



New South Wales

Botany Local Environmental Plan 1995 (Amendment No 17)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/00103)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 603

Clause 1 Botany Local Environmental Plan 1995 (Amendment No 17)

Botany Local Environmental Plan 1995 (Amendment No 17)

1 Name of plan

This plan is *Botany Local Environmental Plan 1995 (Amendment No 17)*.

2 Aims of plan

This plan aims to:

- (a) allow for the introduction of new industrial land uses within the City of Botany Bay within Zones Nos 4 (b) and 4 (c2), and
- (b) ensure industrial development is of a high standard of design, is consistent with a high level of environmental amenity and is compatible with adjoining land uses and built form.

3 Land to which plan applies

This plan applies to all land to which *Botany Local Environmental Plan 1995* applies and in particular to land within Zones Nos 4 (b) and 4 (c2) under *Botany Local Environmental Plan 1995*.

4 Amendment of Botany Local Environmental Plan 1995

Botany Local Environmental Plan 1995 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 10 Zone objectives and development control table

Insert “; high technology industries”, “; light goods dispatch”, “; tradespersons’ supply and service stores” and “; vehicle rental centres; warehouse or distribution centres” in alphabetical order in item 3 of the matter relating to Zones Nos 4 (b) and 4 (c2) in the Table to clause 10.

[2] Clause 17

Omit the clause. Insert instead:

17 Development in industrial zones

- (1) Before granting consent to any development to be carried out on land within Zone No 4 (a), the Council must be satisfied that:
 - (a) the development provides adequate off-street parking,
 - (b) the development provides an efficient and safe system for the manoeuvring, loading and unloading of vehicles,
 - (c) the operations of the development will not have an adverse impact on the functions of the surrounding road network,
 - (d) any goods, plant, equipment and other material resulting from the operations of the development will be stored within a building or wholly within the site and screened suitably from public view,
 - (e) there is sufficient area on-site for the storage and parking of vehicles associated with the operations of the development,
 - (f) landscaping will be provided that is integral to the design and function of the building and the site to improve the appearance of the development, enhance the streetscape and add to the amenity of the adjoining area,
 - (g) the development is of a height, scale and design that is sympathetic to adjoining land uses and built form,

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- (h) the building design and finishes are sympathetic and complementary to the built form, the streetscape and the public domain in the vicinity,
 - (i) the design and operation of the development will protect the visual and aural amenity of adjoining non-industrial uses,
 - (j) any noise generated from the operation of the development is minimised,
 - (k) any risk to human health, property or the natural environment arising from the operation of the development is minimised, and
 - (l) the provisions of *State Environmental Planning Policy No 55—Remediation of Land* will be complied with in relation to the land.
- (2) Before granting consent to any development to be carried out on land within Zone No 4 (b), the Council must be satisfied that:
- (a) the development provides adequate off-street parking,
 - (b) the development provides an efficient and safe system for the manoeuvring, loading and unloading of vehicles,
 - (c) the operations of the development will not have an adverse impact on the functions of the surrounding road network,
 - (d) any goods, plant, equipment and other material resulting from the operations of the development will be stored within a building or wholly within the site and screened suitably from public view,
 - (e) the operation of the development will not have an adverse impact on the surrounding area as a result of traffic movement, the discharge of pollutants, emissions, waste storage, hours of operation and the like,
 - (f) landscaping will be provided that is integral to the design and function of the building and the site to improve the appearance of the development, enhance the streetscape and add to the amenity of the adjoining area,
 - (g) the development is of a height, scale and design that is sympathetic to adjoining land uses and built form,

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- (h) the building design and finishes are sympathetic and complementary to the built form, the streetscape and the public domain in the vicinity,
 - (i) the design and operation of the development will protect the visual and aural amenity of adjoining non-industrial uses,
 - (j) the levels of noise generated from the operations or vehicles associated with the development are compatible with adjoining non-industrial uses, and
 - (k) the provisions of *State Environmental Planning Policy No 55—Remediation of Land* will be complied with in relation to the land.
- (3) Before granting consent to any development to be carried out on land within Zone No 4 (c1) or 4 (c2), the Council must be satisfied that:
- (a) the development provides adequate off-street parking,
 - (b) the development provides an efficient and safe system for the manoeuvring, loading and unloading of vehicles,
 - (c) the operations of the development will not have an adverse impact on the functions of the surrounding road network,
 - (d) any goods, plant, equipment and other material resulting from the operations of the development will be stored within a building or wholly within the site and screened suitably from public view,
 - (e) the operation of the development will not have an adverse impact on the surrounding area as a result of traffic movement, the discharge of pollutants, emissions, waste storage, hours of operation and the like,
 - (f) the landscaping is integral to the design and function of the building and the site to improve the appearance of the development, enhance the streetscape and add to the amenity of the adjoining area,
 - (g) the building height, scale and design are sympathetic and complementary to the built form, the streetscape and the public domain in the vicinity,

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- (h) the building design and finishes will not have an adverse impact on the amenity of the surrounding area as a result of wind generation, overshadowing, reflectivity and the like,
- (i) the design and operation of the development will protect the visual and aural amenity of adjoining non-industrial uses,
- (j) the levels of noise generated from the operations or vehicles associated with the development are compatible with adjoining uses, and
- (k) the provisions of *State Environmental Planning Policy No 55—Remediation of Land* will be complied with in relation to the land.

[3] Schedule 1 Definitions

Insert in Schedule 1 in alphabetical order:

high technology industry means an enterprise which has as its primary function the manufacture, development, production, processing or assembly of, or research into, any of the following:

- (a) electronic and micro-electronic systems, goods and components,
- (b) information technology, computer software and hardware,
- (c) instrumentation and instruments,
- (d) biological, pharmaceutical, medical or paramedical systems, goods and components,
- (e) other goods, systems and components intended for use in science and technology.

light goods dispatch means a building or place in which there is carried on a non-retail occupation, profession or trade, which involves light goods handling and storage of those goods for dispatch, but only in conjunction with the core business, and only where the product is small and a light duty vehicle only is required for delivery.

tradespersons' supply and service store means a building within which the sale or hire and/or servicing of moveable plant occurs and at which the moveable plant is operated only by the owners or occupiers of the building, and may include an ancillary office area.

vehicle rental centre means a building or premises used to rent out vehicles and to store and service those vehicles and may include an ancillary office area.