP No. 15 – Multiple Occupancy of Rural Land	Not relevant
SEPP No. 15 – Rural Land-Sharing Communities	Not relevant
SEPP No. 16 – Tertiary Institutions	Not relevant
SEPP No. 19 – Bushland in Urban Areas	Bushland areas adjacent to Deverall Park is identified as 'environmentally sensitive land' within its AES and requires the preparation of a Management Plan. BAL acknowledges this SEPP through the zoning of bushland areas adjacent to Deverall Park for 'Environmental Protection'. Any activity within this area will need to be in accordance with the Management Plan.
SEPP No. 20 – Minimum Standards for Residential Flat	Not relevant
SEPP No. 21 – Movable Dwellings	Not relevant

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SEPP No. 22 – Shops and Commercial Premises	Any change of use is to be handled through the development assessment process and may also require ABC approval.
SEPP No. 26 – Littoral Rainforests	Not relevant
SEPP No. 27 – Prison Sites	Not relevant
SEPP No. 28 – Town Houses and Villa Houses	Not relevant
SEPP No. 29 – Western Sydney Recreation Area	Not relevant
SEPP No. 30 – Intensive Agriculture	Not relevant
SEPP No. 31 – Sydney (Kingsford Smith) Airport	Not relevant
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Not relevant
SEPP No. 33 – Hazardous and Offensive Development	All forms of industrial development are permissible within the Business zone, Employment zone, Aeronautical zone and Mixed Aeronautical and Employment zone. Any proposed development of a hazardous or offensive nature requires consent through the development assessment process. In some cases the AES may necessitate an EMP for which BAL would have regard to the current circulars and guidelines published by Workcover NSW, the NSW EPA and DIPNR.
SEPP No. 34 – Major Employment Generating Industrial Development	Any proposed development that fits the criteria of a 'major employment-generating industrial development' may be the subject of a MDP. Such development requires consent from the Minister pursuant to the Airports Act 1996, referral to the Minister for Environment under the EPBC Environment Protection Biodiversity Conservation Act, 1999, and is required to be consistent with the provisions of the MP.
SEPP No. 35 – Maintenance Dredging of Tidal Waterways	Not relevant
SEPP No. 36 – Manufactured Home Estates	Not relevant
SEPP No. 37 – Continued Mines and Extractive Industries	Not relevant
SEPP No. 38 – Olympic Games and Related Development	Not relevant
SEPP No. 39 – Spit Island Bird Habitat	Not relevant
SEPP No. 41 – Casino/Entertainment Complex	Not relevant
SEPP No. 43 – New Southern Railway	Not relevant
SEPP No. 44 – Koala Habitat Protection	Not relevant
SEPP No. 45 – Permissibility of Mining	Not relevant
SEPP No. 47 – Moore Park Showground	Not relevant
SEPP No. 48 – Major Putrescible Land fill Sites	Not relevant
SEPP No. 49 – Tourism Accommodation in Private Homes (Draft)	Not relevant

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SEPP No. 50 – Canal Estates	Not relevant
SEPP No. 51 – Eastern Distributor	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. 54 – Northside Storage Tunnel	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. The Airports Act 1996 requires BAL to prepare an Airport Environment Strategy for the airport. Any development of the land would have to consider this Strategy. Contaminated land sites would be managed through this Strategy and are also subject to regulation by the AEO, 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. 56 – Sydney Harbour Foreshores and Tributaries	Not relevant
SEPP No. 58 – Protecting Sydney's Water Supply	Not relevant
SEPP No. 59 – Central Western Sydney Economic and Employment Area and new Draft SEPP 59	Not relevant
SEPP No. 60 – Exempt and Complying Development	Not relevant
SEPP No. 61 – Exempt and Complying Development for White Bay and Glebe Island Ports	Not relevant
SEPP No. 62 – Sustainable Aquaculture	Not relevant
SEPP No. 63 – Major Transport Projects	Not relevant
SEPP No. 64 – Advertising and Signage	BAL acknowledges the aims and objectives of SEPP 64. BAL considers issues of amenity, character and finish through its development assessment process.
SEPP No. 65 – Design Quality of Residential Flat Development	Not relevant
Draft SEPP No. 66 – Integration of Land Use and Transport	The MP supports the aims of this Draft SEPP by enhancing the Airport's position as a major transport and employment hub and integrating a variety of land uses in the one location. In turn, this improves accessibility to employment and services by walking, cycling and public transport; improves the choice of transport; enhances the increased use of public transport; supports the efficient and viable operation of public transport services; and provides for the efficient movement of freight.

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SEPP No. 67 – Macquarie Generation Industrial Development Strategy	Not relevant
SEPP No. 69 – Major Electricity Supply Projects	Not relevant
SEPP No. 70 – Affordable Housing (Revised Schemes)	Not relevant
SEPP No. 71 – Coastal Protection	Not relevant
SEPP No. 72 – Linear Telecommunications Development – Broadband	Not relevant
SEPP No. 73 – Kosciuszko Ski Resorts	Not relevant
SEPP No. 74 – Newcastle Port and Employment Lands	Not relevant

Schedule 3

Regional Environment Plans

Sydney regional environmental plan (srep)	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. 13 – Mulgoa Valley	Not relevant
REP No. 14 – Eastern Beaches	Not relevant
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. 22 – Parramatta River	Not relevant
REP No. 23 – Sydney and Middle Harbours	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

