

432 West Botany Street, Rockdale - additional permitted uses

Proposal Title : **432 West Botany Street, Rockdale - additional permitted uses**

Proposal Summary : **Amend Schedule 1 - Additional Permitted Uses to permit with consent a shop associated with a charitable organisation at 432 West Botany Street, Rockdale.**

PP Number : **PP_2012_ROCKD_005_00**

Dop File No : **12/19913**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
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 that the planning proposal proceed subject to the following conditions:**

- 1. The Planning Proposal is exhibited for 14 days; and**
- 2. The Planning Proposal should be completed in 6 months.**

The RPA should be advised that:

- 1. The Planning Proposal is considered to be consistent with all relevant s117 Directions and Council does not need to address these Directions further.**
- 2. No consultation with Public Authorities is required.**
- 3. No further studies are required to be carried out.**

Supporting Reasons : **1. The proposal is minor in nature**

2. The proposal will not reduce land available for employment lands and does not reduce the amount of land zoned for industrial purposes.

3. A "shop" is compatible with the existing uses on the site.

4. The wording of the proposed clause ties the proposed new shop use to a charitable organisation so that the use can not carry over to a new tenant or owner that does not seek to use the site to operate a charity. This will further protect future use of the site for uses intended within the broader industrial zone.

Panel Recommendation

Recommendation Date : **20-Dec-2012**

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 ensure the address of the subject site at West Botany Street, Rockdale is correctly referenced throughout the planning proposal and associated documentation.**

2. Prior to undertaking public exhibition, Council is to amend the planning proposal to demonstrate the proposal's consistency or justify any inconsistency with Section 117 Direction 3.4 Integrating Land Use and Transport.

3. 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 and Infrastructure 2012) and must be made publicly available for 14 days; and

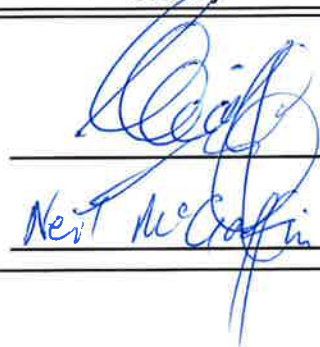
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

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

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

21.12.12