

Planning Proposal - 95 Queens Road, Five Dock

Proposal Title : **Planning Proposal - 95 Queens Road, Five Dock**

Proposal Summary : **Amend the Canada Bay LEP 2008 or draft Canada Bay LEP 2013 to add the land use 'Child Care Centre' to Schedule 1 - Additional Permitted Uses for 95 Queens Road, Five Dock.**

PP Number : **PP_2013_CANAD_001_00** Dop File No : **13/08331**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended the planning proposal proceed subject to the following conditions:**

- Planning proposal is exhibited for 14 days.
- Planning proposal be completed within 6 months.
- A public hearing is not required to be held.
- The Director General considers the inconsistency with directions 6.3 Site Specific Provisions to be of minor significance.
- The Director General's approval for the inconsistency with direction 1.1 Business and Industrial zone is required. It is recommended that the Director General approve this inconsistency with the direction.
- An authorisation to exercise delegation to make the plan be issued to the council for this planning proposal.

Supporting Reasons : **The planning proposal should be approved for the following reasons:**

- It is in a suitable location as it adjoins RE1 Public Recreation, R2 Low Density Residential and R3 Medium Density Residential;
- It is considered this planning proposal will have minimal impact on the surrounding environment;
- It is considered that the addition of 'Child Care Centres' is fulfilling a demand for this use in the area; and
- Council proposes to progress the planning proposal under delegation. The matter is considered to be of local significance and the use of council's delegation is supported.

Panel Recommendation

Recommendation Date : **31-May-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to update the 'explanation of provisions' within the planning proposal to advise the public that the proposal may amend

the draft Canada Bay LEP 2013, in the event the draft LEP is notified prior to the making of this planning proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

5.6.13