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REP No. 30 – St Marys	Not relevant
REP No. 31 – Regional Parklands	Not relevant
REP No. 33 – Cooks Cove	Not relevant

Greater Metropolitan Regional Environmental Plan

REP No. 2 – Georges River	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.
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Schedule 4

Local Planning Instruments

Bankstown Local Environment Plan 2001		Bankstown Airport Master Plan
LEP Provision	Details	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 these objectives are matters that will be considered in the development assessment process.
LEP Definitions	Provides a comprehensive list of the definitions used in the LEP.	Appendix 3 includes the listed definitions as they appear in Section 18 of the MP (except for those aeronautically-related uses).
LEP Zones – on Airport	The LEP includes a variety of land use zones across the Bankstown LGA.	The airport is zoned “5(a) Special Uses – Aerodrome” under the LEP. In that zone, development for Aerodrome purposes is permissible with consent as is development for a range of other activities including educational establishments, car parks, communications facilities, child care centres, hospitals, recreation areas and utility installations. The land use zones in this MP make more specific provision for the airport by dividing it into smaller zones than are shown in the LEP. All of the aeronautical use categories would clearly be consistent with the Special Uses 5(a) zone, as

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		would many of the non-aeronautical uses. The business, industrial and retail uses permissible under the MP are inconsistent with the 5(a) zone if a narrow view is taken of what an “aerodrome” purpose is.
Additional Discretion to Grant Consent	Provides Council with the authority to approve certain uses that are not listed as permissible uses in the zoning table subject to the satisfaction of certain criteria including: being of a nature that warrants approval; not 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.	Similar to the LEP 2001, the MP includes “compatible land uses” within each of the zones. This allows approval of development that is not listed as permissible subject to the satisfaction of development not being inconsistent with the provisions of the MP; not being inconsistent with the objectives of the zone; not having an adverse impact on the locality; and not rendering the land unfit for the purpose for which it is zoned.
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 Airport activities.	On-airport activities are regulated by the Airports Act 1996, and not the EP&A Act, 1979.
General Objectives of the LEP – Special Provisions	The special provisions of the LEP aim to minimise the impact of development on the environment, recognising 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.
Environmentally Significant Land	This provides objectives for environmentally significant land broadly to minimise the impact of development on this land.	Bushland adjacent to the Deverall Park is identified as ‘environmentally sensitive land’ within the Airport Environment Strategy and requires the preparation of a Management Plan. Any development will need to consider the provisions of the Airport Environment Strategy, including the Management plan, and will be subject to the development assessment process.

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Ecologically 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.
Acid Sulphate 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 sulphate 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 the body of this MP.
Outdoor Advertising	Outlines provisions for certain forms of outdoor advertising	Relevant signage will be considered as part of the development assessment process.
Flood Liable Land	Requires consideration of any relevant 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 of the development assessment process. This process includes development addressing the guiding principals contained within Bankstown Council's relevant DCPs and the 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 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	Outlines objectives of FSR as being to regulate scale and bulk consistent with the character of the area.	Appropriate built-form controls will be developed and required to be considered within the development assessment process.

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Access for People with Disabilities	Any new building must comply with the requirements of the BCA in relation to 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 the subject of 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 the Airport land.
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 site or potential archaeological site and their setting.	Under Schedule 6 of the LEP, the “Bankstown aerodrome” is a listed heritage item. Development will need to consider the relevant Heritage Management Strategy proposed for the Airport.
LEP Zones – Adjoining Airport	The airport is surrounded by a number of different land – use zones as shown in Figure 14.	<p>The 4(b) Light Industrial zone directly adjoins the Airport to the east and is located in other areas both east and south of the Airport. The 4(a) General Industrial also directly abuts the Airport to the south. These zonings are part of an industrial land ‘corridor’ along Milperra Road in which the Airport site is situated. The other predominant zones within the surrounding area include open space zonings to the west and south and residential zoning to the north.</p> <p>The proposed Employment zone within the MP seeks to provide a broad range and mix of employment and industrial development. This objective allows for a broader range of uses than permitted within these industrial zones. The Employment zone also requires that development be developed within a coordinated and cohesively planned environment. More detailed guidelines and controls will be developed in implementing this objective. This objective and these intentions are consistent with the objectives of the adjoining industrial zones in the Bankstown LEP.</p>

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The proposed Business – Bankstown Airport zone also allows a broad range of uses including retail, entertainment and leisure uses. This zone also allows a broader range of uses than permitted within the adjoining and surrounding industrial zones. The Business-Bankstown Airport zone also specifically encourages the development of an integrated precinct which is particularly relevant given the unique size of the site and the range of different uses encouraged within the zone. Implementation of this objective will achieve a high quality built-form and natural environment. As such, this objective is consistent with the design-related objective within the LEP and associated instruments.

The proposed Employment and Business zonings allow for recreational uses that are permitted within the open space zones within the surrounding area. The proposed Open Space zone also makes specific provision for recreational uses together with a range of related facilities. This provision is consistent with the objectives of the surrounding Open Space zones.

The proposed Environmental Protection zone specifically seeks to protect and enhance certain environmental qualities of the area. This objective is consistent with the objectives of both the Open Space and Environmental Protection zones within the LEP.

Specific residential zonings are not provided for on the airport site due to restrictions imposed under the Airports Regulations. The provision of the Employment Zone adjacent to residentially zoned land and the concentration of aviation activities further towards the centre of the site is consistent with the broader objectives of the Bankstown LEP of providing appropriate amenity for the residentially zoned land to the north of the airport.
