



New South Wales

Botany Bay Local Environmental Plan 2013 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

LARA KIRCHNER, GENERAL MANAGER, CITY OF BOTANY BAY COUNCIL
As delegate for the Minister for Planning

Botany Bay Local Environmental Plan 2013 (Amendment No 1)

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1 Name of Plan

This Plan is *Botany Bay Local Environmental Plan 2013 (Amendment No 1)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land at Coward Street, King Street and Kent Road, Mascot.

4 Maps

The maps adopted by *Botany Bay Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Botany Bay Local Environmental Plan 2013

[1] Clause 4.4 Floor space ratio

Insert after clause 4.4 (2C):

- (2D) Despite subclause (2), if a building is permissible under clause 9A of Schedule 1 on land identified as “Area 4” on the Floor Space Ratio Map, the maximum floor space ratio for the building must not exceed 1.5:1.

[2] Schedule 1 Additional permitted uses

Insert after clause 9:

9A Use of certain land at Coward Street, King Street and Kent Road, Mascot

- (1) This clause applies to land at Coward Street, King Street and Kent Road, Mascot, being Lots 2 and 4, DP 234489, Lot B, DP 164829, Lot 1, DP 81210, Lot 1, DP 202093, Lot 1, DP 721562, Lot 1, DP 202747, Lot 133, DP 659434, Lots 4 and 5, DP 38594, Lots 1 and 2, DP 738342, Lot 23, DP 883548, Lot 3, DP 230355, Lot 4, DP 537339, Lot 1, DP 445957 and Lot 2, DP 510447.
- (2) Development is permitted with development consent:
 - (a) for any of the following purposes, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport:
 - (i) commercial premises,
 - (ii) function centres,
 - (iii) information and education facilities,
 - (iv) passenger transport facilities,
 - (v) tourist and visitor accommodation, or
 - (b) for the purpose of any other building or place used only for purposes that relate to the use of Sydney (Kingsford Smith) Airport.
- (3) Without limiting subclause (2), development is permitted with development consent for the purpose of a building or place used for the provision of any of the following services:
 - (a) services related to any of the following uses carried out at Sydney (Kingsford Smith) Airport:
 - (i) the assembly, storage or land transport of air freight,
 - (ii) the accommodation, or transportation by air or land, of air passengers or air crew,
 - (iii) the storage, operation, maintenance or repair of aircraft or aircraft components,
 - (iv) the administrative functions associated with the airport, such as airport management and security,
 - (v) the functions of government departments and authorities related to air passengers and air freight,
 - (b) services provided for hotel or motel guests, including banking, dry cleaning, hairdressing and the like, that are located within the confines of the hotel or motel building.

- (4) In determining whether to grant development consent under this clause, the consent authority must consider the following:
 - (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway,
 - (b) whether or not the development is likely to compromise the viability of adjoining industrial uses.

[3] Schedule 1, clause 10A

Insert after clause 10:

10A Use of certain land at King Street, Mascot

- (1) This clause applies to land at King Street, Mascot, being Lot 2, DP 510447.
- (2) Development for any of the following purposes is permitted with development consent, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport:
 - (a) freight transport facilities,
 - (b) industrial training facilities,
 - (c) general industries,
 - (d) light industries,
 - (e) storage premises,
 - (f) transport depots.
- (3) In determining whether to grant development consent under this clause, the consent authority must consider the following:
 - (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway,
 - (b) whether or not the development is likely to compromise the viability of adjoining industrial uses.