

Additional objectives for IN1 and B5 zones; airport-related land uses and industries as Schedule 1 Additional Permitted Uses and additional FSR on Qantas land, Mascot

Proposal Title : Additional objectives for IN1 and B5 zones; airport-related land uses and industries as Schedule 1 Additional Permitted Uses and additional FSR on Qantas land, Mascot

Proposal Summary : The planning proposal seeks the following amendments to the Botany Bay LEP 2013:

1. The addition of a new objective into the IN1 (General Industrial) zone and the B5 (Business Development) zone;
2. Introduction of "airport-related land uses" and "airport-related industries" as additional permitted uses in Schedule 1 of the BBLEP 2013; and
3. A new maximum FSR of 1.5:1 for development for the purposes of "airport-related land uses" or "airport-related industries" on land zoned IN1, an increase from the current FSR of 1.2:1.

The planning proposal relates to 17 parcels of land owned by Qantas Airways Ltd at Coward Street, Kent Road and King Street, Mascot, which are located immediately to the north of Sydney Airport and is bounded by Qantas Drive and the Sydenham-Botany railway line to the south, and Coward Street to the north.

PP Number : PP_2014_BOTAN_003_00 Dop File No : 14/07018

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 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. Delegation of authority for Council to finalise this LEP amendment is granted. Prior to public exhibition, Council is to confirm in writing the name and position of the person to whom authority to finalise the LEP amendment is to be delegated.
2. Prior to public exhibition, a further traffic impact assessment is to be prepared in accordance with the advice of NSW Roads and Maritime Services' letter to Council, dated 21 February 2014 (reference: SYD13/01438). This assessment is to be publicly exhibited with the planning proposal;
3. Prior to public exhibition, the planning proposal is to be amended by removing reference(s) to 'airport-related uses' and 'airport-related industries', and replace with specific proposed land uses in accordance with the applicable SI Directions relating to additional permitted uses.
4. The planning proposal should be exhibited for 28 days.
5. The planning proposal should be completed within 12 months.
6. 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.

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7. Consultation with the following authorities is required:

- NSW Roads and Maritime Services
- Sydney Ports Corporation
- Adjoining LGAs
- Sydney Airport Corporation Limited;
- Commonwealth Department of Infrastructure and Regional Development (Aviation Environment).

Supporting Reasons :

Whilst further traffic assessment is required (refer to Condition 2 above) and the use of non-SI land use terms is not supported (refer to Condition 3 above), the planning proposal is, on the whole, supported because it has strategic merit in that it will support and strengthen the economic activity and employment generating potential of the airport, the Global Economic Corridor, the Sydney Airport and Environs Specialised Centre and Botany Bay LGA.

Panel Recommendation

Recommendation Date : 29-May-2014

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 amend the 'explanation of provisions' with the planning proposal to include the best fitting Standard Instrument defined terms, with advice that uses on the site are limited to airport related land uses and industries, include a plain English explanation of the intention of the proposed amendments and advise that the wording of the proposed amendments to Schedule 1 and clause 4.4 'Floor space ratio' are subject to change once the proposal is submitted to Parliamentary Counsel for drafting of the LEP.

2. Prior to undertaking public exhibition, a traffic impact assessment is to be carried out which assesses the cumulative impact of development in the precinct and identifies mitigation measures to accommodate traffic impacts, particularly at the O'Riordan Street/King Street intersection, in accordance with advice received from Roads and Maritime Services in February 2014. This assessment is to be placed on public exhibition with the planning proposal.

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 must be made publicly available for a minimum of 28 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 Environment 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Sydney Ports
- Sydney Airport
- Transport for NSW – Roads and Maritime Services
- Adjoining LGAs
- Commonwealth Department of Infrastructure and Regional Development - Aviation (S117 Direction 3.5 Development Near Licensed Aerodromes)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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).

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6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

TROY LOVEDAY

Date:

11-06-14