

Rezoning of the British American Tobacco Australia (BATA) Site - Westfield Drive, Eastgardens

Proposal Title : Rezoning of the British American Tobacco Australia (BATA) Site - Westfield Drive, Eastgardens

Proposal Summary : The planning proposal seeks to partially rezone the site from 4(a) Industrial Zone under Botany Local Environmental Plan 1995 ('BLEP 1995') to part 3(b) Business Restricted Zone and part 2(b) Residential "B" Zone under BLEP 1995. The proposed business component will have a maximum floor space ratio ('FSR') of 3:1 and building heights up to 44m. The proposed residential component will have a maximum FSR of 1:1 and building heights of 11m to 39m.

PP Number : PP_2012_BOTAN_002_00 Dop File No : 12/02748

Planning Team Recommendation

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

S.117 directions : 1.1 Business and Industrial Zones
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 3.5 Development Near Licensed Aerodromes
 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:

a) The planning proposal be exhibited for at least 14 days.

b) The planning proposal be completed within 6 months of the Gateway Determination.

c) Council to consider implementing a 5-year review to assess housing demand and supply on the site and future development capacity.

d) Notify Transport for NSW and the Roads and Maritime Services of the exhibition and opportunity to comment.

e) No further studies are required to be carried out for the planning proposal.

Supporting Reasons : The site is generally underutilised under the existing industrial zoning. It is considered that the redevelopment of the site's surplus land for residential and mixed uses will help meet important Government objectives and directions and is therefore supported by the Department.

Panel Recommendation

Recommendation Date : Gateway Recommendation :

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. 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 2009) 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

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2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. 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).

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

Signature: _____

Printed Name: _____

Date: _____