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## Planning Matters - 28 November 2017

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### **ITEM 5.3                      Planning Proposal - Various Amendments to Canterbury Local Environmental Plan 2012**

**AUTHOR                      Planning**

#### **PURPOSE AND BACKGROUND**

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On 27 June 2017 Council resolved to exhibit the revised planning proposal which seeks to make a number of minor amendments to the Canterbury LEP 2012 and that it be reported to council following the exhibition period.

The planning proposal was placed on public exhibition in July/August 2017 and received a submission from the Office of Heritage and Environment.

The report seeks Council's endorsement and approval of the planning proposal for finalisation by the Greater Sydney Commission.

#### **ISSUE**

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This report outlines the proposed housekeeping amendments to the Canterbury LEP 2012, which was recently exhibited. It recommends the draft plan, as amended, be made in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

#### **RECOMMENDATION**

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That the planning proposal to amend the Canterbury LEP 2012, as amended, be approved for finalisation and making as a Local Environmental Plan under Section 59 of the EPA Act, 1979.

#### **ATTACHMENTS                      [Click here for attachment](#)**

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A.     Historical notes

**POLICY IMPACT**

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This matter has no policy implications for Council.

**FINANCIAL IMPACT**

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This matter has no financial implications.

**COMMUNITY IMPACT**

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There is no community impact.

## DETAILED INFORMATION

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### Gateway Determination

A planning proposal submission was prepared and forwarded to the Department of Planning and Environment in January 2016. A Gateway Determination was issued on 3 March 2016, allowing council to proceed to public exhibition subject to conditions.

### Proposed amendments

The proposed amendments are mostly administrative in nature and involve:

- Adding 'emergency services facility' as a permissible use in the RE1 Public Recreation zone;
- Removing an objective in the B6 zone objective that refers to residential uses as it is a typographical error. Residential accommodation is a prohibited use within the B6 zone.
- Correcting the description of three heritage items at:
  - 260, 260A, 262 Canterbury Road, Canterbury (local)
  - 2-4 Sugar House Road, Canterbury (state)
  - 96A Moorefields Road, Kingsgrove (local).
- Making a number of mapping amendments to correct zoning boundary anomalies at:
  - 102-102A Rogers Street, Roselands
  - 3 Sunbeam Street and 60 Charlotte Street, Clemton Park.
- Updating land reservation and acquisition details to reflect recent land acquisitions by Council at:
  - 46 Fairmount St, Lakemba
  - 15 Wangee St, Lakemba
  - 39 Ludgate St, Roselands
  - 34 Allan Avenue, Belmore

### Public Exhibition

The amended planning proposal was placed on public exhibition from 17 July to 14 August 2017. Overall one submission was received.

The submission was received from the Heritage Council which raised concerns about the proposed name change for the 'Canterbury Sugar Mill' to 'Canterbury Sugar Works'.

The Heritage Council advised that their records show the property is known as the '*Old Sugarmill at Canterbury*' and has requested the name be amended to reflect the Heritage Council's records.

### Comment

In 2013 Council engaged historians Lesley Muir and Brian Madden to prepare historical notes for a number of heritage items. They advised that the naming of the Canterbury Sugar Mill was incorrect, and its historically correct name was in fact Canterbury Sugar Works. Prior to Canterbury LEP 2012, the name of the item was correctly identified as '*Canterbury Sugar Works*' in LEP 138.

It is also proposed to make a minor change to the exhibited version of the name of the item from 'Canterbury Sugar Works' to 'Canterbury Sugar Works (former)', as the item is no longer in its original use, a reference to it being a former use is appropriate.

Based on the above advice, the Heritage Council was informed of Council's intentions to retain and make a minor change to the name of the item. In response, the Heritage Council raises no further objections to the naming of the Canterbury Sugar Mill proposed by Council, provided that an updated inventory sheet be forwarded to the Heritage Division once the Plan is made.

A copy of the historical notes is shown as attachment A.

### **Conclusion/ next steps**

The Plan will be referred to the Department of Planning and Environment for finalisation and making.

It is recommended the planning proposal, as amended, be approved for finalisation and making as a Local Environmental Plan under Section 59 of the EPA Act, 1979.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 NOVEMBER 2017**

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**ITEM 5.3                      PLANNING PROPOSAL - VARIOUS AMENDMENTS TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012**

CLR ZAKHIA RETURNED TO THE CHAMBER AT 8.05 PM.

**(53)                      CLR. EL-HAYEK:/CLR. MADIRAZZA**

RESOLVED that the planning proposal to amend the Canterbury LEP 2012, as amended, be approved for finalisation and making as a Local Environmental Plan under Section 59 of the EPA Act, 1979.

- CARRIED

**For:-**                      Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Zakhia and Zaman

**Against:-**              Nil

**ITEM 5.4                      913-925 PUNCHBOWL ROAD AND 21 CANTERBURY ROAD, PUNCHBOWL**  
**(54)                      CLR. ISHAC:/CLR. MADIRAZZA**

RESOLVED that

1. Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination that will:
  - (a) Rezone the properties at 913 to 921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre, subject to determining whether any retail or commercial uses are necessary for the area north of the drainage easement section of the site along Punchbowl Road (noting that residential flat buildings are permissible in the B1 zone).
  - (b) Permit a maximum 17 metre building height and a maximum 1.8:1 FSR. This should include a consideration of different height levels across the site, in association with relevant FSRs across the site (but achieving the same potential yield), including specific treatment of the zone interface between the northern part of the site and the R2 zoning to address adverse amenity impacts.
  - (c) Do not apply the Lot Size Map to the properties at 913–921B Punchbowl Road as the Lot Size Map does not apply to Zone B1 Neighbourhood Centre (if the site was to have a residential zoning which allowed residential flat buildings).